



Auckland  
Regional Council  
TE RAUHĪTANGA TAIAO

Auckland Regional Plan: Coastal

Proposed Plan Change 3

Wynyard Quarter

# SECTION 32 REPORT

July 2007



## TABLE OF CONTENTS

### 1 INTRODUCTION

Purpose and Scope of the Section 32 Report

### 2 STATUTORY FRAMEWORK

- 2.1 Part II of the RMA
- 2.2 Purpose of Regional Coastal Plans
- 2.3 New Zealand Coastal Policy Statement and Auckland Regional Policy Statement
- 2.4 Section 32 Requirements
- 2.5 Initial Evaluation of Management Alternatives

### 3 ASSESSMENT OF PLAN CHANGE 3 – WYNYARD QUARTER

- 3.1 Purpose of Plan Change
- 3.2 Summary of Key Changes
- 3.3 Background Work – Auckland Waterfront Vision 2040 and Consultation Summary
- 3.4 Do the Objectives Achieve the Purpose of the RMA?
- 3.5 Evaluation of Policies and Methods – Efficiency and Effectiveness
- 3.6 Evaluation of Policies and Methods – Costs, Benefits and Risks

### 4 CONCLUSION

#### Abbreviations used in this report:

- ACC – Auckland City Council
- ARC – Auckland Regional Council
- CMA – Coastal Marine Area
- HGMPA – Hauraki Gulf Marine Park Act 2000
- HSEW – Halsey Street Extension Wharf
- NZCPS – New Zealand Coastal Policy Statement 1994
- PMA – Port Management Area
- POAL – Ports of Auckland Ltd
- RMA – Resource Management Act 1991
- RPC – Auckland Regional Plan: Coastal 2004
- RPS – Auckland Regional Policy Statement 1999



## 1 INTRODUCTION

The Auckland Regional Council (ARC) has prepared a proposed plan change to the Auckland Regional Plan: Coastal 2004 (RPC). Proposed Plan Change 3 relates to the Wynyard Quarter area of the Auckland city waterfront. Wynyard Quarter is the area between the Viaduct Harbour and Westhaven Marina. It also known as the Western Reclamation, Wynyard Point or Tank Farm. The purpose of this report is to provide background to the proposed plan change as required by section 32 of the Resource Management Act 1991 (RMA).

The principal purpose of Proposed Plan Change 3 is to ensure that the RPC provides for appropriate management of the coastal marine area (CMA) adjacent to Wynyard Quarter as the use of adjacent land changes over time. It is expected that in the longer term, the use of the Wynyard Quarter will change from activities based around the storage of bulk liquids and the marine and fishing industries, to mixed use development, marine events and open space, along with marine and fishing industry activities. The changes in the use of the land will have corresponding changes in the use and development of the wharves, slipways and water area around Wynyard Quarter.

This plan change is being notified concurrently with a change to the Auckland City District Plan (Central Area Section) for the Wynyard Quarter. The ARC and Auckland City Council (ACC) have undertaken a comprehensive planning and consultation programme for the waterfront to plan for the future development of this area. This programme resulted in the publication of the "Auckland Waterfront Vision 2040" document which recognised that both the ARC and ACC would need to undertake further planning work to provide for the planned developments. Undertaking the plan change processes together provides for a fully integrated management regime and an efficient and effective opportunity for co-ordinated public input into the statutory process.

Plan Change 2 complements the district plan change by providing for:

- A new bridge ('Te Wero') linking the eastern Viaduct Harbour and Wynyard Quarter
- A marine events centre on Halsey Street Extension Wharf, Western Viaduct Wharf and the adjacent water space, including an extension to the time and noise limits for temporary events in the Viaduct Harbour
- Development and use of Wynyard Wharf for port, commercial, entertainment and public use
- New buildings and public artworks on the wharves while providing for enhanced public access and continued use of the area by the fishing industry
- Marine industry activities along the western side of Wynyard Quarter.

## 2 STATUTORY FRAMEWORK

### 2.1 Part II of the RMA

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources. This means:

*5(2) ...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 wellbeing and for their health and safety while –*

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying or mitigating any adverse effects of activities on the environment.*

Environment is defined in section 2 of the RMA as including:

- (a) Ecosystems and their constituent parts, including people and communities; and*
- (b) All natural and physical resources; and*
- (c) Amenity values; and*
- (d) The social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters:*

In achieving sustainable management, the ARC is required in the exercise of its functions and powers to recognise and provide for the matters of national importance listed in section 6 of the RMA. Although the implementation of section 6 must occur with reference to the promotion of sustainable management, the ARC must identify and provide for the matters of national importance within the context of the Auckland region. The section 6 matters of particular relevance to Proposed Plan Change 3 are:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- (f) The protection of historic heritage from inappropriate subdivision, use, and development.*

The ARC is also required to have particular regard to various matters listed in section 7 of the RMA. Matters of relevance to the proposed plan change include:

- (b) The efficient use and development of natural and physical resources:*
- (c) The maintenance and enhancement of amenity values:*

(f) *Maintenance and enhancement of the quality of the environment:*

Section 8 of the RMA provides that in achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## 2.2 Purpose of Regional Coastal Plans

Section 63 of the RMA states the purpose of regional plans (including regional coastal plans), while sections 64 to 70 set out the processes and general content of regional plans. Section 63 states:

- (1) *The purpose of the preparation, implementation, and administration of regional plans is to assist a regional council to carry out any of its functions in order to achieve the purpose of this Act.*
- (2) *Without limiting subsection (1), the purpose of the preparation, implementation, and administration of regional coastal plans is to assist a regional council, in conjunction with the Minister of Conservation, to achieve the purpose of this Act in relation to the coastal marine area of that region.*

Under section 30(1) of the Act, the functions of regional councils include:

- (d) *In respect of any coastal marine area in the region, the control (in conjunction with the Minister of Conservation) of —*
  - (i) *Land and associated natural and physical resources:*
  - (ii) *The occupation of space on land of the Crown or land vested in the regional council, that is foreshore or seabed, and the extraction of sand, shingle, shell, or other natural material from that land:*
  - (iii) *The taking, use, damming, and diversion of water:*
  - (iv) *Discharges of contaminants into or onto land, air, or water and discharges of water into water:*
  - (iva) *The dumping and incineration of waste or other matter and the dumping of ships, aircraft, and offshore installations:*
  - (v) *Any actual or potential effects of the use, development, or protection of land, including the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:*
  - (vi) *The emission of noise and the mitigation of the effects of noise:*
  - (vii) *Activities in relation to the surface of water:*

## 2.3 New Zealand Coastal Policy Statement, Hauraki Gulf Marine Park Act and Auckland Regional Policy Statement

In achieving the purpose of the Act, the Regional Plan: Coastal must give effect to the New Zealand Coastal Policy Statement 1994 (NZCPS), sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 (HGMPA) and the Auckland Regional Policy Statement 1999 (RPS) (section 67 RMA).

Some NZCPS policies that are relevant to Plan Change 3 include:

- Policy 1.1.1 It is a national priority to preserve the natural character of the coastal environment by:*
- (a) encouraging appropriate subdivision, use or development in areas where the natural character has already been compromised and avoiding sprawling or sporadic subdivision, use or development in the coastal environment; ...*
- Policy 3.1.1 Use of the coast by the public should not be allowed to have significant adverse effects on the coastal environment, amenity values, nor on the safety of the public nor on the enjoyment of the coast by the public.*
- Policy 3.1.3 Policy statements and plans should recognise the contribution that open space makes to the amenity values found in the coastal environment, and should seek to maintain and enhance those values by giving appropriate protection to areas of open space.*
- Policy 3.2.1 Policy statements and plans should define what form of subdivision, use and development would be appropriate in the coastal environment, and where it would be appropriate.*
- Policy 3.2.2 Adverse effects of subdivision, use or development in the coastal environment should as far as practicable be avoided. Where complete avoidance is not practicable, the adverse effects should be mitigated and provision made for remedying those effects, to the extent practicable.*
- Policy 3.5.1 In order to recognise the national importance of maintaining public access to and along the coastal marine area, a restriction depriving the public of such access should only be imposed where such a restriction is necessary :*
- (a) to protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna;*
  - (b) to protect Maori cultural values;*
  - (c) to protect public health or safety;*
  - (d) to ensure a level of security consistent with the purpose of a resource consent; or*
  - (e) in other exceptional circumstances sufficient to justify the restriction notwithstanding the national importance of maintaining that access.*

In preparing a change to the Regional Plan: Coastal, the following sections of the HGMPA must also be treated as a New Zealand Coastal Policy Statement.



*7. Recognition of national significance of Hauraki Gulf—*

- (1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.*
- (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity —*
  - (a) to provide for —*
    - (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and*
    - (ii) the social, economic, recreational, and cultural well-being of people and communities:*
  - (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:*
  - (c) to maintain the soil, air, water, and ecosystems of the Gulf.*

*8. Management of Hauraki Gulf—*

*To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—*

- (a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:*
- (b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:*
- (c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:*
- (d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:*
- (e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:*
- (f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.*

The RPS contains complementary objectives and policies that guide the management of the coastal marine area and support the enhancement of public access and amenity values in developed areas of the coast.

Key policies include:

7.4.10 *Policies: Subdivision, use and development.*

- 1 *The diverse range of values of the coastal environment shall be recognised and the need to enable people and communities to provide for their social, economic and cultural wellbeing shall be provided for in appropriate areas of the coastal environment.*
- 2 *In assessing the appropriateness of subdivision, use and development in the coastal environment particular regard shall be had to the following matters:*
  - (i) *natural character is preserved and protected in accordance with Policies 7.4.4-1 (i), (ii) and (iii), and 7.4.4-2;*
  - (ii) *public access is maintained or enhanced in accordance with Policies 7.4.13-1, 2 and 3;*
  - (iii) *amenity values are maintained or enhanced as far as practicable;*
  - (iv) *public open space is maintained or enhanced as far as practicable;*
  - (v) *there is a functional need for use and development within the CMA;*
  - (vi) *efficient use is made of the natural and physical resources of the coastal environment;*
  - (vii) *activities are of a scale, design and location that maintain or enhance landscape values in the area, including seascapes and landforms;*
  - (viii) *there are no significant adverse effects of activities on the CMA, or on adjacent land, including effects across the MHWs boundary;*
  - (ix) *adverse effects are avoided, remedied or mitigated in Areas of Special Value in accordance with policies in 7.4.7;*
  - (x) *activities are designed and located to avoid the need for hazard protection works;*
  - (xi) *provision is made for adequate utility services (including the disposal of waste);*
  - (xii) *effect is given to all other relevant provisions of this policy statement, in particular those stated in Chapter 2 - Regional Overview and Strategic Direction, Chapter 6 - Heritage and Chapter 8 - Water Quality.*

7.4.13 *Policies: Public access.*

1. *Public access shall be maintained and enhanced to and along the CMA and to publicly owned land in the coastal environment.*
2. *Particular regard shall be had to enhancing public access to and along the CMA and to publicly owned land in the coastal environment where:*
  - (i) *areas are of high amenity or recreational value; or*
  - (ii) *areas are of importance to Tangata Whenua for carrying out customary activities and in order to exercise kaitiakitanga; or*

- (iii) access would be of particular value or potential value for educational or scientific reasons; or*
  - (iv) areas are adjacent to the Areas of Special Value identified in Appendix B and Map Series 2, where this would be consistent with the protection of natural and cultural heritage values; or*
  - (v) a number of esplanade reserves or other public open spaces exist in the vicinity, and the enhancement of public access would contribute to the linking together of disconnected reserves.*
3. *Public access to and along the CMA should only be restricted where it is necessary to:*
- (i) protect significant natural or cultural heritage values; or*
  - (ii) protect sites and areas of Maori spiritual and cultural value; or*
  - (iii) protect public health and safety; or*
  - (iv) ensure a level of security consistent with the purpose of a resource consent; or*
  - (v) protect areas of the coast which are sensitive to physical disturbance from the presence of people; or*
  - (vi) in other exceptional circumstances sufficient to justify the restriction notwithstanding the national importance of maintaining that access.*

#### *7.4.19 Policies: Ports, Network Utilities and Other Water Related Activities*

- 1. Port and other water related industrial and commercial activities and network utilities which depend upon the use of the natural and physical resources of the coastal environmental shall be provided for in a manner which is consistent with Policy 2.6.7: Regionally Significant Infrastructure or Services and Policies 7.4.10-1 through 10.*

Plan Change 3 is considered to give effect to the relevant provisions of the NZCPS, HGMPA and RPS. It provides for appropriate use and development of Port Management Areas 2 and 4A while protecting public access, amenity values and other environmental values.

## **2.4 Section 32 Requirements**

Section 32 of the RMA sets out the matters that need to be covered in this report:

- (1) In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by –...*
  - (c) The local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or...*
- (2) A further evaluation must also be made by –*

- (a) *A local authority before making a decision under clause 10 or clause 29(4) of the Schedule 1; and...*
- (3) *An evaluation must examine –*
- (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (4) *For the purposes of this examination, an evaluation must take into account –*
- (a) *The benefits and costs of policies, rules, or other methods; and*
- (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare report summarising the evaluation and giving reasons for that evaluation.*
- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.*

This report follows the structure of section 32(3) and (4) by first considering the extent to which the new or amended objectives are the most appropriate way to achieve the purpose of the RMA. It then addresses whether, having regard to their efficiency and effectiveness, the proposed policies, rules and other methods are the most appropriate for achieving the objectives. The third part of the evaluation considers the benefits and costs of policies and methods, and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies or other methods. This information is presented in table form.

## 2.5 Initial Evaluation of Management Alternatives

A number of management alternatives are available to the ARC to carry out its responsibilities under the RMA, or other legislation, and include:

- Do nothing
- Retain the status quo
- Use of statutory regional policy
- Use of regional rules
- Advocacy and liaison
- Education and provision of information
- Economic instruments (grants, rates, charges including financial contributions and administrative charges, land purchase)
- Codes of practice
- Monitoring and research.

Several of these management approaches are being used by the ARC with regard to the Auckland city waterfront area, particularly concerning the land area. For the area of CMA adjacent to Wynyard Quarter it has been decided that the use of regional policy and regional rules are the principal management approach for the following reasons:

## Auckland Regional Council

1. A regional coastal plan is a mandatory document that the ARC must prepare, implement and update.
2. The operative RPC contains objectives, policies and rules that relate to the CMA around the Wynyard Quarter. It is efficient and effective to update and build upon these provisions to reflect new information and understanding.

For these reasons the focus of this section 32 is upon the changes to the objectives, policies and methods in Proposed Plan Change 3 rather than upon whether regional policy and rules are an appropriate management mechanism.

### 3 ASSESSMENT OF PLAN CHANGE 3 – WYNYARD QUARTER

#### 3.1 Purpose of Plan Change

The purpose of Proposed Plan Change 3 is to ensure the RPC provisions for the coastal marine area around Wynyard Quarter provide appropriate management of the area as the use of the adjacent land changes and leads to corresponding change in use of the CMA. In order to provide for such change, the plan change ensures the RPC integrates with the approach taken in the district plan, provides for a transition in uses over time, and provides maintenance or enhancement of environmental values while allowing for suitable use and development of the area.

This purpose is achieved by:

- Updating the descriptions of existing and expected activities in the area of Wynyard Quarter.
- Including a new policy relating to a bridge (Te Wero bridge) between the eastern Viaduct Harbour and Wynyard Quarter.
- Providing for a marine events centre on Halsey Street Extension Wharf, Western Viaduct Wharf and the adjacent water space, including an extension to the time limit for temporary events in the Viaduct Harbour.
- Providing for appropriate use and development on North Wharf (along Jellicoe Street).
- Managing future development and use of Wynyard Wharf for port, commercial, entertainment activities and public use.
- Ensuring the timing of new developments, particularly on Wynyard Wharf, is integrated with the timing and management of change on the land, in order to ensure any potential effects on on-going port activities are managed, any development is located and designed to complement the development on the land, and the public health risks associated with hazardous substances and port activities are appropriately addressed.
- Introducing new policies and criteria relating to buildings on wharves, and artwork in Port Management Areas 2A, 2B and 4A.
- Managing future use and development of the water area surrounding Wynyard Quarter including for fishing and marine industries.
- Modifying the noise limits for noise generated in the coastal marine area around Wynyard Quarter to clarify where the noise limits are to be measured, and to permit an increased number of high noise events each year.
- Amending the maps to rename the two parts of Port Management Area 2 as 2A and 2B, amend the boundary between Port Management Area 4A and 2B, and to more accurately show the extent of the wharves and the coastal marine area.

#### 3.2 Summary of Key Changes

The following table summarises the changes to the Regional Plan: Coastal made by Proposed Plan Change 3.

Note: The numbering in this table refers to the new provision numbers proposed in Plan Change 3.

Table 3.1: Summary of Proposed Changes

RPC SECTION	FORM OF PROPOSED CHANGES
<b>Chapter 25: Ports Overview and General Provisions</b>	
25.1 – Introduction	The introduction to Chapter 25 is amended to: rename the two parts of Port Management Area (PMA) 2 as 2A and 2B; note the change in extent of PMA 4A; update the descriptions of the use of the adjacent land; and to clarify the explanations of other port facilities and the Ports of Auckland Ltd occupation consent.
25.2 – Issues	A new issue is included to recognise that the use of the port areas is changing over time and that the transition in use needs to be managed to avoid conflicts (Issue 25.2.4).
25.3 – Objectives	Objective 25.3.3 is amended to list activities other than port activities which may be appropriate in a PMA.
25.4 – Policies	<p>Policy 25.4.4 is amended to recognise that reclamation may be appropriate in the Port Management Areas where it enhances seawall edge conditions.</p> <p>Policy 25.4.5 is amended to refer to the new appendix with urban design criteria for buildings on wharves.</p> <p>Policy 25.4.6 is amended to clarify which areas it relates to.</p> <p>Policy 25.4.13 is amended so that use and development other than for port activities in Port Management Area 4A does not require a functional need to locate in the coastal marine area to be considered an appropriate activity. This is consistent with the existing provision for Port Management Area 2. In the longer term, it is expected that the nature and use of PMA 4A will be more similar to that of PMA 2A and 2B than to the other PMAs.</p> <p>A new point (f) is included in Policy 25.4.13 to encourage the retention of character features that reflect the history and heritage of the working waterfront.</p> <p>A new policy (25.4.14) establishes that artworks in PMA 2A, 2B and 4A are to be encouraged where they meet certain criteria.</p>
25.5 – Rules	<p>Rules 25.5.2 and 25.5.39 are amended to clarify that the matters included within the rule relate to RMA section 12(1) considerations rather than the occupation of the CMA (section 12(2)).</p> <p>Rule 25.5.5 is amended to make the demolition of internal walls a permitted activity.</p> <p>Rules 25.5.7 and 25.5.34 are amended so that new buildings for port activities in Port Management Area 4A are a discretionary activity and require a resource consent. Previously such buildings were a permitted activity.</p> <p>A new rule (25.5.9) is inserted to specify new permitted activities on Wynyard Wharf. This rule applies only after the grant and commencement of a Comprehensive Area Structure Plan for the adjacent land so that change in use of the wharf is integrated with changes on the land.</p> <p>Rule 25.5.10 is amended to distinguish temporary structures related to events from other temporary structures. The same time limit is retained to be consistent with Chapter 12. It is moved from 25.5.13.h to 25.5.10 and</p>

RPC SECTION	FORM OF PROPOSED CHANGES
	<p>added to the definitions section for clarity.</p> <p>Rules 25.5.11 and 25.5.14 are amended, a new rule (25.5.12) added, and old Rule 25.5.11 removed, to provide for temporary events as a permitted activity within the Viaduct Harbour, North Wharf and Wynyard Wharf. The time limit on structures associated with temporary events is 20 days (60 days for an international boating event) (25.5.14.a and b).</p> <p>The height limits for structures in Port Management Areas are reworded for clarity (25.5.13.d). The height limit for structures in PMA 4A is reduced from 18m to 15m (ie 12m above wharf level) to recognise the possible effects of 18m high buildings on the proposed uses of the adjacent land.</p> <p>A new condition (Rule 25.5.13.h) is included to require public accessways around the Halsey Street Extension Wharf, southern edge of Western Viaduct Wharf and along Wynyard Wharf.</p> <p>A limit on the amount of office space at wharf level on Wynyard Wharf is set to encourage an active edge along the wharf and discourage 'privatisation' of the public accessway (Rule 25.5.13.i).</p> <p>Rules 25.5.16, 25.5.17, 25.5.34 and 25.5.35 are amended to change the erection or extension of a structure, building or slipway in Port Management Area 4A from a controlled activity to a discretionary activity to be consistent with PMA 2.</p> <p>Rules 25.5.19 and 25.5.25 are amended to include navigation and safety as a matter of control when new structures are consented as a controlled or restricted discretionary activity. The adverse effects of construction on water quality and coastal processes are also included as a matter of discretion in Rule 25.5.25.</p> <p>The notes at the end of the controlled and restricted discretionary activity sections regarding non-notification are amended to reflect the changes to the RMA since the RPC was prepared.</p> <p>Rules 25.5.22 – 25.5.24 are amended to clarify how they apply. There has been confusion regarding whether these rules applied to activities which would not have fallen with the permitted activity rules whether they met the conditions or not (for example buildings for port activities in PMA 2).</p> <p>The matters of discretion on Rule 25.5.28 are updated to include duration, monitoring and urban design criteria to be consistent with other rules.</p> <p>New rules (25.5.29, 25.5.30 and 25.5.31) are included to provide for buildings on Halsey Street Extension Wharf and Wynyard Wharf as a restricted discretionary activity where certain criteria are met.</p> <p>Temporary events in the water area between Halsey Street Extension Wharf and Wynyard Wharf are established as a restricted discretionary activity under new Rules 25.5.32 and 25.5.33.</p> <p>Rules 25.5.34 and 25.5.37 are amended and a new rule (25.5.41) included to establish that permanent buildings on Western Viaduct wharf are non-complying activities.</p> <p>Rule 25.5.37 is amended so that any non-port activity or development in Port Management Area 4A that is not provided for elsewhere is a discretionary activity. Previously such activities or developments were a discretionary activity where they had a functional need to be in the coastal marine area (Rule 25.5.36) and a non-complying activity in other cases (Rule 25.5.43).</p> <p>A new rule is included (25.5.42) to establish that residential activities on wharves are non-complying activities in PMAs 2A, 2B and 4A.</p>



RPC SECTION	FORM OF PROPOSED CHANGES
	Several rules are amended to recognise the renaming of PMA 2 as PMA 2A and 2B (25.5.7, 25.5.13, 25.5.34, 25.5.35, 25.5.37).
25.7 – Principal Reasons for Adopting	Amendments are made to include the principal reasons for the provisions amended elsewhere in the chapter.
25.8 – Anticipated Environmental Results	New points are included to note the anticipated environmental results relating to the Viaduct Harbour, the marine events facility and change around the Wynyard Quarter (25.8.4 – 25.8.6).
<b>Chapter 28 – Port Management Area 2</b>	
28.1 – Introduction	<p>The description of the Viaduct Harbour (PMA 2A) (28.1.3) is amended to reflect changes in the use of the area since the RPC was prepared and to describe the changes expected in future.</p> <p>The description of the coastal marine area on the western side of the Wynyard Quarter (PMA 2B) (28.1.4) is amended to include the area to the north of the Cement Wharf and to recognise that the use and development of the adjoining land is likely to change over time with the bulk liquid and hazardous substances storage operations moving elsewhere but marine industry activities remaining.</p>
28.2 – Issues	Issues are amended and new issues included to recognise: the potential conflicts with changing use of the coastal marine area around Wynyard Quarter; the possibility of a new bridge linking the eastern Viaduct Harbour and Wynyard Quarter; the need to protect views across the Viaduct Harbour; and the need to manage the development of the marine events and marine industry areas.
28.3 – Objectives	Amendments improve the clarity of the objectives and note the need to protect views, enhance pedestrian and passenger transport linkages, and provide for appropriate development in the marine events and marine industry areas.
28.4 – Policies	<p>The policies are rearranged and subtitles included to group together the policies for particular parts of PMA 2A and 2B.</p> <p>A policy for Hobson Wharf is amended to include maritime context as a matter to consider (Policy 28.4.7).</p> <p>Policy 28.4.8 is amended to clarify that navigation and berthage in Viaduct Harbour should be maintained and where practicable enhanced.</p> <p>A new policy is introduced to ensure the protection of views across the Viaduct Harbour and out to the wider Waitemata Harbour (Policy 28.4.10).</p> <p>A new policy is included to recognise that a new bridge linking Te Wero Island and the Western Reclamation is considered to be appropriate but that various outcomes will need to be achieved with such a proposal (Policy 28.4.11).</p> <p>New policies are included to establish that buildings on wharves should be in accordance with the new urban design criteria and that development should complement planning for the adjacent land area (Policies 28.4.13 and 28.4.14).</p> <p>Seven new policies are introduced to ensure appropriate management of the marine events precinct (Policies 28.4.15 – 28.4.21).</p> <p>New policies establish appropriate uses for North Wharf and to ensure new activities do not conflict with planning for the adjacent land (Policies 28.4.22 – 28.4.25).</p>

RPC SECTION	FORM OF PROPOSED CHANGES
	Policies for the marine industry area are expanded to ensure appropriate management and development practices, public access and maintenance of viewshafts (Policies 28.4.26 – 28.4.29).
28.6 – Other Methods	Other Method 28.6.1 is amended to include liaison with Auckland City Council and Ports of Auckland Ltd regarding the marine events precinct.
28.7 – Principal Reasons for Adopting	Amendments are made to include the principal reasons for the provisions amended elsewhere in the chapter.
28.8 – Anticipated Environmental Results	Anticipated Environmental Result 28.8.1 is amended for clarity and to reflect the renaming of PMA 2B.
<b>Chapter 30 – Port Management Areas 4A, 4B and 4C</b>	
30.1 – Introduction	<p>The description of Port Management Area 4A (30.1.1) is amended to recognise the likely changes in land use in future as the bulk liquid storage activities move away from Wynyard Quarter and the area is developed for mixed use, public space and marine activities.</p> <p>Section 30.1.2 regarding the Cement Wharf has been removed as this area has been included in PMA 2B (Chapter 28).</p> <p>The last two paragraphs of section 30.1.3 (PMA 4C) are moved to the beginning of the Introduction as they relate to all of PMAs 4A, 4B and 4C.</p>
30.2, 30.3 – Issues, Objectives	New issues and objectives are introduced to recognise the expected change in the use of PMA 4A over time as the bulk liquid operations are provided elsewhere (Issues 30.2.2 – 3.2.5, Objectives 30.3.1 – 30.3.7).
30.4 – Policies	<p>Several policies are amended to recognise that Port Management Area 4A needs to provide for port activities at present but will also provide for appropriate non-port activities in the longer term (Policies 30.4.1, 30.4.8 – 30.4.10).</p> <p>New policies establish appropriate use and development for Wynyard Wharf (Policies 30.4.11 – 30.4.15).</p> <p>A new policy is included to provide for use and development in PMA 4A other than on Wynyard Wharf (Policy 30.4.16).</p>
30.6 – Other Methods	Other Method 30.6.1 is amended to include liaison with Auckland City Council and Ports of Auckland Ltd regarding the relocation of bulk liquid facilities and operations from Port Management Area 4A.
30.7 – Principal Reasons for Adopting	Amendments are made to include the principal reasons for the provisions amended elsewhere in the chapter.
30.8 – Anticipated Environmental Results	New points are included to note the anticipated environmental results relating to public access, views and development of Wynyard Wharf (30.8.3 – 30.8.5).
<b>Chapter 35 – Noise</b>	
35.5 – Rules	<p>Rule 35.5.3.b is amended to clarify that the noise limits can be measured anywhere within Wynyard Quarter. The current RPC rule is not clear regarding where noise measurements would be taken for any noise generated on the western side of Wynyard Quarter.</p> <p>Rule 35.5.3.c is amended to increase the number of noise events from 3 high noise events to 6 high noise events and 9 medium noise events. The</p>

RPC SECTION	FORM OF PROPOSED CHANGES
	Auckland City District Plan (Central Area Section) currently allows for 15 noise events in the Viaduct Harbour.
<b>Appendices</b>	
Appendix J	A new appendix is introduced to specify urban design criteria for new developments on wharves (Appendix J).
<b>Definitions</b>	
Definitions	<p>The definitions for 'maritime events' and 'public performance' are changed to 'marine event' and 'temporary event' and amended to give greater clarity and consistency with the provisions of the Auckland City Council District Plan (Central Area Section).</p> <p>A new definition for 'public space' is included to distinguish it from 'open space'.</p> <p>A definition of 'temporary structure or building' is included to give greater clarity.</p>
<b>Maps</b>	
Map Series 2, Sheet 1 and Sheet 7A	The maps are amended to: more accurately show the extent of land and wharves; label the relevant wharves; rename PMA 2 as 2A and 2B; extend PMA 2B to include the Hamer Street slipways; show building platform areas on Halsey Street Extension Wharf and Wynyard Wharf; show 10m wide accessways on the Halsey Street Wharf and Western Viaduct Wharf and a 8m wide accessway on Wynyard Wharf; include new viewshafts in the Viaduct Harbour and around Wynyard Quarter; and to more accurately indicate the location of the Ports of Auckland section 384A occupation consent.

### 3.3 Background Work – Auckland Waterfront Vision 2040 and Consultation Summary

Extensive consultation and research has been undertaken in recent years on the future development of the Auckland city waterfront, including the Wynyard Quarter area. The results of this process are set out in the "Auckland Waterfront Vision 2040" document which provides an overarching, guiding framework for future development along the waterfront. Developing "Vision 2040" was a joint project of the ARC and the Auckland City Council. It was adopted by the ARC on 15 November 2005 and the ARC's Statement of Desired Outcomes (adopted on 13 September 2005) are reflected in the 'principles' section of the joint vision.

Development of Vision 2040 included consultation on a draft Vision in February 2005. This included public meetings, open days at the Viaduct Harbour, meetings with stakeholder groups, a mail-out to 2500 residents, and distribution of the City Scene publication to 140,000 Auckland City households. Approximately 850 people gave feedback on the draft vision. Most people responded that 'public access' and 'looking after the environment' were their top priorities. In a second round of consultation in August and September 2005, more than 200 people participated in three interactive workshops which included discussions on the mix of activities throughout the area and the presentation of ideas on maps. Vision 2040 includes a concept map which indicates the future uses of Wynyard Quarter as open space, mixed use, marine events and marine industry. It includes a public transport, pedestrian and cyclist connection between Te Wero Island and Jellicoe Street.

Vision 2040 sets out a strategic direction for the waterfront area and establishes that more detailed planning work will be undertaken for specific precincts or parts of the waterfront to

achieve the principles of the vision. Following Environment Court agreements with appellants Ports of Auckland Ltd (POAL) and Viaduct Harbour Holdings Ltd (VHHL), Auckland City resolved to notify a plan change for the Wynyard Quarter (ACC District Plan: Central Area Section). As part of the pre-notification work leading up to this plan change, Auckland City published a consultation document entitled "Draft Wynyard Point Concept Vision" in February 2006. A summary of this document was released for public comment through City Scene on 24 February 2006 and attracted extensive media coverage. The concept vision included elements within the coastal marine area such as a bridge between Te Wero Island and Wynyard Quarter, and development on Wynyard Wharf and Halsey Street Extension Wharf.

The responses to the concept vision included 1465 submissions. The Heart of the City organisation also undertook its own feedback process and received over 4000 submissions. The feedback was supportive of many elements of the concept vision. These included the marine industry and fishing use, the transport solutions and the marine events precinct. The proposed Te Wero bridge was either supported or somewhat supported by 72% of respondents. 81% either supported or somewhat supported a marine events precinct. The key concerns raised were regarding the amount of open space and the heights of development proposed on the land area.

The Auckland City plan change for Wynyard Quarter is to be notified concurrently with Plan Change 3. It builds on the consultation document and reflects the principles of the joint vision. It provides for a series of measures that reinforce the vision and principles, namely:

- Provide a place for everyone (events, visitor experience, tourism, public buildings)
- Establish public waterfront access (Te Wero bridge, continuous public access)
- Provide a long-term sustainable public open space network for future visitors, residents and workers (open space network)
- Ensure high quality built form and design (bulk & height, views, heritage)
- Confirm the provision of adequate infrastructure to accommodate future development (bulk liquid relocation, contaminated sites remediation, staging)
- Provide a sustainable public and private transport network (roading capacity, passenger transport, car-parking)
- Provide for the establishment of a community focal point (Jellicoe hub)
- Enable the sustainable development of a mix of uses and activities (marine, fishing, entertainment, residential, commercial)
- Create a sustainable environment (sustainable design).

Plan Change 3 to the Regional Plan: Coastal is a key part of achieving these measures which have been developed through extensive research and consultation. Additional consultation which has been undertaken with a focus on Plan Change 3 has included meetings with officers from Auckland City Council, Ports of Auckland Ltd, Department of Conservation and representatives of the marine and fishing industries. Copies of the draft plan change were sent to the Minister of Conservation, Minister for the Environment, Auckland City Council and iwi representatives in accordance with Schedule 1 clauses 2 and 3 of the RMA. Advice has also been sought from relevant experts regarding urban design, noise controls, vehicle parking controls and vessel navigation issues.

### 3.4 Do the Objectives Achieve the Purpose of the RMA?

Section 32(3)(a) requires the ARC to examine the extent to which each objective is the most appropriate way to achieve the purpose of the RMA. The evaluation set out in the table below considers each of the new or amended objectives proposed by Plan Change 3 as they relate to the CMA around Wynyard Quarter. The evaluation considers the principles of the Act (sections 6, 7 and 8) as well as its purpose (section 5) as the principles give guidance as to the way in which the purpose is to be achieved.

NB: The new objectives are shown without underlining for ease of reading. Where there are changes to existing objectives, these are shown with new wording underlined and deletions in strikethrough. The numbering in this table refers to the new provision numbers proposed in Plan Change 3.

Table 3.2: Assessment of Objectives to Achieve RMA Purpose

New or Amended Objectives	Extent to which it is the most appropriate way to achieve purpose of the RMA (including comments on other possible approaches)
<b>CHAPTER 25</b>	
<p><b>25.3.3</b> To facilitate, where appropriate, the use and development of Port Management Areas for <u>non-port related activities including public access, entertainment, commercial and other</u> marine related purposes.</p>	<p>Objective 25.3.3 is expanded to give guidance on which activities other than port activities may be appropriate in PMAs. The wording of this objective and 25.3.1 retains port activities as the primary function of the PMAs. The additional words in 25.3.3 are appropriate as the listed activities will provide for social and economic wellbeing in a way that is complementary to the continuation of port activities.</p> <p>The alternative approach of not amending this objective would not recognise the types of activities which are currently occurring within Port Management Areas.</p>
<b>CHAPTER 28</b>	
<p><b>28.3.3</b> <del>6</del> To ensure that navigation and berthage in <u>Port Management Areas 2A and 2B</u> <del>the Viaduct Harbour is</del> <u>maintained and where practicable enhanced improved, to provide for a wide range of commercial, recreational and fishing vessels,</u> and <u>is</u> not unduly restricted by <del>the an</del> inappropriate location or number of structures.</p>	<p>The existing objective is amended to clarify that it applies to all of PMAs 2A and 2B and that it applies to a wide range of vessels. Ensuring navigation in this area is maintained achieves the purpose of the Act by allowing a range of vessel operators to provide for their social and economic wellbeing. PMAs 2A and 2B are used by fishing vessels, recreational craft and commercial vessels such as ferries and charter boats. Together these operations contribute to the vitality and amenity of the area as well as contributing to the wellbeing of the vessel owners and operators.</p> <p>Alternative approaches to amending this objective would be to leave the existing objective or to rely on the general objectives in Chapter 25. Such approaches would not give the clarity and specificity of the amended objective.</p>

New or Amended Objectives	Extent to which it is the most appropriate way to achieve purpose of the RMA (including comments on other possible approaches)
<p><b>28.3.8</b> <del>6</del> To <del>provide for</del> <del>encourage</del> the use of the Viaduct Harbour's <del>coastal marine area</del> <del>water space</del> in a manner which, in combination with the surrounding commercial, entertainment, recreational, tourist and residential activities <del>establishes</del> <del>will establish</del> a clear identity for the Viaduct Harbour as a place of special character in Auckland, <del>which attracts people to the Harbour's edge and maintains the vitality of the Harbour, and make the harbour edge an better and more attractive place to be whilst</del> <del>while</del> continuing to meet the needs of marine related activities.</p> <p><b>28.3.9</b> To protect views from public areas across the Viaduct Harbour, and out to Wynyard Point and the Waitemata Harbour, from visually intrusive development.</p>	<p>Objectives 28.3.8 and 28.3.9 achieve the purpose of the Act by maintaining the values of the Viaduct Harbour that make it an attraction for visitors and residents. These matters relate to maintaining and enhancing the section 6(d) matter of public access and the section 7(c) matter of amenity values. These matters contribute to the economic and social wellbeing of those in the immediate area and the wider region. Protecting the views across the Viaduct Harbour is an important aspect of avoiding adverse effects of development on the environment of this area.</p> <p>An alternative approach to these objectives would be to provide for the Viaduct Harbour as an area of only port activities. This would not support the existing or proposed range of activities being undertaken in the Viaduct or the role it plays in the Auckland city waterfront.</p>
<p><b>28.3.10</b> To enhance pedestrian and passenger transport linkages between the eastern Viaduct Harbour and Wynyard Quarter.</p>	<p>An objective which supports a new pedestrian and passenger transport bridge between the eastern Viaduct Harbour and Wynyard Quarter achieves the purpose of the Act by providing for social, economic and cultural wellbeing through enhanced access networks and linkages. The bridge also achieves the section 6 matter of enhanced public access to and along the coastal marine area. An additional route into Wynyard Quarter is expected to mitigate the traffic congestion and amenity issues of the existing routes into the Quarter from Fanshaw Street.</p> <p>The principal alternative to this objective is to rely on the existing objectives. This would reduce the efficiency and effectiveness of the Plan as it could be considered that a bridge would be contrary to existing objectives regarding port activities and visual amenity. The new objective makes it clear that a bridge will be appropriate provided it is designed and operated to complement the other objectives.</p>
<p><b>28.3.11</b> To provide for the continued use of the coastal marine area to the east of Halsey Street and north of Madden Street (including the Halsey Street Extension Wharf and Western Viaduct Wharf and water space adjacent to the wharves) as a marine events precinct.</p> <p><b>28.3.12</b> To ensure that buildings and other structures on the Halsey Street Extension Wharf are designed and located to contribute to the wharf's key</p>	<p>Objectives which explicitly provide for a marine events precinct within the Viaduct Harbour provide for social and economic wellbeing by providing for a significant resource which could be established in very few other locations within the Auckland region. The adverse effects of such a development are avoided, remedied or mitigated by recognising that the events precinct will require buildings and while these could impact on amenity values and views, such effects can be managed through appropriate location and design. An objective which recognises the open space values of the Western Viaduct Wharf contributes to this by</p>

New or Amended Objectives	Extent to which it is the most appropriate way to achieve purpose of the RMA (including comments on other possible approaches)
<p>role in a marine events precinct and in particular are suitable to use for marine events and associated vessel servicing, are of a design that reflects their maritime use and location, and maintain the visual amenity of the Viaduct Harbour.</p> <p><b>28.3.13</b> To retain the Western Viaduct Wharf as open space to provide public access, maintain space for temporary events, and to protect views from the Viaduct Harbour to the Waitemata Harbour.</p> <p><b>28.3.14</b> To manage the effects of use and development on Halsey Street Extension Wharf and Western Viaduct Wharf on traffic and pedestrian access to, from and around the Wynyard Quarter.</p>	<p>explicitly noting that such space is an important part of the marine events area in terms of space for temporary events and in protecting public access and views across the wharf to the wider harbour. One of the principal potential effects of an events centre is on the traffic network and this is recognised in Objective 28.3.14.</p> <p>An alternative to this approach would be to rely on more general objectives for port management areas and to not specify a specific purpose for this area. Having objectives specifically identifying this area for marine events gives a clear signal to potential users of the precinct and to those administering the Plan. This will add to the efficiency of any development and of resource consents processed under the Plan.</p>
<p><b>28.3.15</b> <del>10</del> To facilitate the ongoing use of <u>Port Management Area 2B for marine industry the area south of the Cement Wharf on the Western Reclamation for port servicing and where practicable to enhance visual amenity, public access, use and enjoyment of the coastal marine area in this area.</u></p>	<p>Providing for marine industry activities achieves section 5 of the Act by allowing communities to provide for their social, economic and cultural wellbeing. The servicing activities undertaken in this area contribute to an industry that is regionally significant for recreational and economic reasons.</p> <p>Public access along this section of Wynyard Quarter is currently limited to small areas. There may be opportunities to enhance this as port servicing activities develop. Due to the operational requirements of the industrial activities, it may be necessary to have public access structures such as boardwalks and lookout points in the CMA rather than on the land.</p> <p>Section 6 of the RMA requires the ARC, in exercising its functions and powers, to provide for the maintenance and enhancement of public access to and along the coastal marine area. It is appropriate in the area adjacent to Wynyard Quarter that is used for marine industry activities, that public access is enhanced “where practicable” as this is an area where marine servicing operations may preclude public access opportunities.</p> <p>Alternative approaches to this would be to provide for enhanced public access throughout PMA 2B or to only provide for marine industry activities. The first approach could lead to health and safety issues with the public among industrial operations or curtailment of industrial activities. The second approach would not recognise the opportunities for enhancement that may occur as areas are redeveloped.</p> <p>The enhancement of visual amenity where practicable in this area contributes to the RMA section 7 matter of amenity values.</p>

New or Amended Objectives	Extent to which it is the most appropriate way to achieve purpose of the RMA (including comments on other possible approaches)
<b>CHAPTER 30</b>	
<p><b>30.3.2</b> To provide for <u>the operation and</u> future development <u>for of</u> port activities in Port Management Areas 4A, 4B and 4C.</p> <p><b>30.3.3</b> To provide for port activities relating to the transfer of bulk liquids in Port Management Area 4A, while land based storage facilities continue to operate in the Wynyard Quarter.</p> <p><b>30.3.4</b> To manage the transition of use and development in Port Management Area 4A in a way that enables port activities to operate while not compromising the future use of Wynyard Wharf for other activities.</p> <p><b>30.3.5</b> To recognise and provide for future changes in the use of Port Management Area 4A, from the transfer of bulk liquids to other port activities, commercial and entertainment activities, public space, use and enjoyment.</p> <p><b>30.3.6</b> To ensure that any non-port related activities do not prevent the safe and efficient operation of port activities in Port Management Area 4A.</p> <p><b>30.3.7</b> To ensure that the use and development of Port Management Area 4A maintains, and where practicable enhances, public access, use and enjoyment of the coastal marine area and the visual amenity of Wynyard Point.</p>	<p>The change to Objective 30.3.2 provides for the continued operation of port activities in PMAs 4A, 4B and 4C.</p> <p>The new objectives (30.3.3 – 30.3.7) achieve the purpose of the Act by recognising the need to provide for the continuation of bulk liquid operations in Port Management Area 4A while the storage tank facilities are present on the adjacent land. The objectives provide for economic wellbeing by facilitating the ongoing use of the area for port activities. Public health and safety is considered by recognising that port and non-port activities should be treated separately.</p> <p>Providing for the future use of PMA 4A for non-port activities provides for social and cultural wellbeing and will enhance public access to and along the coastal marine area.</p> <p>The principal alternative to these new objectives is to rely on the existing Objective 30.3.2. This would provide for the development of port activities in PMA 4A but would not cover any non-port related developments. Such an approach would not achieve the sustainable management of this area once the bulk liquid operations have moved from Wynyard Quarter.</p>

### 3.5 Evaluation of Policies, Rules and Other Methods – Efficiency and Effectiveness

Section 32(3)(b) requires that an evaluation of any plan change must examine whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.

It should be noted that sets of policies and methods work together to achieve particular objectives and outcomes and this is reflected in the grouping of provisions in the following table.

Note: The numbering in this table refers to the new provision numbers proposed in Plan Change 3.



Table 3.3: Evaluation of Policies, Rules and Other Methods – Efficiency, Effectiveness, Appropriateness

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<b>Port Management Area 2A</b>		
Policy 28.4.7 (Hobson Wharf – maritime context)	The policy relating to development of Hobson Wharf is amended to include a reference to its maritime context. This currently applies under Policy 28.4.4 but the rearrangement of policies into geographic areas gives the impression that policy no longer applies to Hobson Wharf. It is efficient to amend the policy and retain the intent of Policy 28.4.4.	Yes. This policy contributes to Objectives 28.3.6 and 28.3.8.
Policy 28.4.8 (Navigation and berthage in Viaduct Harbour)	The current Policy 28.4.8 requires that navigation and berthage in the Viaduct Harbour be enhanced. This is amended to 'maintain and where practicable enhance' as the existing development of the Harbour means there are few opportunities to enhance navigation and berthage.	Yes. This policy contributes to Objective 28.3.3.
Policy 28.4.11 (Proposed bridge between Te Wero Island and Wynyard Quarter)	This new policy is efficient and effective as it provides a clear position on the future development of a bridge, and clearly sets out the outcomes it should achieve and the adverse environmental effects that will need to be avoided or remedied.	Yes. This policy links to Objective 28.3.10.
Policies 28.4.15, 28.4.17, 28.4.19, Other Method 28.6.1 (Role of the marine events precinct)	It is efficient to explicitly state the role of the marine events precinct as this will assist future development and management of this area. It is effective to ensure that the space is retained for marine events rather than being developed for other uses.  Other Method 28.6.1 is amended to establish that ARC will liaise with Auckland City Council and Ports of Auckland Ltd regarding the marine events precinct. This is an effective approach as the three parties will need to work together to ensure the marine events area is developed and operates efficiently.	Yes. These provisions achieve Objective 28.3.11.
Policies 25.4.5, 28.4.13, 28.4.14, 28.4.16, Rules 25.5.29, 25.5.31, 25.5.34, Plan Map Series 2 Sheet 7A, Appendix J (Location and design of buildings on Halsey Street Extension Wharf)	It is effective to specify clear parameters and outcomes for buildings on the Halsey Street Extension Wharf. Sufficient flexibility is retained to allow a range of alternative designs while protecting the amenity of the area and public access around the buildings, and ensuring development is integrated with the use of the adjacent land.	Yes. These provisions achieve Objectives 28.3.12 and 28.3.14

Auckland Regional Council

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Policy 28.4.18, Rules 25.5.13.h, 25.5.14.c (Accessway on Halsey Street Extension Wharf and Western Viaduct Wharf)</p>	<p>Specifying the required width and location of the accessways on these wharves, and that they should be free of charge, gives clear guidance as to how public access should be provided for. It is efficient to reinforce the location of the accessways that are currently provided for through resource consent conditions and to recognise the existing accessway along the western side of the HSEW.</p>	<p>Yes. These provisions achieve Objective 28.3.2.</p>
<p>Policy 28.4.20, Rules 25.5.34, 25.5.41 (Western Viaduct Wharf open space)</p>	<p>Establishing the Western Viaduct Wharf as an area of open space ensures that it is available for temporary events or fishing industry activities and maintains public access and views from the Viaduct Harbour. This is an efficient way of providing for a range of appropriate activities while avoiding adverse effects on the environment.</p>	<p>Yes. These provisions achieve Objective 28.3.13.</p>
<p>Policies 28.4.10, 28.4.20, viewshafts in Plan Map Series 2, Sheet 7A (View protection in Viaduct Harbour)</p>	<p>Protecting the views across the Viaduct Harbour is an effective means of maintaining the amenity and attractiveness of the area. Including a viewshaft on the map shows the key views to be protected. Avoiding structures in the viewshaft area will maintain a vista to the wider Waitemata Harbour. The policies also ensure that views will be taken into account in assessing developments in areas outside the viewshaft.</p>	<p>Yes. These provisions achieve Objective 28.3.9.</p>
<p>Policy 28.4.21, Rules 25.5.13.g, 25.5.14.i (Carparking on marine event precinct wharves)</p>	<p>It is necessary to provide for some carparking on these wharves to facilitate the marine events, vessel servicing and fishing industry activities. The limitations on the amount of parking protect the amenity of the area and minimise effects on public access and the adjacent roading network.</p>	<p>Yes. These provisions achieve Objectives 28.3.8 and 28.3.14.</p>
<p>Policies 28.4.22 – 28.4.25 (North Wharf)</p>	<p>It is efficient to explicitly state that the role of North Wharf is focused on port activities, particularly those relating to the fishing industry and that other activities need to not conflict with port activities.</p> <p>North Wharf is only 10m wide and is actively used for fishing boat unloading and berthage. There is insufficient room to provide for these activities and new structures or buildings unless they are compatible with the fishing operations.</p> <p>Use and development of North Wharf is required to not conflict with any Comprehensive Area Structure Plan for the adjacent land so that compatible activities are developed.</p>	<p>Yes. These provisions achieve Objectives 28.3.1 and 28.3.3.</p>

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Rules 25.5.11, 25.5.14, definitions (Temporary events and marine events in Viaduct Harbour and North Wharf)</p>	<p>Providing for temporary events as a permitted activity is efficient as it minimises the barriers to holding events. The amendments to the definitions for temporary event and marine event clarify the types of events envisaged for this area.</p> <p>The conditions on the permitted activity rules set time and height limits for structures so that adverse effects on views and amenity are minimised. Restrictions on the sale of goods, lighting and noise limits also maintain amenity values. Notification of the ARC and Harbourmaster will assist with managing effects on navigation and safety.</p> <p>These conditions are similar to the conditions on Temporary Activities in the Auckland City District Plan for the Viaduct Harbour which gives efficiency and certainty for event operators.</p>	<p>Yes. These provisions achieve Objectives 28.3.2, 28.3.8 and 28.3.11.</p>
<b>Port Management Area 2B</b>		
<p>Plan Map Series 2, Sheet 1, Policies 28.4.26, 25.4.13.b, Rules 25.5.7, 25.5.13, 25.5.34, 25.5.35, 25.5.37, (New PMA 2B Marine Industry name and map boundary)</p>	<p>The boundary between PMA 4A and 2B is moved to the northern edge of the Hamer Street slipways, and the two parts of PMA 2 renamed as PMA 2A and 2B. This more accurately reflects the distinction in use of the adjacent land and the CMA. As the use of Wynyard Point changes over time, the use of the Hamer Street slipway area of the CMA is likely to be more similar to the area to the south of Jellicoe Street on the Western Reclamation than to the use of Wynyard Wharf.</p> <p>This amendment is efficient and effective as it provides clarity regarding the future use of the CMA adjacent to the Hamer St slipways and provides for their continued operation.</p> <p>Various rules are amended to specify PMA 2B along with PMA 2A.</p>	<p>Yes. These changes achieve Objectives 25.3.1, 25.3.3 and 28.3.15.</p>
<p>Policies 28.4.26 – 28.4.29, viewshafts in Plan Map Series 2, Sheet 7A (Marine industry area policies and viewshafts)</p>	<p>These new policies establish a clear focus on marine industry activities in PMA 2B. They also establish that such activities should adopt appropriate environmental practices and that where practicable, public access should be enhanced and viewshafts maintained.</p> <p>This is an efficient approach as it supports the use of the adjacent land and existing facilities such as the wharves and slipways.</p> <p>The inclusion of viewshafts in PMA 2B is efficient as it gives clarity regarding the views to be maintained and gives consistency with the viewshafts shown in the Auckland City District Plan (Central Area Section) plan change.</p>	<p>Yes. These policies contribute to Objectives 25.3.2, 28.3.1, 28.3.3 and 28.3.15.</p>
<b>Port Management Area 4A</b>		

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Policies 30.4.1, 30.4.8 – 30.4.10, Other Method 30.6.1 (Provision for bulk liquid transfer activities until they are no longer needed)</p>	<p>These policies address the transition of PMA 4A from a focus on port activities based on bulk liquids and hazardous substances to port activities such as berthing and unloading of fishing boats and charter boats, and associated non-port activities. They provide efficiency and effectiveness by updating the plan to reflect the expected changes in the adjoining land uses and by clearly establishing the matters that need to be addressed before non-port activities will be appropriate in this area. Such matters include the removal of pipes that may be a health and safety hazard or discharge contaminants to the coastal marine area, and management of public health risks associated with proximity to hazardous substances operations.</p> <p>These policies ensure that appropriate port and non-port activities will be able to operate while ensuring any adverse effects are avoided, remedied or mitigated.</p> <p>The amendment to Other Method 30.6.1 recognises that liaison between ARC, POAL and ACC will assist the relocation of the bulk liquid operations.</p>	<p>Yes. These provisions achieve Objectives 30.3.1 to 30.3.6.</p>
<p>Policies 25.4.5, 30.4.11 – 30.4.15, Rules 25.5.13.d.iv, 25.5.13.h, 25.5.30, 25.5.31, 25.5.34, Appendix J (Wynyard Wharf building location and design)</p>	<p>These policies, rules and appendix establish the appropriate form of development on Wynyard Wharf when it is no longer needed for bulk liquid operations. It is efficient and effective to provide for commercial and entertainment developments, as well as port activities, once the use of the adjoining land has changed.</p> <p>Setting limits for the maximum height of buildings and minimum width of the accessway along the wharf is effective as they give clear standards that need to be met. The height limit will allow for buildings of an appropriate scale for the wharf and gives a stepped form back to the proposed buildings on the adjacent land. The 8m wide accessway provides for public access and port activities. This width is similar to several accessways around the Viaduct Harbour.</p> <p>Referring to the building platforms indicated on the maps, the views to be protected and other design matters in policies allows flexibility in how the desired outcomes will be achieved.</p>	<p>Yes. These provisions contribute to Objectives 30.3.5 and 30.3.7.</p>

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Policy 25.4.13, Rules 25.5.7, 25.5.9, 25.5.12, 25.5.13, 25.5.14, 25.5.16, 25.5.17, 25.5.19, 25.5.34, 25.5.35, 25.5.37, 25.5.43 (Activity status for port and non-port activities in PMA 4A)</p>	<p>These provisions change the activity status of activities in PMA 4A to be generally consistent with those in PMAs 2A and 2B.</p> <p>The current provisions are designed for the transfer of bulk liquids and hazardous substances from an industrial type area to large commercial vessels. In future port activities will be of a more limited scale and will be focused around vessels such as fishing boats, charter boats, ferries and cruise liners. The existing rules would allow construction of a passenger terminal or fish storage warehouse on Wynyard Wharf as a permitted activity and new slipways as a controlled activity. Such structures are likely to have adverse effects on the use of the proposed park at the northern end of Wynyard Point and on the increased public use of this area. Requiring structures related to port activities to get consents as discretionary activities means their potential effects can be assessed and the consent declined if necessary.</p> <p>Changing non-port related activities and structures from non-complying activities to discretionary or permitted activities allows for redevelopment of the wharf in a way that is complementary to the expected changes in adjoining land uses. At present, new structures such as art galleries and information centres, or temporary events, are unlikely to be granted consent. They may be appropriate activities once the adjacent land uses change and there is a public park on Wynyard Point.</p> <p>The new permitted activities do not apply until after the commencement of a Comprehensive Area Structure Plan for the adjacent land in order to ensure that the timing of change is compatible with nature of activities on the land.</p> <p>Providing for activities such as restaurants, retail, office and entertainment facilities as a permitted activity allows a variety of uses in a flexible and adaptable manner. These activities are expected to be compatible with port activities, including berthage and unloading by fishing vessels, and with public use and enjoyment. This approach is effective as it integrates with the expected change in adjacent land uses to mixed use and open space, and reflects the identification in "Auckland Waterfront Vision 2040" of the waterfront as an area of people-related activities. Such activities are likely to encourage use of Wynyard Wharf as a pedestrian linkage between Jellicoe Street and the northern end of Wynyard Point.</p> <p>The 50% limit on office space as a permitted activity encourages the development of port-related activities and activities that involve the public and complement the use of the wharf as a public space and promenade.</p>	<p>Yes. These provisions contribute to Objectives 25.3.1 – 25.3.3, 30.3.3 – 30.3.7</p>

Auckland Regional Council

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Policy 30.4.16, Rules 25.5.16, 25.5.17, 25.5.23, 25.5.24, 25.5.25, 25.5.34, 25.5.35, 25.5.37 (Developments other than on Wynyard Wharf)</p>	<p>The current RPC policies do not explicitly cover any activities or areas in PMA 4A other than the transfer of hazardous substances and cargo, and use of Wynyard Wharf. The new policy clarifies that use and development elsewhere around Wynyard Point is appropriate where it meets certain criteria regarding potential effects and where practicable enhances public access.</p> <p>The amendments to the rules ensure that such developments have the same activity status as activities in PMAs 2A and 2B. Generally they are discretionary activities. This provides efficiency and effectiveness as it allows for the assessment of effects guided by the new policy.</p>	<p>Yes. These provisions achieve Objectives 25.5.2, 25.3.3, 30.3.5 and 30.3.7.</p>
<b>Port Management Areas 2A, 2B and 4A</b>		
<p>Policy 25.4.4 (Reclamations to enhance seawalls)</p>	<p>This policy is amended to recognise that reclamation may be appropriate in PMAs where it improves seawall edge conditions. This is appropriate as it allows for more efficient use of the PMA and existing facilities. It is effective as it allows greater use of the PMA while mitigating the adverse effects of a seawall which is in a degraded condition.</p>	<p>Yes. This policy contributes to Objectives 25.3.1 and 25.3.3.</p>
<p>Policy 25.4.13.f (Retention of character features)</p>	<p>Establishing that developments other than for port activities should retain character features where appropriate, is effective as it will lead to the retention of evidence of the history of the PMA waterfront as a working area. Such actions will add to the amenity of the waterfront and its attractiveness for the public.</p>	<p>Yes. This policy contributes to Objectives 25.3.1 – 25.3.3.</p>
<p>Policy 28.4.23, Rules 25.5.32, 25.5.33 (Temporary events between Halsey Street Extension Wharf and Wynyard Wharf as a restricted discretionary activity)</p>	<p>There are likely to be only a few temporary events that extend from the marine events precinct to the water area to the west. This area is more exposed than the water area of the Viaduct Harbour and is used for fishing vessel berthage and ferry operations.</p> <p>It is efficient to provide for such events as a restricted discretionary activity as this ensures the events are provided for but may be declined if they are not compatible with the vessel operations.</p>	<p>Yes. These provisions achieve Objective 28.3.2.</p>

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
Rule 25.5.10, Definitions (Temporary structure or building other than those associated with a temporary event)	<p>The permitted activity rule for temporary structures is amended to clarify that the time limit applies to the structures under this rule rather than structures associated with temporary events. Providing for temporary structures in the PMAs is efficient as it allows for port activities that require a short term structure. It is effective as it is clear and is consistent with the provisions of Chapter 12 for temporary structures in other areas.</p> <p>This new definition repeats the time limit on temporary structures that is imposed in Chapters 12 and 25 of the RPC. This gives greater clarity as it distinguishes such structures from structures associated with temporary events.</p>	Yes. These changes contribute to Objectives 25.3.1 – 25.3.3.
Rule 25.5.5 (Demolition of internal walls as a permitted activity)	The amendment to Rule 25.5.5 includes demolition of internal walls and fixtures within the permitted activity rule for maintenance, repair and reconstruction of existing lawful buildings. This provides efficiency and effectiveness by removing consenting costs for minor alterations which are unlikely to have adverse effects on the surrounding area.	Yes. This rule contributes to Objective 25.3.1.
Rule 25.5.42 (Residential activities on wharves)	<p>The establishment of residential activities on wharves in PMA 2A, 2B and 4A as a non-complying activity makes it clear that such activities are not appropriate in a marine events area, marine industry area or on Wynyard Wharf.</p> <p>Establishing residential activities as a non-complying activity in PMA 4A clarifies that Wynyard Wharf should be a public-oriented space with commercial and port activities rather than a privatised space. Residential activities would also be inappropriate because of the wharf's proximity to port activities and the marine events area.</p>	Yes. This rule contributes to Objectives 25.3.1, 28.3.11, 28.3.15, 30.3.6.
Policy 25.4.14 (Artwork in Port Management Areas 2A, 2B and 4A)	<p>Artworks and sculptures are encouraged as they add to the vitality of the area and its special character, and attract people to the water's edge.</p> <p>It is efficient to clearly state the matters that need to be addressed for an artwork to be appropriate in Port Management Areas 2A, 2B and 4A.</p>	Yes. This policy contributes to Objectives 25.3.3, 28.3.8, 30.3.5, 30.3.6 and 30.3.7.
25.5 (Non-notification notes)	The notes regarding non-notification are amended to recognise changes to the RMA since the RPC was prepared. It is efficient to retain the current intent of the notes while clarifying the effect of the new RMA provisions.	N/A
Rules 25.5.23, 25.5.24 (Restricted discretionary activity rules for port activities)	The restricted discretionary activity rules are amended to remove confusion regarding whether structures for port activities in PMA 2A, 2B and 4A that are not within a permitted or controlled activity, fall within these rules. The effectiveness of the rules is enhanced by clarifying their scope.	N/A

Auckland Regional Council

Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Rules 25.5.19, 25.5.25, 25.5.28 (Matters of control and discretion)</p>	<p>The matters which ARC has restricted its control or discretion to are expanded to include navigation and safety, the new urban design criteria, effects of construction, duration and monitoring.</p> <p>This is effective and efficient as it gives consistency with other rules, enables better integration with development on the land by considering a more extensive range of issues, and ensures effects on the environment are appropriately avoided, mitigated or remedied.</p> <p>Rule 25.5.25.c currently restricts the consideration of views to only where height is a condition not complied with. The removal of this restriction is effective as views can be affected by buildings of inappropriate bulk and location even if they are within the height limit.</p>	<p>Yes. These provisions contribute to Objectives 25.3.1 – 25.3.3.</p>
<p>Definitions (Public space)</p>	<p>The inclusion of a new definition for ‘public space’ is efficient and effective as it clarifies the difference between ‘public space’ and ‘open space’ which already has a definition in the RPC. Open space is limited to spaces available to the public at no charge. It is also sometimes perceived as only including green reserve spaces. Public space is a more general term that includes parks, streets, plazas and entertainment spaces which may have an entry charge. It can also include privately owned land where public access is secured in perpetuity by legal instruments such as covenants.</p> <p>Public space is a more applicable term than open space for policies which aim to link the amenity or accessibility of developments in the CMA with adjoining spaces that are available to the public.</p>	<p>Yes. These provisions contribute to Objectives 25.3.2 and 25.3.3.</p>
<p>Plan Map Series 2, Sheets 1 and 7A (Minor amendments)</p>	<p>Minor amendments to the maps provide effectiveness by showing more accurately the extent of land and wharves, by naming the wharves, and by more accurately showing the extent of the Ports of Auckland section 384A occupation consent.</p>	<p>N/A</p>
<p><b>Noise</b></p>		



Policy/Method	Efficiency & Effectiveness	Most appropriate for Achieving Objectives?
<p>Rules 35.5.3.b and 35.5.3.c (Noise limit measurement locations and number of high noise events)</p>	<p>The general provisions for noise generated in PMAs 2A, 2B and 4A are amended to address the existing confusion regarding where noise should be measured if it is generated on the western side of Wynyard Quarter.</p> <p>The number of high noise events associated with temporary events in PMAs 2A and 4A are increased from 3 high noise events to 6 high noise events and 9 medium noise events. The existing district plan allows for 15 noise events in the Viaduct Harbour precinct and the ACC proposed plan change allows for 15 events in the Wynyard Quarter adjacent to the Viaduct Harbour.</p> <p>This increase in the number of noise events reflects the role of the marine events precinct. It is appropriate that high noise events such as concerts are encouraged on the wharves where they are away from residential activities.</p>	<p>Yes. These provisions achieve Objectives 28.3.2, 28.3.8, 28.3.11, 30.3.5 and 35.3.1.</p>
<b>Appendices</b>		
<p>Policy 25.4.5, Appendix J</p>	<p>The addition of a new appendix to provide urban design criteria for developments on wharves is efficient and effective as it guides development so that it maintains amenity and avoids or mitigates adverse effects on the surrounding area. The criteria are similar to those that would be applied to developments on the adjacent land, so give a consistent approach for developers. Greater clarity in the outcomes desired should provide greater efficiency in the consenting process for such developments.</p>	<p>Yes. These provisions achieve Objectives 25.3.2, 25.3.3, 28.3.8, 28.3.11, 28.3.12, 28.3.14, 30.3.5 and 30.3.7.</p>

### 3.6 Evaluation of Policies, Rule and Other Methods – Costs, Benefits and Risks

Section 32(4)(a) of the RMA states that the council’s evaluation of the proposed plan change must take into account “the benefits and costs of policies, rules or other methods”.

Section 32(4)(b) of the Act requires that the evaluation must also take into account “the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods”.

Note: The numbering in the following table refers to the new provision numbers proposed in Plan Change 3.

**Table 3.4: Evaluation of Policies, Rules and Other Methods – Costs, Benefits and Risks**

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<b>Port Management Area 2</b>				
Policy 28.4.7 (Hobson Wharf – maritime context)	May place limitations on the development of Hobson Wharf.	Retains the consistency with Policy 28.4.4 that was present before the policies were arranged into geographic areas.  Ensures new structures are designed with regard to their maritime setting.	New developments could be inappropriate for this site and create adverse effects on the amenity of the surroundings.	May discourage development of Hobson Wharf.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Policy 28.4.8 (Navigation and berthage in Viaduct Harbour)	May limit new developments to only maintaining and not enhancing navigation and berthage.	Recognises the current nature of the Viaduct Harbour and the need to maintain navigation, berthage and other port activities.	The existing policy may not be achievable as there are likely to be very few opportunities to enhance navigation and berthage in the Viaduct Harbour.	May discourage the enhancement of navigation and berthage.
Policy 28.4.11 (Proposed bridge between Te Wero Island and Wynyard Quarter)	A bridge could have adverse effects on the amenity of the area or on navigation and berthage.  Design requirements to achieve the policy may increase the costs of developing a bridge.	Support for a bridge will enhance pedestrian and public transport linkages for both the Viaduct Harbour and the Wynyard Quarter.  The matters listed will ensure the potential effects of the bridge are avoided, remedied or mitigated.  The policy allows for innovation and flexibility in design and operation of the bridge.	An application for consent for a bridge could be lodged without due regard for matters that would need to be addressed.  A bridge could be developed that does not contribute to a high quality urban environment.	The policy may not include all possible adverse effects of a bridge on the Viaduct Harbour area.  Current understanding of the development proposals for Wynyard Quarter, public transport requirements and options for bridge design and operation indicate a bridge would be an appropriate development if the outcomes listed in the policy can be met. Future changes in knowledge, development proposals or bridge feasibility may require reconsideration of the appropriateness of a bridge.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Policies 28.4.15, 28.4.17, 28.4.19, Other Method 28.6.1 (Role of the marine events precinct)</p>	<p>Other possible uses of the area may be restricted.</p>	<p>Gives clear guidance that marine events are appropriate in this area and that other activities must be located and operated with regard to this. Ensures ongoing use of a facility that is of significance to the region. Provides for liaison between ARC, ACC and POAL regarding the operation of the events area.</p>	<p>New developments could preclude future use of this area for marine events. The remaining America's Cup infrastructure and facilities may not be retained for future marine events.</p>	<p>Alternative uses are restricted to other areas.</p>
<p>Policies 25.4.5, 28.4.13, 28.4.14, 28.4.16, Rules 25.5.29, 25.5.31, 25.5.34, Plan Map Series 2 Sheet 7A, Appendix J (Location and design of buildings on Halsey Street Extension Wharf)</p>	<p>The costs of developing new buildings may be higher due to the more detailed design criteria. Allowing buildings to 18m height (above sea level) and over 60% of the area of the building platform will lead to some impacts on views from the Viaduct Harbour across the HSEW.</p>	<p>The amenity of the area is maintained by ensuring appropriate location and design of buildings. Provides for a suitable scale and type of buildings for marine events and vessel servicing. Providing flexibility within the building platform area will allow for adaptable buildings that can be used for vessel servicing or other port activities if not needed for marine events.</p>	<p>Buildings may be located or designed in ways that impact on amenity values and views and are inappropriate for the location.</p>	<p>May limit the area available for fishing vessel unloading or other port operations. May discourage development of buildings by imposing higher design standards.</p>

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Policy 28.4.18, Rules 25.5.13.h, 25.5.14.c (Accessway on Halsey Street Extension Wharf and Western Viaduct Wharf)	Reduces the area available for buildings.	Provides for public access around the wharves. Provides space for vessel unloading and other port activities. Accessways can be closed when necessary for events or port activities.	Public access to the coastal marine area may be restricted.	Accessway widths may be treated as a minimum with development uniformly aligned to this width. Allowances for temporary closures maybe overused.
Policy 28.4.20, Rules 25.5.34, 25.5.41 (Western Viaduct Wharf open space)	Reduces the area available for buildings.	Maintains views from the Viaduct Harbour out to the wider Waitemata Harbour. Maintains space for temporary events, port activities and public access.	Development may cover this wharf and so adversely affect views and reduce space for other activities.	There may be a reduction in development opportunities.
Policies 28.4.10, 28.4.20, viewshafts in Plan Map Series 2, Sheet 7A (View protection in Viaduct Harbour)	Reduces the area available for development.	Maintenance of views across the water area of the Harbour. Clarity regarding which views are particularly significant.	Development may create significant visual intrusions into valued views.	Development may be focused into areas outside the mapped viewshafts and create adverse effects in those locations.
Policy 28.4.21, Rules 25.5.13.g, 25.5.14.i (Carparking on marine event precinct wharves)	Reduces the opportunities for carparking.	Maintains amenity values and the attractiveness of public space by limiting the amount of carparking.	Wharves may be used as commercial carparks and so reduce the amenity of the area as well as opportunities for events and port activities.	May be insufficient carparking for the activities expected to use the wharves. May lead to carparking issues in the surrounding streets.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Policies 28.4.22 – 28.4.25 (North Wharf)	Limits the degree to which the wharf can be developed.	Maintains the utility of the wharf for fishing industry activities while also providing for new developments. Ensures new use and development on North Wharf is compatible to the use of the adjoining land provided for in any Comprehensive Area Structure Plan.	New structures or activities could adversely affect the operation of fishing industry activities or public access along the wharf.	If the fishing industry relocates, the policy may not allow sufficient flexibility for alternative uses.
Rules 25.5.11, 25.5.14, definitions (Temporary events and marine events in Viaduct Harbour and North Wharf)	Alternative uses of the area may be limited by its use for temporary events. Temporary events may impact on the amenity of surrounding residential areas. The time limits imposed will place consenting costs on organisers of events that are longer than 20 days (or 60 days for major boating events).	Provides for further development of temporary events in the area. Recognises the significant role of events in this area for the region. Places appropriate controls on events so that adverse effects are avoided, remedied or mitigated.	Opportunities for staging marine events in the Auckland region could be lost. Events that are held could have adverse effects on the amenity of the surrounding area. Additional consenting costs for organisers of private events or events of between 5 and 20 days (currently require consents and will be permitted activities).	May lead to privatisation of the area if too many private events are held or if the accessways are temporarily closed too often. Increased duration of events may lead to minor adverse effects on the amenity of the area for nearby residents. Events may have impacts on the surrounding traffic network.
<b>Port Management Area 2B</b>				

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Plan Map Series 2, Sheet 1, Policies 28.4.26, 25.4.13.b, Rules 25.5.7, 25.5.13, 25.5.34, 25.5.35, 25.5.37 (New PMA 2B Marine Industry name and map boundary)</p>	<p>The Hamer St slipways are no longer distinguished from the southern commercial area on the maps. This may decrease recognition of the heavy industry nature of the northern area or of the need for bulk goods transfer across the Cement Wharf.</p>	<p>The different character and uses of the eastern and western parts of PMA 2 are more clearly recognised. The Hamer St slipway area is included with a more similar area (the marine industry area to the south) than Wynyard Wharf is likely to be in future. The Cement Wharf is no longer split into two different Port Management Areas.</p>	<p>The existing provisions relating to the Hamer St slipways and Cement Wharf are likely to be inappropriate once the adjacent land use changes.</p>	<p>Less explicit recognition of the use of the Cement Wharf for transferring bulk goods.</p>
<p>Policies 28.4.26 – 28.4.29, viewshafts in Plan Map Series 2, Sheet 7A (Marine industry area policies and viewshafts)</p>	<p>Alternative activities may be precluded from PMA 2B if they are not compatible with marine industry activities. Some marine industry activities may have costs to avoid discharges of contaminants. Recognition of viewshafts may limit the possible extent of new developments. Public access along the full length of the coast is not likely to be achieved although it will be enhanced in places.</p>	<p>The importance of the marine industry hub to the region is recognised and provided for. Potential adverse effects of marine industry activities or developments on water quality and views are addressed. Public access will be enhanced where practicable.</p>	<p>There would be less protection for infrastructure (such as the slipways) which is important for the regional marine industry. Other activities may adversely affect the use of the area for marine industry activities. Public access, views and water quality may not be protected or enhanced when opportunities arise.</p>	<p>Alternative activities may be discouraged from establishing in this area. Marine industry may be discouraged from extending their facilities if it presents an opportunity to enhance public access.</p>
<p><b>Port Management Area 4A</b></p>				

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Policies 30.4.1, 30.4.8 – 30.4.10, Other Method 30.6.1 (Provision for bulk liquid transfer activities until they are no longer needed)</p>	<p>The establishment of new activities will be delayed until the relevant area of PMA 4A is no longer needed for bulk liquid operations.</p>	<p>The regional benefit of the facility for bulk liquid transfers is retained for as long as necessary.</p> <p>There is certainty for bulk liquid operators that their activities on Wynyard Wharf can continue while the tanks are present on the adjacent land.</p> <p>Reverse sensitivity issues and public health risk issues are addressed by avoiding incompatible activities developing on Wynyard Wharf while the bulk liquids operations continue.</p> <p>New activities are provided for once the bulk liquid operations have moved from the area.</p> <p>Relocation of bulk liquids operations will be assisted through liaison between the relevant agencies.</p>	<p>New developments could establish on Wynyard Wharf that would be incompatible with on-going bulk liquids operations.</p> <p>Hazardous infrastructure could be left on Wynyard Wharf when it is no longer used for bulk liquid operations.</p>	<p>There may be uncertainty for developers of new activities regarding whether the policies are met if some bulk liquid operations have ceased and others remain.</p>



Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Policies 25.4.5, 30.4.11 – 30.4.15, Rules 25.5.13.d.iv, 25.5.13.h, 25.5.30, 25.5.31, 25.5.34, Appendix J (Wynyard Wharf building location and design)</p>	<p>Development of new buildings will be restricted by the height control, accessway requirement and the indicative building platforms. New buildings will need to have a high standard of materials and design to meet the urban design criteria. Development will need to integrate with the needs of the fishing industry and other port activities.</p>	<p>New buildings will be designed and located so that adverse effects on views, amenity and public access are avoided, remedied or mitigated. The bulk and form of buildings will be appropriate for the wharf setting and scale of nearby buildings. Public access will be provided to and along the wharf, and it will create a key access linkage between Jellicoe St and the proposed park at the northern end of Wynyard Point. The policies provide flexibility for alternative building designs to those already identified. Sufficient space is provided for new buildings while providing for public access, amenity and port activities.</p>	<p>Development may be proposed for Wynyard Wharf that is of a larger scale and does not integrate well with its surroundings. New developments may create obstructions to public access, fishing industry activities or other port activities.</p>	<p>The accessway width limits new buildings to a thin narrow form that may not be commercially ideal. The requirement for an accessway on the eastern side of the wharf may preclude the development of an accessway on the western side which would be visible from Brigham St. The flexibility in the policies may allow new buildings that block important sightlines from the land to the coastal marine area. The height limit may lead to uniform height buildings of low visual interest.</p>

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Policy 25.4.13, Rules 25.5.7, 25.5.9, 25.5.12, 25.5.13, 25.5.14, 25.5.16, 25.5.17, 25.5.19, 25.5.34, 25.5.35, 25.5.37, 25.5.43 (Activity status for port and non-port activities in PMA 4A)</p>	<p>Resource consents will be required for any new buildings for port activities on wharves. Consents for new port activity related structures and slipways in PMA 4A will be able to be declined so will increase uncertainly for applicants.</p> <p>Space for port activities may be taken up by non-port related activities.</p> <p>The limit on Wynyard Wharf office space and residential activities may limit the commercial return from any new development.</p>	<p>It will be possible to gain resource consents for non-port related activities without a functional need to be in the CMA.</p> <p>The adverse effects of new buildings on wharves, structures and slipways for port activities, will be able to be avoided, remedied or mitigated through the resource consent process.</p> <p>The activity status for most activities is consistent with those of the adjacent areas (PMAs 2A and 2B).</p> <p>The restrictions on office space on Wynyard Wharf will encourage other activities with greater public accessibility and so add to the vitality and amenity of the wharf area.</p>	<p>Non-port related activities such as information centres and cafes, which are likely to be appropriate on Wynyard Wharf once it is no longer used for bulk liquid operations, would be very unlikely to gain resource consent under the current provisions.</p> <p>Existing rules allow new buildings and structures for port activities as permitted and controlled activities and so restrict any controls on adverse effects.</p> <p>An abundance of office space at ground level on Wynyard Wharf could effectively privatise the wharf and discourage public access along the accessway.</p>	<p>Non-port related activities may be established and impact upon port activities.</p> <p>New buildings and structures for port activities may have greater consenting costs.</p> <p>The restrictions on office activities on Wynyard Wharf could led to under-utilised building space.</p>

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
<p>Policy 30.4.16, Rules 25.5.16, 25.5.17, 25.5.23, 25.5.24, 25.5.25, 25.5.34, 25.5.35, 25.5.37 (Developments other than on Wynyard Wharf)</p>	<p>New developments will need to establish that they address the matters listed in Policy 30.4.16. There may be greater restrictions on new developments for port activities. Non-port related activities could establish and impact on port activities.</p>	<p>Guidance is provided regarding the types of development that are appropriate in areas of PMA 4A other than Wynyard Wharf. Non-port related activities without a functional need to be in the CMA will be able to gain consent. Adverse effects of new developments will be avoided, remedied or mitigated.</p>	<p>The current RPC has no policies relating to areas of PMA 4A other than Wynyard Wharf or activities relating to the transfer of bulk liquids. New structures or activities could be developed that have adverse effects on the adjacent land or on use of the CMA.</p>	<p>Policy 30.4.16 may not be sufficiently specific to stop new developments that do not complement the proposed new park at the northern end of Wynyard Point.</p>
<b>Port Management Areas 2A, 2B and 4A</b>				
<p>Policy 25.4.4 (Reclamations to enhance seawalls)</p>	<p>May encourage greater reclamation than is necessary to remedy a seawall that is in poor condition.</p>	<p>Seawall repair and enhancement will be encouraged. Greater consent processing efficiency for applications for reclamations along seawalls.</p>	<p>There may be delays and uncertainty regarding proposals to reclaim land along seawalls in Port Management Areas.</p>	<p>Reclamation may be used in place of alternative seawall designs or relocation of activities.</p>

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Policy 25.4.13.f (Retention of character features)	New developments may incur greater costs by designing new structures to retain existing character features.	Character features will be retained and will contribute to the identity and attractiveness of the waterfront area. Greater understanding of the history of the area will be possible if some relicts of the working waterfront are retained within new developments.	The character of the waterfront could be very uniform and sterile if existing features are not incorporated into new developments.	There may be uncertainty regarding which features should be retained.
Policy 28.4.23, Rules 25.5.32, 25.5.33 (Temporary events between Halsey Street Extension Wharf and Wynyard Wharf as a restricted discretionary activity)	Resource consent processing costs for organisers of temporary events between HSEW and Wynyard Wharf. There may be temporary disruptions for fishing boat or ferry operations during events.	Temporary events are directed toward the wharves and Viaduct Harbour but will be possible in this water area if they can be managed appropriately for the site. Adverse effects of temporary events will be avoided, remedied or mitigated through the consent process.	It is unlikely that temporary events in this area would gain resource consents under the current RPC provisions.	Encouraging temporary events in this area could lead to conflict between events and the existing port activities operating between HSEW and Wynyard Wharf.
Rule 25.5.10, Definitions (Temporary structure or building other than those associated with a temporary event)	Temporary structures are restricted to 14 days in any 6 month period (this is the same period that applies currently though conditions in Rule 25.5.13 and 12.5.5).	Greater clarity is provided by including the time limit on temporary structures in the rule and the definitions. Consistency between the time limits in Chapters 12 and 25 for temporary structures.	There could be uncertainty regarding what time limit applies to a structure not associated with a temporary event.	Structures have a more restrictive time limit than the limit for structures associated with temporary events. This could lead to artificial events in PMAs so that structures can be retained for longer.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Rule 25.5.5 (Demolition of internal walls as a permitted activity)	Internal walls and fixtures can be removed without council assessment.	Not requiring resource consents for removal of internal walls and fixtures reduces costs for developers of existing buildings on wharves and encourages reuse of existing buildings.	Potential confusion regarding whether the removal of internal walls falls within "maintenance, repair and reconstruction". Additional costs for owners of existing buildings if consents are required.	The nature of an existing building could be altered by removing internal walls.
Rule 25.5.42 (Residential activities on wharves)	The commercial return on new developments on wharves may be limited by having no opportunity to include residential activities.	Activities on wharves will be compatible with ongoing use for port activities and proximity to marine events.	Residential activities could be included in a redevelopment proposal and could then cause reverse sensitivity issues for other nearby activities or change the nature of other activities on the wharves.	Small scale residential activities that may be ancillary to a port activity will be precluded by this rule.
Policy 25.4.14 (Artwork in Port Management Areas 2A, 2B and 4A)	Proposals for sculptures or other artwork will need to establish that they meet the matters listed in the policy. Some artworks may not meet this policy and may need to be located at other sites.	Artworks are encouraged around the waterfront and will add to its amenity, character and vitality. Potential effects of artworks will be addressed through consideration of appropriate design and location through the resource consent process.	There could be uncertainty regarding what criteria a proposed artwork needs to meet to gain resource consent. Artworks could be developed which are of a nature or scale that they impose on the character of the waterfront and have adverse effects on its amenity.	Artworks may be discouraged from the waterfront by needing to meet the policy. The policy may be perceived as being arbitrary in the matters it addresses or as a hurdle to artwork development.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
25.5 (Non-notification notes)	It would have been possible to specify additional activities as notified, serve notice or non-notified. This opportunity has not be taken up.	Clear guidance is given in terms of the new opportunities in the RMA for serving notice as well as non-notification and notification.  The general intent of the policy is consistent with the previous policy and with the notification provisions elsewhere in the RPC.	The existing notes regarding non-notification cannot be relied on as they do not give a position regarding serving notice and do not refer to the correct provisions of the Act.	The wording of the note is now inconsistent with the wording of the notification notes elsewhere in the Plan. It was considered to be beyond the scope of this plan change to include all of the other notification notes.
Rules 25.5.23, 25.5.24 (Restricted discretionary activity rules for port activities)	The wording of the rules is now slightly different to the wording used in other similar rules.	The changes provide greater clarity regarding which port activities fall within the restricted discretionary activity rules.	There is currently confusion regarding whether buildings on wharves for port activities in PMA 2A fall within these rules.	There may be uncertainty regarding whether this change imposes any greater restrictions on activities or whether it clarifies the existing situation.
Rules 25.5.19, 25.5.25, 25.5.28 (Matters of control and discretion)	There may be greater costs for consent applicants as there are more matters to consider in the controlled and restricted discretionary activities.	The matters of control and discretion will be more consistent between the different rules.  Relevant matters will be able to be assessed.	Navigation and safety are not able to be taken into account under the current provisions. The proposed changes include these as well as matters such as the urban design criteria which have been included in new rules.	There may be uncertainty regarding the extent of the matters of discretion.

Auckland Regional Council

Policy/Method	Costs	Benefits	Risks of Not Having Policy/Method	Risks of Having Policy/Method
Definitions (Public space)	The use of 'public space' as opposed to 'open space' brings a greater range of areas into consideration in the relevant policies. This may lead to greater costs for consent applicants.	Including definitions of 'public space' and 'open space' in the RPC gives greater clarity regarding the areas concerned. The use of 'public space' in policies such as those regarding amenity and views from public spaces includes a wider variety of places in the consideration of effects.	Limiting policies regarding views and amenity to only relate to 'open space' could mean that there is no consideration of effects on streets or entertainment areas where there is charge for entry, or where the area is privately owned and access is allowed via a conservation covenant.	There may be confusion regarding the extent of public space, particularly regarding spaces the public has access to that are in private or commercial areas.  The use of public space may discourage the provision of open space free of charge to the public.
Plan Map Series 2, Sheets 1 and 7A (Minor amendments)	There may be minor errors in the locations of land and water due to the scale of the maps.	Greater clarity and certainty regarding the extent of relevant wharves, land areas, section 384A area, and the corresponding provisions of the RPC.	There could be confusion regarding which wharves the different provisions apply to if the maps are not amended.	The scale of the maps does not allow precise delineation between land and water. There could still be confusion regarding the location of Mean High Water Springs in this area.

Noise				
<p>Rules 35.5.3.b and 35.5.3.c (Noise limit measurement locations and number of high noise events)</p>	<p>The increased number of noise events may lead to some adverse effects on the amenity of the surrounding area for residential activities.</p>	<p>There will be greater clarity and certainty regarding where noise measurements should be taken. Reverse sensitivity issues will be addressed through appropriate noise limits for the types of activities expected to occur in Wynyard Quarter and the surrounding CMA. Temporary events will be facilitated by providing for an appropriate number of medium and high noise events in the marine events area.</p>	<p>There will be confusion regarding the location to measure noise events if mixed use developments locate on Wynyard Point. The current number of noise events places a significant restriction on temporary events for an area which is to have a key role for marine events.</p>	<p>The 15 noise events may allow adverse effects on nearby residents.</p>



Auckland Regional Council

Appendices				
Policy 25.4.5, Appendix J	Developers may incur greater costs through having to meet higher standards of urban design.	<p>Similar urban design standards will be required for new developments on wharves as would be required on the adjacent land.</p> <p>Potential effects on amenity, views, public access and traffic will be avoided, remedied or mitigated through appropriate urban design.</p> <p>Flexibility is provided for innovative designs that can meet the urban design criteria.</p>	<p>New developments may be proposed with insufficient regard to their context, surroundings and future uses.</p> <p>There may be a lack of clarity regarding matters the council will consider in assessing new developments on wharves.</p>	<p>Matters of consideration may be limited to only those listed.</p> <p>The criteria may discourage developers from wharf developments.</p> <p>Some criteria may not be specific enough to ensure a good urban design outcome.</p>

## 4 CONCLUSION

This assessment of Proposed Plan Change 3 required by section 32 of the RMA has shown that the new and amended objectives are the most appropriate way of achieving the purpose of the Act, and that the policies, rules and other methods are the most appropriate for achieving the objectives. Based on the ARC's current understanding of possible future uses and development of the Wynyard Quarter and the surrounding coastal marine area, the plan change is a suitable course of action to fulfil the council's functions under the Act. Further assessment will continue through the process of submissions, further submissions and the hearing.