

Section 32 Evaluation Report

Part 2: Special Purpose Port Zone

Contents

Table of acronyms.....	4
1.0 Overview and Purpose.....	5
1.1 Introduction to the resource management issue/s	5
2.0 Reference to other evaluation reports	5
3.0 Strategic Direction.....	5
4.0 Regulatory and policy direction.....	8
4.1 Section 6	9
4.2 Section 7	9
4.3 Section 8	10
4.4 National Direction	10
4.4.1 National Policy Statements	10
4.4.2 Proposed National Policy Statements	11
4.4.3 National Environmental Standards	11
4.4.4 National Planning Standards	11
4.5 National Guidance Documents.....	12
4.6 Regional Policy and Plans.....	12
4.7 Iwi Management Plan(s).....	17
4.8 Relevant plans or strategies	17
4.9 Other relevant legislation or regulations.....	17
5.0 Resource Management Issues Analysis.....	18
5.1 Background.....	18
5.2 Evidence Base - Research, Consultation, Information and Analysis undertaken.....	18
5.2.1 Analysis of Operative District Plan provisions relevant to this topic.....	19
5.2.2 Analysis of other District Plan provisions relevant to this topic	22
5.2.3 Advice received from Taranaki Whānui and Ngāti Toa Rangatira	23
5.2.4 Consultation undertaken to date	26
5.3 Summary of Relevant Resource Management Issues.....	27
6.0 Evaluation of the Proposal	29
6.1 Scale and Significance	30
6.2 Quantification of Benefits and Costs	33
7.0 Zone Framework.....	33
8.0 Overview of Proposal/s.....	36
9.0 Evaluation of Proposed Objective/s.....	39
9.1 Introduction	39
9.2 Evaluation of Objectives PORTZ-O1 and PORTZ-O2	39
9.3 Evaluation of Objectives PORTZ-PREC-01-01, PORTZ-PREC01-02, PORTZ-PREC-02-01 and PORTZ-PREC02-02.....	43
10.0 Evaluation of Reasonably Practicable Options and Associated Provisions.....	49

10.1	Introduction	49
10.2	Evaluation method	49
10.3	Provisions to achieve Objectives PORTZ-O1 and PORTZ-O2.....	49
10.4	Evaluation of Objectives PORTZ-PREC-01-01, PORTZ-PREC01-02, PORTZ-PREC-02-01 and PORTZ-PREC02-02.....	53
10.5	Further Explanation of Proposed Approach to Provisions	59
11.0	Conclusion	59
	Port Zone:.....	61
	Inner Harbour Port Precinct and Multi-User Ferry Precinct:	61

Table of acronyms

Abbreviation	Full term
AUP	Auckland Unitary Plan
CAUDG	Central Area Urban Design Guide
CDP	Christchurch District Plan
CIA	Cultural Impact Assessment
CVR	Cultural Values Report
GWRC	Greater Wellington Regional Council
IHPP	Inner Harbour Port Zone
MUFP	Multi-User Ferry Precinct
NES	National Environmental Standards
NPS	National Policy Statement
PDP	Proposed District Plan
PORZ	Port Zone
PORTZ-PREC	Port Precinct
PNRP	Proposed Natural Resources Plan
RMA	Resource Management Act
RPS	Regional Policy Statement for the Wellington Region 2013
SASM	Sites and Areas of Significance to Māori

1.0 Overview and Purpose

1.1 Introduction to the resource management issue/s

This section 32 evaluation report is focussed on the Special Purpose Port Zone including the Inner Harbour Port Precinct (IHPP) and Multi-User Ferry Precinct (MUFP). The purpose of the Port Zone is to provide for the safe, efficient, and effective operation of the commercial port (CentrePort) by enabling operational port activities.

The purpose of the two precincts is to recognise and provide for evolving demands, services and technological changes in the port's passenger and shipping capacity, as well as the different levels of development anticipated over the short to long-term in each of the precincts. This involves the long-term transformation of the IHPP into a vibrant mixed-use waterfront environment, while the purpose of the MUFP is to enable the potential reconfiguration of the Cook Strait ferry operations (Interislander and Strait NZ Bluebridge) to a co-located single precinct, with enhanced active and multi-modal transport connections.

The proposed Port Zone and precincts reflect the approach of the Pipitea Precinct (including Operational Port Area) and Port Redevelopment Precinct in the Central Area Zone of the operative District Plan. However, the proposed provisions have been refined and updated in response to CentrePort's regeneration plans, and also to recognise and provide clear long-term visions for anticipated redevelopment of these areas. The change in vision for CentrePort land is in part a result of damage caused by the Kaikoura Earthquake to both the Operational Port Area and Port Redevelopment Precinct, resulting in the subsequent deconstruction of newly constructed office buildings – Statistics House and BNZ Harbour Quays. The introduction of the Special Purpose Port Zone also responds to the direction of the National Planning Standards for a zone-specific chapter.

2.0 Reference to other evaluation reports

This report should also be read in conjunction with the following evaluation reports:

Report	Relationship to this topic
General Industrial Zone	The General Industrial Zone contains provisions for operational port activities in the Miramar/Burnham Wharf Precinct.
Noise	The Noise chapter contains provisions for the Port Zone, including the Port Noise Management Plan.
Waterfront Zone	The long-term vision for the Inner Harbour Port Precinct as it transitions towards a mixed-use environment is that it is integrated, connected, and reflective of the adjoining Waterfront Zone.

3.0 Strategic Direction

The following objectives in the Strategic Direction chapter of the Proposed District Plan that are relevant to this issue/topic are:

AW-O2	<i>Anga whakamua – Moving into the future</i>
<i>The relationship of Tangata Whenua with their Lands and Traditions is recognised and provided for, including:</i>	

	<ol style="list-style-type: none"> 1. The use, development and expansion of Treaty Settlement land and any land that is subject to Deed of Settlement provisions relating to right of first refusal land, in a manner that recognises its commercial redress purposes; and 2. The use and development of all other land to provide for the social, economic, commercial, and cultural aspirations of Tangata Whenua.
AW-04	Anga whakamua – Moving into the future
<p>The development and design of the City reflects mana whenua and the contribution of their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance to the district's identity and sense of belonging.</p>	
CC-02	Capital City
<p>Wellington City is a well-functioning Capital City where:</p> <ol style="list-style-type: none"> 1. A wide range of activities that have local, regional and national significance are able to establish and thrive; 2. The social, cultural, economic and environmental wellbeing of current and future residents is supported; 3. Mana whenua values and aspirations become an integral part of the City's identity; 4. Urban intensification is delivered in appropriate locations and in a manner that meets the needs of current and future generations; 5. Innovation and technology advances that support the social, cultural, economic and environmental wellbeing of existing and future residents are promoted; and 6. Values and characteristics that are an important part of the City's identity and sense of place are identified and protected. 	
CC-03	Capital City
<p>Development is consistent with and supports the achievement of the following strategic city objectives:</p> <ol style="list-style-type: none"> 1. Compact: Wellington builds on its existing urban form with quality development in the right locations; 2. Resilient: Wellington's natural and built environments are healthy and robust, and we build physical and social resilience through good design; 3. Vibrant and Prosperous: Wellington builds on its reputation as an economic hub and creative centre of excellence by welcoming and supporting innovation and investing strategically to maintain our thriving economy; 4. Inclusive and Connected: Wellington recognises and fosters its identity by supporting social cohesion and cultural diversity, and has world-class movement systems with attractive and accessible public spaces and streets; 5. Greener: Wellington is environmentally sustainable, and its natural environment is protected, enhanced and integrated into the urban environment; and 6. Partnership with mana whenua: Wellington recognises the unique role of mana whenua within the city and advances a relationship based on active partnership. 	
CEKP-01	City Economy, Knowledge and Prosperity
<p>A range of commercial and mixed use environments are provided for in appropriate locations across the City to:</p> <ol style="list-style-type: none"> 1. Promote a diverse economy; 	

	<ol style="list-style-type: none"> 2. Support innovation and changes in technology; and 3. Facilitate alternative ways of working.
CEKP-05	City Economy, Knowledge and Prosperity
Strategically important assets including those that support Māori culture, tourism, trade education, research, health are provided for in appropriate locations.	
HHSASM-03	Historic Heritage and Sites and Areas of Significance to Māori
The cultural, spiritual and/or historical values associated with sites and areas of significance to Māori are protected.	
HHSASM-04	Historic Heritage and Sites and Areas of Significance to Māori
Sites of significance to Māori are identified and mana whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.	
NE-01	Natural Environment
The natural character, landscapes and features, and ecosystems that contribute to the City's identity and have significance for mana whenua as kaitiaki are identified, recognised, protected, and, where possible, enhanced.	
SCA-01	Strategic City Assets and Infrastructure
<p>Infrastructure is established, operated, maintained, and upgraded in Wellington City so that:</p> <ol style="list-style-type: none"> 1. The social, economic, cultural, and environmental benefits of this infrastructure are recognised; 2. The City is able to function efficiently and effectively; 3. The infrastructure network is resilient in the long term; and 4. Future growth and development is enabled and can be sufficiently serviced. 	
SCA-04	Strategic City Assets and Infrastructure
Regionally significant infrastructure is provided for in appropriate locations and the social, cultural economic, and environmental benefits of this infrastructure are recognised and provided for.	
SCA-05	Strategic City Assets and Infrastructure
The adverse effects of infrastructure are managed having regard to the economic, social, environmental and cultural benefits, and the technical and operational needs of infrastructure.	
SCA-06	Strategic City Assets and Infrastructure
Infrastructure operates efficiently and safely and is protected from incompatible development and activities that may create reverse sensitivity effects.	
SRCC-01	Sustainability, Resilience and Climate Change
<p>The City's built environment supports:</p> <ol style="list-style-type: none"> 1. A net reduction in the City's carbon emissions by 2050; 	

	<ol style="list-style-type: none"> 2. <i>More energy efficient buildings;</i> 3. <i>An increase in the use of renewable energy sources; and</i> 4. <i>Healthy functioning of native ecosystems and natural processes.</i>
SRCC-02	Sustainability, Resilience and Climate Change
	<p><i>Risks from natural hazards are:</i></p> <ol style="list-style-type: none"> 1. <i>Identified and understood;</i> 2. <i>Planned for through adaptation and mitigation measures to ensure the risks are low; and</i> 3. <i>Avoided where the risks are intolerable.</i>
SRCC-03	Sustainability, Resilience and Climate Change
	<p><i>Subdivision, development and use:</i></p> <ol style="list-style-type: none"> 1. <i>Effectively manage the risks associated with climate change and sea level rise;</i> 2. <i>Support the City's ability to adapt over time to the impacts of climate change and sea level rise; and</i> 3. <i>Support natural functioning ecosystems and processes to help build resilience into the natural and built environments.</i>
UFD-07	Urban Form and Development
	<p><i>Development supports the creation of a liveable, well-functioning urban environment that enables all people and communities to provide for their social, economic, environmental, and cultural wellbeing, and:</i></p> <ol style="list-style-type: none"> 1. <i>Is accessible and well-designed;</i> 2. <i>Supports sustainable travel choices, including active and micromobility modes;</i> 3. <i>Is serviced by the necessary infrastructure appropriate to the intensity, scale and function of the development and urban environment;</i> 4. <i>Is socially inclusive;</i> 5. <i>Is ecologically sensitive;</i> 6. <i>Is respectful of the City's historic heritage;</i> 7. <i>Provides for community well-being; and</i> 8. <i>Is adaptable over time and responsive to its evolving, more intensive surrounding context.</i>

An evaluation of these objectives is contained in the companion Section 32 Evaluation Overview Report.

4.0 Regulatory and policy direction

In carrying out a s32 analysis, an evaluation is required of how the proposal achieves the purpose and principles contained in Part 2 of the RMA.

Section 5 sets out the purpose of the RMA, which is to promote the sustainable management of natural and physical resources.

Sustainable management ‘means managing the use, development, and protection of natural and physical resources to enable 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’.

In achieving this purpose, all persons exercising functions and powers under the RMA also need to:

- Recognise and provide for the matters of national importance identified in s6
- Have particular regard to the range of other matters referred to in s7
- Take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi in s8.

4.1 Section 6

The s6 matters relevant to this topic are:

Section	Relevant Matter
Section s6(a)	<p><i>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</i></p> <p>The Port Zone is located within the coastal environment. However, the coastal and riparian margin provisions of the proposed District Plan do not apply to the Port Zone because the commercial port has existing use rights and operational port activities have functional and operational needs to locate within the coastal environment.</p>
Section s6(d)	<p><i>The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers</i></p> <p>Given the nature of operational port activities, the maintenance and enhancement of public access along the coastal marine area is not always appropriate. The restriction of public access to, along, or adjacent to the coast is restricted under the proposed District Plan where necessary to provide for the safe and efficient operation of the Port Zone.</p>
Section s6(e)	<p><i>The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga</i></p> <p>The Port Zone, particularly Kaiwharawhara and the Kaiwharawhara Stream has long established ecological, historical and cultural associations for the mana whenua of Whanganui a Tara (Wellington), Taranaki Whānui and Ngati Toa Rangatira. Activities within the Multi-User Ferry Precinct must recognise mana whenua as kaitiaki, alongside their relationship with the land.</p>

4.2 Section 7

The s7 matters that are relevant to this topic are:

Section	Relevant Matter
Section s7(b)	<i>The efficient use and development of natural and physical resources</i> The commercial port is regionally significant infrastructure and an important physical resource.
Section s7 (c)	<i>The maintenance and enhancement of amenity values</i> The location and nature of the port and operational port activities can impact amenity values.
Section s7 (f)	<i>Maintenance and enhancement of the quality of the environment</i> Activities occurring in the Port Zone have the potential to adversely affect the quality of the environment if not properly managed.

4.3 Section 8

The s8 principles of Partnership and Protection are relevant to this topic. The Council and Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira have worked in partnership to develop provisions relating to the Port Zone to ensure that sites and areas of significance are protected.

4.4 National Direction

4.4.1 National Policy Statements

There are five National Policy Statements (NPS) currently in force:

- NPS for Electricity Transmission 2008
- New Zealand Coastal Policy Statement 2010
- NPS for Renewable Electricity Generation 2011
- NPS for Freshwater Management 2020
- NPS on Urban Development 2020

The instrument/s and associated provisions relevant to this topic are:

NPS	Relevant Objectives / Policies
New Zealand Coastal Policy Statement 2010	<i>Policy 6: Activities in the coastal environment</i> <i>1(e) Consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area</i> <i>1(f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable</i> <i>2(a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations</i>

	<p><i>2(c) Recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places</i></p> <p><i>Policy 9: Ports</i></p> <p><i>Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:</i></p> <ul style="list-style-type: none"> <i>a. ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and</i> <i>b. considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes.</i>
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4.4.2 Proposed National Policy Statements

In addition to the five NPSs currently in force there are also two proposed NPSs under development, noting that these are yet to be issued and have no legal effect:

- Proposed NPS for Highly Productive Land
- Proposed NPS for Indigenous Biodiversity

4.4.3 National Environmental Standards

In addition to the NPSs there are nine National Environmental Standards (NES) currently in force:

- NES for Air Quality 2004
- NES for Sources of Human Drinking Water 2007
- NES for Electricity Transmission Activities 2009
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
- NES for Telecommunication Facilities 2016
- NES for Plantation Forestry 2017
- NES for Freshwater 2020
- NES for Marine Aquaculture 2020
- NES for Storing Tyres Outdoors 2021

There are no NESs of direct relevance to this topic.

4.4.4 National Planning Standards

The National Planning Standards provide for a range of zone options to be included in Part 3 – Area Specific Matters of the District Plan. Section 4 of the Standards sets out that the chapters and sections listed in grey text within Table 4, of which the Port zone is one, must be included if relevant to the district plan. The district plan must only contain the zones listed in Table 13 where consistent with the description of these zones. This includes the Port zone as a Special purpose zone, the purpose of which is as follows:

Zone	Description
Port zone	Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.

The National Planning Standards also outline when the use of other spatial layers for district plans are appropriate. The Standards describe the function of a precinct as follows:

a precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).

The Port Zone contains two precincts – being the Inner Harbour Port Precinct and Multi-User Ferry Precinct.

4.5 National Guidance Documents

There is no national guidance relevant to this topic.

4.6 Regional Policy and Plans

Regional Policy Statement for the Wellington Region 2013 (RPS)

The table below identifies the relevant provisions and resource management topics for the Port Zone contained in the RPS.

Energy, infrastructure and waste	
Section	Relevant matters
Objective 10	<i>The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.</i>
Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans M	<p>Policy 7 requires that district plans include policies and/or methods that recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure.</p> <p>The definition of regionally significant infrastructure includes:</p> <p><i>‘Commercial Port Areas within Wellington Harbour and adjacent land used in association with the movement of cargo and passengers and including bulk fuel supply infrastructure, and storage tanks for bulk liquids, and associated wharflines.’</i></p> <p>Policy 7(a)(i) specifically seeks that district plans recognise the benefit that <i>‘people and goods can travel to, from and around the region efficiently and safely.’</i></p>
Policy 8: Protecting regionally significant infrastructure –	<p><i>‘District and regional plans shall include policies and rules that protect regionally significant infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to the infrastructure.’</i></p> <p>The explanation of this policy outlines that district councils will need to ensure that activities provided for in a district plan are compatible with the</p>

regional and district plans M	efficient operation, maintenance, and upgrading of regionally significant infrastructure and any effects that may be associated with that infrastructure.
Policy 11: Promoting energy efficient design and small-scale renewable energy generation – district plans M	<p>Policy 11 requires that district plans include policies and/or rules to provide for energy efficient alterations to existing buildings. The explanation of this policy details that improved energy efficiency can be achieved by:</p> <ul style="list-style-type: none"> • <i>Enabling everyday services – such as shops, schools, businesses and community facilities to be accessed by walking and cycling</i> • <i>Enabling easy access to public transport services</i> • <i>Locating and designing infrastructure and services to support walking, cycling or the use public transport</i> • <i>Enabling the efficient use of the sun as a source of power and heating</i> • <i>Incorporating renewable energy generation facilities – such as solar panels and domestic scale wind turbines</i>
Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration R	Policy 39 requires district plans to have particular regard to the social, economic, cultural and environmental benefits of regionally significant infrastructure, as well as protecting regionally significant infrastructure from incompatible subdivision, use and development.
Regional form, design and function	
Section	Relevant matters
Objective 22	<p><i>A compact well designed and sustainable regional form that has an integrated, safe and responsive transport network and:</i></p> <p><i>(a) a viable and vibrant regional central business district in Wellington city;</i></p> <p><i>(b) an increased range and diversity of activities in and around the regionally significant centres to maintain vibrancy and vitality;</i></p> <p><i>(c) sufficient industrial-based employment locations or capacity to meet the region’s needs;</i></p> <p><i>(d) development and/or management of the Regional Focus Areas identified in the Wellington Regional Strategy ;</i></p> <p><i>(e) urban development in existing urban areas, or when beyond urban areas, development that reinforces the region’s existing urban form;</i></p> <p><i>(f) strategically planned rural development;</i></p>

	<p><i>(g) a range of housing (including affordable housing);</i></p> <p><i>(h) integrated public open spaces;</i></p> <p><i>(i) integrated land use and transportation;</i></p> <p><i>(j) improved east-west transport linkages;</i></p> <p><i>(k) efficiently use existing infrastructure (including transport network infrastructure); and</i></p> <p><i>(l) essential social services to meet the region's needs.</i></p>
<p>Policy 31: Identifying and promoting higher density and mixed use development – district plans</p> <p>M</p>	<p>Policy 31 requires district plans to:</p> <ul style="list-style-type: none"> • Identify centres suitable for higher density development • Identify locations with good access to the strategic public transport network, suitable for higher density development • Include policies, rules and methods to encourage higher density development in these areas
<p>Policy 54: Policy 54: Achieving the region's urban design principles – consideration</p> <p>M</p>	<p>Policy 54 requires district plans to have particular regard to achieving the region's urban design principles. The principles are set out in Appendix 2 to the RPS and include: context, character, choice, connections, creativity, custodianship, and collaboration.</p>
<p>Policy 57: Integrating land use and transportation – consideration</p> <p>R</p>	<p>Policy 57 requires district plans to have particular regard to achieving the key outcomes of the Wellington Land Transport Strategy. One of the key outcomes of the strategy is improved regional freight efficiency.</p> <p>The matters listed in Policy 57 include:</p> <p><i>(c) whether there is good access to the strategic public transport network;</i></p> <p><i>(d) provision of safe and attractive environments for walking and cycling; and</i></p> <p><i>(e) whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for</i></p>
Resource management with tangata whenua	
Section	Relevant matters
Objective 25	<i>The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.</i>
<p>Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration</p>	<p><i>When preparing a change, variation or review of a district or regional plan, the following matters shall be recognised and provided for:</i></p> <p><i>(a) the exercise of kaitiakitanga;</i></p> <p><i>(b) mauri, particularly in relation to fresh and coastal waters;</i></p>

M	<i>(c) mahinga kai and areas of natural resources used for customary purposes; and (d) places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.</i>
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M = policies which must be implemented in accordance with stated methods in the RPS

R = policies to which particular regard must be had when varying a district plan

Regional Plans

There are currently five operative regional plans and one proposed regional plan for the Wellington region:

- Regional Freshwater Plan for the Wellington Region, 1999
- Regional Coastal Plan for the Wellington Region, 2000
- Regional Air Quality Management Plan for the Wellington Region, 2000
- Regional Soil Plan for the Wellington Region, 2000
- Regional Plan for Discharges to Land for the Wellington Region, 1999
- Proposed Natural Resources Plan, appeals version 2021

The Proposed Natural Resources Plan (PNRP) replaces the five operative regional plans, with provisions in this plan now largely operative with the exception of those that are subject to appeal.

The Proposed Natural Resource Plan (PNRP) is of particular relevance to the Port Zone given the crossover of land use, and building and structure provisions between the seaward and landward sides of mean high water springs. The District Plan covers landward side matters and the PNRP addresses activities on the wharves. The PNRP includes the Lambton Harbour Area (Northern Zone) which incorporates the Interisland Wharf and Waterloo Wharf finger wharves. Of particular relevance are the PNRP definitions ‘commercial port area’ and ‘port related activities’. These definitions, and the mapped extent of the commercial port area have guided the establishment of the Port Zone and proposed District Plan ‘operational port activities’ and ‘commercial port’ definitions. Council has engaged with Greater Wellington Regional Council (GWRC) to ensure this alignment between the Proposed District Plan and PNRP for both the Port Zone and Waterfront Zone.

The table below identifies the relevant provisions for the Port zone contained in the Regional Coastal Plan and Proposed Natural Resources Plan.

<i>Regional Coastal Plan for the Wellington Region</i>	
<i>Section</i>	<i>Relevant matters</i>
<i>Policy 4.2.44</i>	<i>To recognise commercial port operations by providing for appropriate activities within identified Commercial Port Areas.</i>
<i>Proposed Natural Resources Plan (Appeals version, 2021)</i>	
<i>Section</i>	<i>Relevant matters</i>
<i>Policy 9</i>	<i>Public access to and along the coastal marine area and the beds of lakes and rivers Maintain and enhance the extent or quality of public access to and along the coastal marine area and the beds of lakes and rivers except where it is necessary to:</i>

	<p><i>(a) protect the values of estuaries, sites with significant mana whenua values identified in Schedule C (mana whenua), sites with significant historic heritage value identified in Schedule E (historic heritage) and sites with significant indigenous biodiversity value identified in Schedule F (indigenous biodiversity), or</i></p> <p><i>(b) protect public health and safety, or protect Wellington International Airport and Commercial Port Area security, or</i></p> <p><i>(c) provide for a temporary activity such as construction, a recreation or cultural event or stock movement, and where the temporary restrictions shall be for no longer than reasonably necessary before access is fully reinstated, and</i></p> <p><i>with respect to (a) and (b), where it is necessary to permanently restrict or remove existing public access, the loss of public access shall be mitigated or offset by providing enhanced public access at a similar or nearby location to the extent reasonably practicable.</i></p>
<p><i>Policy 39C</i></p>	<p><i>When considering the effects of port related activities in the Kaiwharawhara Stream Estuary in Schedule F4 (which includes aquatic ecosystems, habitats, species and areas listed in Policy P39A(a)(i) - (v) or (b)) or included in Schedule F5 recognise:</i></p> <p><i>(a) that the estuary is located within a working port that needs to provide for efficient and safe operations, the development of capacity for shipping and take account of connections to other transport modes, and</i></p> <p><i>(b) that there must be a functional need or operational requirement for the activity to locate in that area and there is no practicable alternative on land or elsewhere in the coastal marine area for the activity to be located, and</i></p> <p><i>(c) the extent to which the significant indigenous biodiversity values and attributes at and in proximity to the estuary, are enhanced or restored as part of a biodiversity management plan that sets out how the significant indigenous biodiversity values and attributes will be affected by the activity, and</i></p> <p><i>(d) the matters in Policy P39B.</i></p>
<p><i>Policy 134</i></p>	<p><i>The adverse effects of new use and development on public open space and visual amenity viewed within, to and from the coastal marine area shall be avoided, remedied or mitigated by:</i></p> <p><i>(a) having particular regard to any relevant provisions contained in any bordering territorial authorities' proposed and/or operative district plan, and</i></p> <p><i>(b) managing use and development to be of a scale, location, density and design which is compatible with the natural character, natural features and landscapes and amenity values of the coastal environment and the functional needs, operational requirements and locational constraints of the Commercial Port Area and the Wellington International Airport, and</i></p> <p><i>(c) taking account of the future need for public open space in the coastal marine area.</i></p>

Policy 142	<p><i>When considering whether use and development of the Lambton Harbour Area is appropriate, have regard to the extent which it:</i></p> <p>(a) <i>provides for a range of activities appropriate to the harbour/city interface; and</i></p> <p>(b) <i>is compatible with the urban form of the city; and</i></p> <p>(c) <i>recognises where relevant, the heritage character, development and associations the wharf edges, reclamation edges, and finger wharves and their contribution to understanding and appreciation of the Lambton Harbour Area, and</i></p> <p>(d) <i>does not detract from the amenity of the area; and</i></p> <p>(e) <i>recognises that the Lambton Harbour Area is adjacent to the Commercial Port Area, which is a working port; and</i></p> <p>(f) <i>ensures that the development of noise sensitive activities is adequately acoustically insulated in order the manage reverse sensitivity effects; and</i></p> <p>(g) <i>enables social and economic benefits to Wellington City and the wider region; and</i></p> <p>(h) <i>provides for open space, pedestrian and cycle through routes and access to and from the water; and</i></p> <p>(i) <i>recognises mana whenua waka and waka ama uses and enables them to continue; and</i></p> <p>(j) <i>addresses provision, including design guides, contained in the Wellington City District Plan and any relevant proposed plan changes or variations, including the following matters: amenity values; noise and vibration; views, traffic; wind; lighting and glare; sunlight and shading; height, bulk and form; and urban design.</i></p>
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4.7 Iwi Management Plan(s)

There are no Iwi Management Plans relating to the Port area or Wellington City in general.

4.8 Relevant plans or strategies

The following plan is relevant to this topic:

Plan / Strategy	Organisation	Relevant Provisions
<i>Our City Tomorrow – He Mahere Mokowā mō Pōneke - A Spatial Plan for Wellington City 2021</i>	<i>Wellington City Council</i>	<ul style="list-style-type: none"> The Spatial Plan identifies a number of ‘Opportunity sites’ including the Multi-User Ferry Precinct and Inner Harbour Port and Rail Precinct. The Spatial Plan details what the challenges and anticipated future of these sites will look like.

4.9 Other relevant legislation or regulations

There is no other legislation or regulations relevant to this topic.

5.0 Resource Management Issues Analysis

5.1 Background

The commercial port occupies significant landholdings within the Pipitea Precinct (which occupies the northern part of the Central Area under the operative District Plan), and includes the road/rail Interislander ferry terminal at Kaiwharawhara. A separate precinct, the Port Redevelopment Precinct, occupies Central Area zoned land fronting Waterloo Quay where the District Plan envisaged a transition from operational port (which includes the Bluebridge ferry terminal) to a mixed-use precinct, guided by a masterplan that has a significant focus on establishing public spaces alongside enabling a range of non-port activities, principally office activities.

Section 5.2 below identifies that CentrePort has a new 10-year 'medium term vision' for the area between the existing Customhouse building (to the north) and the PWC Centre (to the south), and has confirmed that a new/expanded combined ferry terminal would be located at Kaiwharawhara. This presents an opportunity to refine and update the District Plan in response to CentrePort's regeneration plans, and also to recognise and provide clear long-term visions for anticipated redevelopment of these areas.

5.2 Evidence Base - Research, Consultation, Information and Analysis undertaken

The Council has reviewed the operative District Plan, commissioned technical advice, and received assistance from various internal and external experts. This has included internal workshops and community feedback to assist with setting the District Plan framework. This work has been used to inform the identification and assessment of the environmental, economic, social and cultural effects that are anticipated from the implementation of the provisions. This advice includes the following:

Title	Author	Brief synopsis
Issues & Options Report: Pipitea Precinct (CentrePort) / Port Redevelopment Precinct	Hill Young Cooper Ltd and Urban Perspectives Ltd	Identifies issues and options informed by a review of the operative District Plan provisions, the physical context of the port area, workshops and discussions with key stakeholders (CentrePort, Interislander, and StraitNZ), a review of resource consents, and a review of port zone provisions in other local authorities' District Plans.
Issues & Options Report: Pipitea Precinct (KiwiRail)	Hill Young Cooper Ltd and Urban Perspectives Ltd	Identifies issues and options informed by a review of the operative District Plan provisions, the physical context of the port/railway area, discussions with key stakeholders, a review of outline plan approvals and resource consents, and a review of port zone provisions in other local authorities' District Plans.
Integration Report: Pipitea Precinct, Port Redevelopment Precinct and Wellington Regional Stadium	Hill Young Cooper Ltd and Urban Perspectives Ltd	Identifies issues and opportunities for the integration of development within the Pipitea Precinct and immediately adjoining areas, including the Regional Stadium and the Port Redevelopment Precinct. It recommends options for further consideration in the review of the Central

		Area Chapter, which is the operative zoning for the Northern Gateway area.
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In addition to the material listed in the table above, the Council has also gathered the following information and advice that is relevant to this topic:

- Details relating to CentrePort’s long-term regeneration plan for a multi-user ferry terminal at Kaiwharawhara and inner harbour precinct with enhanced urban integration between the port and city. CentrePort’s Regeneration Plan ‘Our port: now and in the future’ is available here: <https://regeneration.centreport.co.nz/>

5.2.1 Analysis of Operative District Plan provisions relevant to this topic

For the purposes of this report the key provisions in the Operative Wellington District Plan of relevance to this topic are summarised below.

Topic	Summary of relevant provisions
Central Area – Pipitea Precinct and Port Redevelopment Area	<p>The Introduction to Chapter 12 “Central Area” records that:</p> <p><i>Major infrastructure and facilities that contribute to the city’s economic base are located within the Central Area. Its situation at the heart of a port city and at the end of the main trunk railway makes the Central Area a strategic transport hub.</i></p> <p>The Introduction also records that:</p> <p><i>The Pipitea Precinct is another important sub area within the Central Area. The Precinct comprises the railway land and the Operational Port Area. This area forms an important entrance to the city centre from the north, and a strategic land corridor for private and public transport.</i></p> <p><i>Due to its size and location, the Pipitea Precinct is a substantial natural and physical resource capable of providing significant benefits for the people of the Wellington Region. The area is used primarily for port and rail activities with little public infrastructure, roading and few buildings in place. There is potential for future development to occur in the Pipitea Precinct and with appropriate management and control there is an opportunity to create a quality urban environment that enhances the economic viability and vitality of the central business area.</i></p> <p>The Central Area chapter has a number of objectives, of most relevance is Objective 12.2.4, which relates to “Sensitive Development Areas” and seeks the following:</p> <ul style="list-style-type: none"> • <i>To ensure that any future development of large land holdings within the Central Area is undertaken in a manner that is compatible with, and enhances the contained urban form of the Central Area.</i> <p>This objective is implemented by a framework of three supporting policies that relate specifically to the Pipitea Precinct:</p> <ul style="list-style-type: none"> • <i>12.2.4.2 Provide for the future development of the Pipitea Precinct and its connections with the remainder of the Central Area by way of a masterplan.</i> <p>In the explanation of Policy 12.2.4.2 it is stated that:</p> <p><i>The Pipitea Precinct is currently utilised for operational port and railway purposes. However, in the longer-term the need for these uses may</i></p>

Topic	Summary of relevant provisions
	<p><i>change and opportunities may arise for urban development of this area. In its current form there is little public space structure to this area, with few established streets, public spaces or urban services in place. Council wishes to ensure that any subdivision or development for urban land uses is undertaken in an orderly and integrated manner that provides for a high quality urban environment. Due to the size of this area and its importance to the future form and function of the established Central Area, it is dealt with separately with some distinct policies and rules.</i></p> <ul style="list-style-type: none"> • <i>12.2.4.3 Allow for a public space structure within the Pipitea Precinct which provides interconnections across and throughout the Area.</i> • <i>12.2.4.4 Ensure that development within the Pipitea Precinct complements the established part of the central city and reinforces its contained urban form, its vitality, and its viability.</i> <p><i>In the explanation of Policy 12.2.4.4 it is stated that: The Pipitea Precinct has potential for significant urban development over time as existing uses (principally rail and port uses) relocate or rationalise. Its location on the northern edge of the established central city and on the main northern gateway to the city gives it a particular strategic importance. It is important that any urban development on this land complements the existing activities in the established part of the central city and does not adversely affect the central city's long-term vitality and viability.</i></p> <p><i>Objective 12.2.4 is also implemented by a supporting policy that relates specifically to the Port Redevelopment Precinct:</i></p> <ul style="list-style-type: none"> • <i>12.2.4.1 Enhance the public environment of the Port Redevelopment Precinct (shown in Appendix 2, Chapter 13) by managing the design of new buildings and public space development, by enhancing accessibility to and within the precinct, and by providing for a range of activities and uses.</i> <p><i>In the explanation of Policy 12.2.4.1 it is stated that: The Port Redevelopment Precinct (Shown in Appendix 2, Chapter 13) is an area of land to the east of Waterloo Quay that has historically been used for port purposes. The area is now largely surplus to port operations and has been proposed by the port company to be developed for non-port purposes. As this area develops the Council wishes to ensure that new buildings are managed both in terms of their design quality, but also in relation to their effect on surrounding public spaces. Council wishes to ensure that development occurs in a manner which provides for a high quality mixed use development.</i></p> <p><i>An area at the southern end of the Precinct has also been retained as part of the Operational Port Area to enable the on-going operation of the "Bluebridge" Terminal. In this area, changes in port operations may lead to urgent needs for new or modified port related buildings which differ from those intended to be part of the Port Redevelopment Precinct's permanent development.</i></p> <p><i>Rules and standards relating to land use activities, buildings, signs, subdivision, earthworks, heritage, utilities, contaminated sites are co-located in the chapter.</i></p> <p><i>Key activity and building and structure standards for the Pipitea Precinct / Operational Port Area include:</i></p>

Topic	Summary of relevant provisions
	<ul style="list-style-type: none"> • Activities (permitted activities): all operational port activities are a permitted activity (including the creation of vacant land, open land or parking areas at ground level) • Buildings (permitted activity): any building or structure in the Operational Port Area required for operational port activities, except for buildings and structures for operational port activities that exceed 100m² in gross floor area and which are in that part of the Operational Port Area which is located within the southern end of the Port Redevelopment Precinct. • Buildings (controlled activity): any building for operational port activities that exceeds 100m² gross floor area and which is in that part of the Operational Port Area which is within the southern end of the Port Redevelopment Precinct. The matters that are controlled are external appearance and duration of consent. • Buildings (restricted discretionary activity): any building that is not a permitted or controlled activity (except buildings for office or retail activities). • Buildings (unrestricted discretionary activity): buildings for office or retail activities – subject to depositing a masterplan for development of the Pipitea Precinct with Council. <p>Key activity and building and structure standards for the Port Redevelopment Precinct include:</p> <ul style="list-style-type: none"> • Activities (permitted activities): all activities (including the creation of vacant land, open land or parking areas at ground level), but with a restriction on the amount of office activities, which must not exceed 68,200m² net lettable floor area. • Activities (unrestricted discretionary activity): office activities with a combined total net lettable floor area in excess of 68,200m². • Buildings (controlled activity): new buildings, and the creation of associated open space. The matters that are controlled are design, external appearance and siting, and public space structure and public space design. • Buildings (unrestricted discretionary activity): buildings for office activities that exceed 68,200m² net lettable floor area. <p>The Central Area Urban Design Guide (CAUDG) applies to development in both the Pipitea Precinct and Port Redevelopment Precinct. In addition, Appendix 1 to the CAUDG provides a specific Design Guide for Pipitea Precinct.</p> <p>During the course of reviewing the operative provisions for the purposes of this report a few key issues were identified. These include:</p> <ul style="list-style-type: none"> • Given that operational port activities and associated buildings and structures are permitted activities, a main focus of recent resource consent applications has been on earthworks and management of contaminated land. • For the Port Redevelopment Precinct, a masterplan (Chapter 13, Appendix 2A) was prepared to guide the development of the Precinct. To date, there have been three new office buildings located in the Port Redevelopment Precinct - Customhouse, Statistics House, and BNZ Harbour Quays, however the latter two buildings having subsequently being 'deconstructed' as a consequence of damage suffered during the Kaikoura Earthquake.

Topic	Summary of relevant provisions
	<ul style="list-style-type: none"> To date, no development within the railyards has been subject to Rule 13.4.8 for non-railway purposes and no 'masterplan(s)' has been prepared. All development within the railyards has been progressed via outline plans or outline plan waivers, with the exception of a land use consent under the National Environmental Standard (NES) in relation to site contamination.

5.2.2 Analysis of other District Plan provisions relevant to this topic

Current practice has been considered in respect of this topic, with a review undertaken of the following District Plans. It is noted that none of these plans have been prepared in accordance with the National Planning Standards.

Plan	Local Authority	Description of approach
Auckland Unitary Plan	<i>Auckland Council</i>	<ul style="list-style-type: none"> Port Precinct located within the City Centre Zone. The Plan also has other relevant port/wharf precincts as well such as the Wynyard Precinct and Central Wharves Precinct. Contains six objectives and fourteen policies which focus on the safe and efficient operation of the Port, avoiding adverse effects including reverse sensitivity, high quality design to enhance the gateway to the city centre, and public access. Marine and port activities as well as maritime passenger operations are Permitted.
Christchurch District Plan	<i>Christchurch City Council</i>	<ul style="list-style-type: none"> Specific Purpose (Lyttelton Port) Zone. Distinct areas within the Zone including the Port Operational Area and Dampier Bay Area. The Dampier Bay Area and its Outline Development Plan is comparable to Wellington's Port Redevelopment Area and has policies which provide for development that recognises existing built form and visual connections to the harbour, and enhances the amenity of the port interface. Contains three objectives and eleven policies which focus on each functional area, efficient operation of the Port, and ensuring safe and efficient access networks for transport and freight as well as providing for transport modes and public access to/from ferries and cruise ships. Port activities are permitted. New public transport facilities are a Controlled Activity in the Port Operational Area or Dampier Bay Area, and any passenger ferry

		<p>terminal arising from that rule is to be publicly notified.</p> <ul style="list-style-type: none"> • Restricted Discretionary and Non-Complying Activity rules for public transport facilities associated with a passenger ferry terminal on the basis of their location, and the provision of public vehicle and pedestrian access.
Dunedin Proposed District Plan	<i>Dunedin City Council</i>	<ul style="list-style-type: none"> • Port Chapter (Port Chalmers) as well as an Industrial Port Zone Chapter (inner city port – Dunedin Wharf). • Contains two objectives and eight supporting policies which focus on the efficient and effective operation of the Port. • Port, industry, and community activities are Permitted, all other activities are Non-Complying Activities. • Includes a rule (30.3.6) for the transition from Major Facility Zone – Port to the Industrial Port Zone (being the inner city port - Dunedin Wharf). • Port activities are subject to a port noise management plan.

These plans were selected because:

- They have been subject to recent plan reviews that have addressed similar issues relating to this topic; and/or
- The associated Councils are of a similar scale to Wellington City and are confronting similar issues relating to this topic.

A summary of the key findings follows:

- The objectives tended to focus on two key themes being the efficient operation of the port and avoiding adverse effects on the amenity of surrounding zones. The CDP and AUP also referenced the growth and development of the port, with the AUP having objectives for non-port related use and development and public access where it does not compromise the safe and efficient operation of port activities and the precinct.
- Policies followed similar themes including enabling and providing for port/marine and compatible activities, ensuring that buildings/development and non-port activities do not compromise the efficient use and operation of the port area, and seeking to maintain health and safety and minimise adverse effects on amenity i.e. noise, height, light.
- The permitted activities were similar, being primarily operational port activities, industry and ancillary activities - i.e. offices and administration as well as community facilities and artwork.

5.2.3 *Advice received from Taranaki Whānui and Ngāti Toa Rangatira*

Under Clause 4A of Schedule 1 of the RMA local authorities are required to:

- Provide a copy of any draft policy statement or plan to any iwi authority previously consulted under clause 3 of Schedule 1 prior to notification;
- Allow adequate time and opportunity for those iwi authorities to consider the draft and to supply advice; and
- Have particular regard to any advice received before notifying the plan.

As an extension of this s32(4A) requires evaluation reports prepared in relation to a proposed plan to include a summary of:

- All advice received from iwi authorities concerning the proposal; and
- The response to that advice, including any proposed provisions intended to give effect to the advice.

The District Plan Review has included significant engagement with our mana whenua partners - Taranaki Whānui ki te Upoko o te Ika and Ngāti Toa Rangatira. This has included over 100 hui and wānanga attended by Council officers over the last 12 months. This has provided a much greater understanding of mana whenua values and aspirations as they relate to the PDP.

The PDP elevates the consideration of mana whenua values in resource management processes, including:

- A new Tangata Whenua chapter which provides context and clarity about who mana whenua are and what environmental outcomes they are seeking.
- A new Sites and Areas of Significance to Māori chapter that provides greater protection for sites and areas of significance than the current District Plan.
- Integrating mana whenua values across the remainder of the plan where relevant.

This is consistent with both the City Goal of ‘Partnership with mana whenua’ in the Spatial Plan; and the recently signed Tākai Here (2022), which is the new partnership agreement between the Council and our mana whenua partners, Rūnanga o Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Rūnanganui o Te Āti Awa.

A full copy of the advice received is attached as an addendum to the complete suite of Section 32 reports as Addendum A – Advice received from Taranaki Whānui and Ngāti Toa Rangatira.

The Draft District Plan versions of the Port Zone were reviewed by mana whenua. This advice received from this review was considered and responded to in the redrafting of the provisions. A summary is provided below:

Topic	Advice Received	Response
Te Whanganui a Tara	<ul style="list-style-type: none"> • Seeks that there is some reference/mention of the importance of Te Whanganui a Tara (which is a statutory acknowledgement) to mana whenua and a provision for this relationship? Perhaps an objective and/or policy about working with mana whenua to 	<ul style="list-style-type: none"> • Reference to mana whenua having an important connection with Te Whanganui a Tara is made in the introductions for both the Inner Harbour Port Precinct and Multi-User Ferry Precinct. The introductions also acknowledges that both

	<p>protect that relationship and ensure any activities in the zone do not adversely affect the harbour and its mauri.</p>	<p>Taranaki Whānui and Ngati Toa's Claims Settlement Acts identify the Wellington Harbour as a statutory area. Mana whenua are also recognised as kaitiaki and active engagement with mana whenua is encouraged.</p> <ul style="list-style-type: none"> • The ecological, historical and cultural associations mana whenua have with Kaiwharawhara and Kaiwharawhara stream are recognised in the Multi-User Ferry Precinct. • Both precincts have policies to recognise the locational context, and ensure that activity will not compromise cultural, spiritual and/or historical values and interests and associations of importance to mana whenua. The Multi-User Ferry Precinct also has a standalone policy ensuring development has regard to the significance of the Kaiwharawhara area, including its historical and contemporary relationship with Mana Whenua.
<p>Sites and Areas of Significance to Māori</p>	<ul style="list-style-type: none"> • PORTZ-P9 Adverse Effects - <i>could be sites of significance to Māori be included?</i> • Whether reference can be made to the cultural linkages from Waitangi Park and along the waterfront area which includes the Port. 	<ul style="list-style-type: none"> • Sites of significance to Māori are addressed within the draft chapter 'Sites and Areas of Significance to Māori' (SASM) which identifies sites and areas of cultural significance and includes provisions to protect them. • The proposed objectives and policies of the Port Zone have been drafted to be inclusive of mana whenua values while balancing the functional and operational needs of the commercial port and operational port activities.

		<ul style="list-style-type: none"> Reference is made to Sites and Areas of Significance to Māori in the managing adverse policies for both the Inner Harbour Port Precinct and Multi-user Ferry precinct. This seeks to ensure activities do not compromise cultural, spiritual and/or historical values, interests and associations of importance to Mana Whenua, particularly where a site is adjoining a Sites and Areas of Significance to Māori. Both precincts require development to incorporate public artwork and means to assist wayfinding, including provision of interpretation and references to the area's heritage and cultural association.
Appendix 10	<ul style="list-style-type: none"> Support for referencing need to understand cultural environment including need for a CIA Whether it might be a CIA or Cultural Values Report (CVR) or make reference to an Iwi Management Plan. Neither Taranaki Whānui or Ngāti Toa Rangatira have one but they will so we should make reference to that future possibility. 	<ul style="list-style-type: none"> Under Appendix 10, applicants are required to provide a mana whenua engagement plan and either a Cultural Impact Assessment, a Cultural Values Report or an assessment prepared by mana whenua. Appendix 10 does not refer to Iwi Management Plans, but the intent is that as part of the provision of a CIA or CVR there is scope to review and respond to an Iwi Management Plan.

5.2.4 Consultation undertaken to date

The following is a summary of the primary consultation undertaken in respect of this topic:

Who	What	When	Relevant Issues Raised
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KiwiRail	Targeted engagement and workshops to identify issues and options.	2020	<ul style="list-style-type: none"> • How to provide for and manage activities occurring within the railyard area. • The designation that provides for rail activities, buildings and structures for railway purposes. • Future development plans in relation to Interislander ferry operations.
StraitNZ	Targeted engagement and workshops to identify issues and options.	2020	<ul style="list-style-type: none"> • Future development plans in relation to Bluebridge ferry operations.
CentrePort	Targeted engagement and workshops to identify issues and options and discuss the proposed precincts.	2020-2022	<ul style="list-style-type: none"> • Future development plans, aspirations and long-term visions in relation to CentrePort's regeneration plans for a multi-user ferry precinct and inner harbour precinct. • Discussions around ownership and activities occurring at Miramar/Burnham Wharf.

A summary of specific feedback on this topic received during consultation on the Draft District Plan is contained in Appendix 2, including how it has been responded to in the Proposed District Plan. Additional detail concerning the wider consultation undertaken in preparing the Proposed District Plan is contained in the companion Section 32 Evaluation Overview Report.

In summary, the key findings arising from the consultation undertaken on this topic are:

- General support
- Most concerns raised relate to comprehensive development of the precincts and clarity around the masterplan requirement that was in the Draft District Plan

5.3 Summary of Relevant Resource Management Issues

Based on the research, analysis and consultation outlined above the following issues have been identified:

Issue	Comment	Response
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<p>Issue 1: Effectiveness of existing District Plan provisions</p>	<ul style="list-style-type: none"> • Within the Operational Port Area, given that operational port activities and associated buildings and structures are permitted activities, a main focus of the resource consent applications has been on earthworks and management of contaminated land. • No significant issues were raised with the current port noise standards. 	<ul style="list-style-type: none"> • Collate provisions relating to the commercial port in one chapter – a Special Purpose Port Zone (this is in line with the National Planning Standards). • Continue to enable operational port activities. • Refine and update the Operative Central Area Pipitea Precinct (including Operational Port Area) and Port Redevelopment Precinct provisions in response to CentrePort’s regeneration plans, and also to recognise and provide clear long-term visions for anticipated redevelopment of these areas.
<p>Issue 2: Design Guide</p>	<ul style="list-style-type: none"> • The Central Area Urban Design Guide (CAUDG), and more particularly Appendix 1: Pipitea Precinct, applies to development in both the operational port area and the Port Redevelopment Precinct. • The Pipitea Precinct Appendix to the CAUDG has an over-arching focus on ‘outdoor public spaces’, rather than ‘building design and external appearance, which is covered by the CAUDG. • In relation to the Operational Port Area, given the relative absence of buildings, existing or proposed, and given that the Operational Port Area is a ‘restricted area’ in terms of public access, it is likely that there will be little, if any, opportunity to implement public space based guidelines. Any new buildings not associated with operational port activities would, however, be 	<ul style="list-style-type: none"> • Applications for comprehensive development within the precincts must demonstrate how relevant guidelines in the Centres and Mixed Use Design Guide have been given effect to.

	<p>assessed against the CAUDG.</p> <ul style="list-style-type: none"> • Whether the Port Redevelopment Precinct should be 'taken forward' into the proposed District Plan; or whether a new design guide and (any) associated masterplan should be part of a new consolidated design guide. 	
Issue 3: Future Development	<ul style="list-style-type: none"> • On Thursday 26 November 2020 CentrePort released its new 10-year 'medium term vision' for the area between the existing Customhouse building (to the north) and the PWC Centre (to the south). The vision is for a range of public spaces along with new buildings. • In December 2020 it was confirmed that a new/expanded terminal would be at Kaiwharawhara. The new terminal would (potentially) accommodate both the KiwiRail ferries and the Bluebridge (Strait NZ) ferries, the latter currently operating from the Kings and Glasgow Wharves. • The need for appropriate transitional provisions and/or the need for the Port Redevelopment Precinct to be retained for operational port purposes. 	<ul style="list-style-type: none"> • Introduce the Multi-User Ferry Precinct to provide for development of a new ferry terminal and passenger port facilities. • Introduce the Inner Harbour Port Precinct to provide transitional provisions for passenger port facilities, and long-term development of the area as a mixed-used environment.

6.0 Evaluation of the Proposal

This section of the report evaluates the objectives of the proposal to determine whether they are the most appropriate means to achieve the purpose of the RMA, as well as the associated policies, rules and standards relative to these objectives. It also assesses the level of detail required for the purposes of this evaluation, including the nature and extent to which the benefits and costs of the proposal have been quantified.

6.1 Scale and Significance

Section 32(1)(c) of the RMA requires that this report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.

The level of detail undertaken for this evaluation has been determined by assessing the scale and significance of the environmental, economic, social and cultural effects anticipated through introducing and implementing the proposed provisions (i.e. objectives, policies and rules) relative to a series of key criteria.

Based on this the scale and significance of anticipated effects associated with this proposal are identified below:

Criteria	Scale/Significance			Comment
	Low	Medium	High	
Basis for change		✓		<ul style="list-style-type: none"> The Port Zone will continue to recognise and provide for the commercial port as regionally significant infrastructure. There are evolving demands, services and technical changes in the port's passenger and shipping capacity, and a high level of change anticipated in terms of the long-term visions of each precinct. The District Plan needs to implement the National Planning Standards structure.
Addresses a resource management issue		✓		<ul style="list-style-type: none"> The operational port activities and passenger port facilities provisions address the safe, efficient and effective operation of the port as a locally, regionally, and nationally significant passenger port and freight hub. The commercial port is regionally significant infrastructure whose functional and operational needs should not be unduly constrained or compromised. Responds to anticipated development and changing needs of existing and new functions and users in the Port Zone – in particular the reconfiguration of inter island ferry operations and links to transport networks.
Degree of shift from the status quo		✓		<ul style="list-style-type: none"> The proposed provisions will continue to enable operational port activities. The proposed precincts are generally consistent with the Operative Central Area Pipitea Precinct (including Operational Port Area) and Port

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>Redevelopment Precinct. The provisions have been refined and updated in response to CentrePort's regeneration plans, and also to recognise and provide clear long-term visions for anticipated redevelopment of these areas.</p> <ul style="list-style-type: none"> The port specific precincts are a relatively minor change that will improve plan usability and reduce inefficiencies.
Who and how many will be affected/ geographical scale of effect/s		✓		<ul style="list-style-type: none"> The proposed provisions directly affect the commercial port – CentrePort. The geographic scale of effects is wide reaching due to the commercial port's local, regional, and national significance as a passenger port and freight hub, and the strategic inter-regional connectivity between the North and South Islands. The port occupies a large, prominent area at the main entrance to Wellington, and adjoins the City Centre and Waterfront Zones. There is a high degree of public interest given the geographic prominence of the Port Zone and significance of its activities.
Degree of impact on or interest from iwi/ Māori	✓			<ul style="list-style-type: none"> Kaiwharawhara and the Kaiwharawhara Stream has long established ecological, historical and cultural associations for the mana whenua of Whanganui a Tara (Wellington), Taranaki Whānui and Ngati Toa Rangatira. Activities, particularly within the Multi-User Ferry Precinct must recognise mana whenua as kaitiaki, alongside their relationship with the land. Active engagement with mana whenua will assist in ensuring the mouri/mauri of this area of importance to mana whenua is not diminished through any potential adverse effects created by activities and development within the precincts.
Timing and duration of effect/s		✓		<ul style="list-style-type: none"> Operational port activities will continue to be enabled in the Port Zone, while the reconfiguration and transition of ferry

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<p>operations and passenger port facilities are anticipated to occur in the short to medium term.</p> <ul style="list-style-type: none"> • The Multi-User Ferry Precinct has been developed to allow for new, modified, and/or flexible port or freight and passenger port buildings and structures. • The transition of the Inner Harbour Port Precinct is inter-dependent on the development of the Multi-User Ferry Precinct. Operational port activities and passenger port facilities will likely continue to be the primary purpose of the Inner Harbour Port Precinct in the short to medium term, with the long-term vision a mixed-use waterfront environment.
Type of effect/s	✓			<ul style="list-style-type: none"> • The provisions are intended to positively impact development opportunities and outcomes through providing a clear long-term vision to guide anticipated development. • Domestic and international shipping, freight, cruise, and rail transport networks will continue to facilitate employment, trade, and tourism which have economic and social benefits at the local, regional, and national level. • The Port Zone and Precincts are intended to positively impact the wellbeing of people and communities through enabling the safe, efficient and effective operation of the commercial port, and providing safe, resilient, and accessible passenger port facilities and transport connections.
Degree of risk and uncertainty		✓		<ul style="list-style-type: none"> • The reconfiguration and transition of ferry operations and passenger port facilities to a co-located single ferry precinct, and subsequent redevelopment of the Inner Harbour Port Precinct are dependent on the evolving demands, service and technological changes of ferry operators.

Criteria	Scale/Significance			Comment
	Low	Medium	High	
				<ul style="list-style-type: none"> • The realisation of the long-term visions of both precincts is not certain. That is, the eventual vision for the Inner Harbour Port Precinct is that it becomes an extension of the Waterfront Zone. In order to achieve this, any future comprehensive redevelopment and rezoning of the area would be progressed through a plan change process, including the preparation of a companion masterplan to guide anticipated development. • Comprehensive development is dependent on the requirements set out in Appendix 10.

Overall, the scale and significance of the proposed provisions are considered to be medium for the following reasons:

- The commercial port is regionally significant infrastructure, that is locally, regionally, and nationally significant as a passenger port and freight hub, with strategic inter-regional connectivity between the North and South Islands.
- There is a high degree of change anticipated to occur in the short to long term as both precincts transition and develop in response to evolving demands, services and technological changes in the port's passenger and shipping capacity.
- The port occupies a large, visually prominent area at the main entrance to Wellington, and adjoins the City Centre and Waterfront Zones.

Consequently, a medium level evaluation of these provisions has been identified as appropriate for the purposes of this report.

6.2 Quantification of Benefits and Costs

Section 32(2)(b) requires that, where practicable, the benefits and costs of a proposal are to be quantified.

Specific quantification of the benefits and costs beyond the information and evidence outlined in section 5.2 of this report is neither practicable nor readily available. However, a qualitative assessment of identifiable costs and benefits associated with this proposal is provided below and, where relevant, in the assessment of policies, rules and other methods contained in section 10 of this report.

7.0 Zone Framework

Based on the issues analysis in section 5.3 of this report and the National Planning Standard zone options set out in section 4.4.4 the following zone framework has been selected in relation to this topic:

Zone	Reason/s
Port Zone	<p>The National Planning Standards provide for a Port Zone as a Special Purpose Zone where consistent with the following definition:</p> <p><i>Areas used predominantly for the operation and development of ports as well as operational areas and facilities, administrative, commercial and industrial activities associated with ports.</i></p> <p>A Port Zone as proposed is appropriate to replace the operative Central Area Zone - Pipitea Precinct (including Operational Port Area) and Port Redevelopment Precinct. The boundary of the Port Zone has been reviewed and revised through discussions with CentrePort and KiwiRail as the key landowners.</p> <p>The National Planning Standards also outline when the use of other spatial layers for district plans are appropriate. The Standards describe the function of a precinct as follows:</p> <p><i>A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).</i></p> <p>The Standards describe the function of a development area as follows:</p> <p><i>A development area spatially identifies and manages areas where plans such as concept plans, structure plans, outline development plans, master plans or growth area plans apply to determine future land use or development. When the associated development is complete, the development areas spatial layer is generally removed from the plan either through a trigger in the development area provisions or at a later plan change.</i></p> <p>The Issues and Options detailed in section 5.2 above discussed the application of different spatial layers. Some of the options considered were a 'Rail Corridor Precinct' to replace the Pipitea Precinct, and a <i>development area</i> as a replacement for the Port Redevelopment Precinct – with underlying zoning as either Port or City Centre Zone.</p> <p>The selected zone framework of Special Purpose Port Zone containing two precincts – being the Inner Harbour Port Precinct and Multi-User Ferry Precinct was selected for the following reasons:</p> <ul style="list-style-type: none"> • Operational port activities and passenger port facilities will likely continue to be the primary purpose of the Inner Harbour Port Precinct in the short to medium term, and are the primary purpose of the Multi-User Ferry Precinct. • The operative Port Redevelopment Precinct masterplan is no longer considered to be reflective of development aspirations for this area. A precinct is most appropriate as it can refine the policy approach by providing for the transition from passenger port facilities to a mixed-use environment as the anticipated outcome. • Rail activities and freight activities occurring within the Port Zone are appropriately covered by designation (KRH1) and/or the scope of operational port activities.

The Port Zone occupies a large, prominent area at the entrance to the city. It is located within the coastal environment and extends inland to the west to include areas occupied by railyards and freight activities. It is bordered by the City Centre and Waterfront zones.

The Port Zone includes the commercial port area where CentrePort operates, extending from Kaiwharawhara in the north to Railway/Interisland Wharf in the south. Within the Port Zone there are two distinct Precincts – the Multi-User Ferry Precinct, and the Inner Harbour Port Precinct.

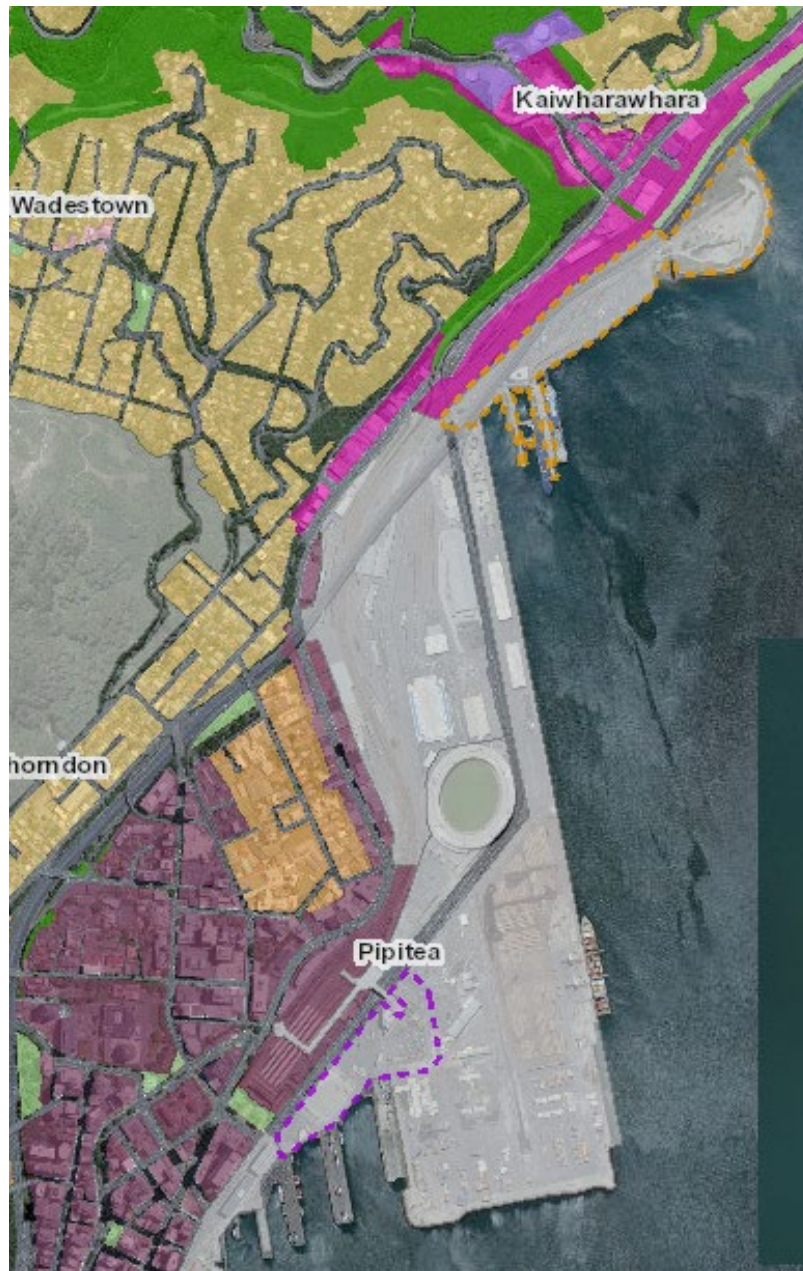


Figure 1: Extent of the Special Purpose Port Zone (grey) with the Multi-User Ferry Precinct shown by the orange border, and the Inner Harbour Port Precinct shown by the purple border. The Inner Harbour Port Precinct is the southern extent of the Port Zone - further south (also shown in grey) is the Waterfront Zone. The Stadium Zone, being another special purpose zone is also coloured grey.

The Inner Harbour Port Precinct is an area of land to the east of Waterloo Quay and south of the Commercial Port. This precinct closely reflects the Port Redevelopment Precinct in the operative District Plan. The precinct name and zone extent were developed through discussions with CentrePort.

The Multi-User Ferry Precinct covers the area in Kaiwharawhara to the north of the Commercial Port which contains the Interislander Ferry Terminal. The precinct name and zone extent were developed through discussions with CentrePort.

8.0 Overview of Proposal/s

The proposed provisions relevant to this topic are set out in detail in the ePlan and should be referenced to in conjunction with this evaluation report.

In summary, the proposed provisions include:

Port Zone:

- Definitions
 - A set of relevant definitions, including:
 - Commercial port
 - Operational port activities
 - Passenger port facilities
- 2 objectives that address:
 - The port's safe, efficient and effective operation as a locally, regionally and nationally significant passenger port and freight hub.
 - Reverse sensitivity effects – the commercial port's functional and operational needs are not to be constrained or compromised.
 - The appropriate management of adverse effects.
- 5 policies that:
 - Seek to maintain and protect the efficient and effective operation of the commercial port by avoiding incompatible activities
 - Identify the different management areas and activities occurring in the Port Zone
 - Provide for access and connections to other transport modes and networks
 - Manage adverse use and development effects and reverse sensitivity effects
- A rule framework that manages land use and building and structure activities as follows:
 - Landuse activities
 - Operational port activities – permitted where compliant with the height standard
 - All other activities – discretionary where the activity has an operational or functional need to locate in the zone, or otherwise non-complying. Non-Complying activities must be publicly notified.
 - Building and structure activities
 - Maintenance, repair, demolition or removal – permitted
 - Construction, additions and alterations – permitted where the building or structure is for operational port activities and compliant with the height standard, or otherwise restricted discretionary
- A complementary set of effects standards that address:

- Maximum height – 27m (cranes, elevators and similar cargo or passenger handling equipment, including walkways, and lighting poles have no height limit)

Inner Harbour Port Precinct and Multi-User Ferry Precinct

- 2 Objectives per precinct that address:
 - The purpose of the precincts – safe, resilient, and flexible environments that are integrated with transport networks
 - Amenity and design
- Policies
 - Inner Harbour Port Precinct
 - 4 policies that address:
 - Enabling the ongoing operation, upgrading and redevelopment existing activities
 - Ensuring land use activities and development is planned and designed in a co-ordinated, site-responsive, comprehensive and integrated manner
 - Enabling new regionally significant infrastructure that is compatible with passenger port facilities or operational port activities
 - Access, connections and open space
 - Requiring development to positively contribute to the visual quality, amenity, interest and public safety of the precinct
 - Multi-User Ferry Precinct
 - 5 policies that address:
 - Enabling the ongoing operation, upgrading and redevelopment existing activities
 - Ensuring land use activities and development is planned and designed in a co-ordinated, site-responsive, comprehensive and integrated manner
 - Enabling new development that does not compromise or constrain the safe and efficient operation of the commercial port, operational port activities and passenger port facilities
 - Access and connections to existing and planned transport networks
 - Requiring development to contribute to a well-functioning urban environment, complement and enhance the entrance to the city, and contribute positively to visual quality and amenity
 - Recognising the cultural and ecological significance of the Kaiwharawhara area and interests and associations of importance to mana whenua
- A rule framework that manages land use and building and structure activities as follows:
 - Landuse activities:

Activity / Precinct	Inner Harbour Port Precinct	Multi-User Ferry Precinct
Commercial activities	Permitted where the area of net lettable floor space occupied by commercial activities within the precinct is less than 500m ²	
Office activities	Permitted where the area of net lettable floor space occupied by office activities within the	N/A

	precinct does not exceed 2000m ² , or otherwise restricted discretionary	
All other activities	Discretionary	

- Building and structure activities:

Activity / Precinct	Inner Harbour Port Precinct	Multi-User Ferry Precinct
Existing passenger port facilities	Permitted	
Maintenance and repair	Permitted	
Demolition or removal	Permitted in some instances, otherwise discretionary	
Construction of Buildings and Structures, Alterations and Additions to Buildings and Structures for Passenger Port Facilities	N/A	Permitted in some instances, otherwise restricted discretionary
Construction of Buildings and Structures and Alterations and Additions to Buildings and Structures not related to Existing Passenger Port Facilities or Operational Port Activities	Discretionary – with a section 88 information requirement that applications must provide an assessment of the requirements set out in Appendix 10-A. Applications under this rule must be publicly notified.	Discretionary – with a section 88 information requirement that applications must provide an assessment of the requirements set out in Appendix 10-B.
Outdoor storage areas	Permitted where screening is provided, otherwise restricted discretionary	

- Standards
 - A complementary set of effects standards that address:
 - Maximum height – 40m in the IHPP, 19m in the MUFP. In both precincts’ cranes, elevators and similar cargo or passenger handling equipment, including walkways, and lighting poles have no height limit
 - IHPP – verandahs standard
- Design Guides / Appendices
 - Appendix 10 – Inner Harbour Port Precinct and Multi-User Ferry Precinct Requirements. This Appendix sets out the requirements for each precinct that any application for development must include, such as:
 - Demonstrating regard to the long-term vision of the precinct
 - An Integrated Transport Assessment

- Demonstrating how relevant guidelines in the Centres and Mixed Use Design Guide have been given effect to
- Identifying protected natural and historical heritage, sites of significance to Māori, and cultural features
- Providing a mana whenua engagement plan and either a Cultural Impact Assessment, a Cultural Values Report or an assessment prepared by mana whenua

9.0 Evaluation of Proposed Objective/s

9.1 Introduction

Section 32(1)(a) of the RMA requires that the evaluation report examine the extent to which the objectives of the proposal are the most appropriate way to promote the sustainable management of natural and physical resources.

An examination of the proposed objectives along with reasonable alternatives is included below, with the relative extent of their appropriateness based on an assessment against the following criteria:

1. Relevance (i.e. Is the objective related to addressing resource management issues and will it achieve one or more aspects of the purpose and principles of the RMA?)
2. Usefulness (i.e. Will the objective guide decision-making? Does it meet sound principles for writing objectives (i.e. does it clearly state the anticipated outcome?)
3. Reasonableness (i.e. What is the extent of the regulatory impact imposed on individuals, businesses or the wider community? Is it consistent with identified tangata whenua and community outcomes?)
4. Achievability (i.e. Can the objective be achieved with tools and resources available, or likely to be available, to the Council?)

9.2 Evaluation of Objectives PORTZ-O1 and PORTZ-O2

While not specifically required under s32, it is appropriate to also consider alternative objectives to those currently included in the Proposed District Plan, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation, the Council has considered two potential options:

1. The proposed objectives
2. The current most relevant objectives - the status quo

Proposed objectives:

PORTZ-O1 Purpose

Activities in the Port Zone operate safely, efficiently and effectively as:

1. A locally, regionally and nationally significant shipping and passenger port and freight hub; and
2. A commercial port area whose functional needs and operational needs are not constrained or compromised by non-port activities, reverse sensitivity, incompatible built form or subdivision.

PORTZ-O2 Managing effects

Adverse effects from activities and development within the Port Zone are managed effectively, particularly on more sensitive environments in adjoining zones.

General intent:

The intent is to recognise and provide for the ongoing safe, efficient and effective operation of the port as a locally, regionally and nationally significant shipping and passenger port and freight hub, and to manage adverse effects.

Other potential objectives

Status quo:

Objective 12.2.1 Containment and accessibility

To enhance the Central Area’s natural containment, accessibility, and highly urbanised environment by promoting the efficient use and development of natural and physical resources.

Objective 12.2.2 Activities

To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.

	Preferred objectives	Status quo
<i>Relevance:</i>		
Addresses a relevant resource management issue	Yes, the purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing. Under section 7(b), (c), and (f) of the RMA, this includes having regard to the efficient use and development of natural and physical resources, maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values.	Yes, the purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing. Under section 7(b), (c), and (f) of the RMA, this includes having regard to the efficient use and development of natural and physical resources, maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values.

Assists the Council to undertake its functions under s31 RMA	Yes, consistent with s31(1)(a): <i>the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</i>	Yes, consistent with s31(1)(a): <i>the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</i>
Gives effect to higher level documents	Yes, implements the RPS which requires that district plans recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure, as well as protecting regionally significant infrastructure from incompatible subdivision, use and development.	No, does not implement the RPS in relation to recognising the benefits of regionally significant infrastructure, or protecting regionally significant infrastructure from incompatible subdivision, use and development.
Usefulness:		
Guides decision-making	Yes, provides a supportive framework highlighting the significance of the commercial port and activities within the Port Zone and their functional and operational needs, which will guide decision making when considering a resource consent application under s104.	No, the lack of supportive objectives specifically for the port or operational port activities does not appropriately guide decision making when considering a resource consent application.
Meets best practice for objectives	Yes, the objectives clearly state the anticipated outcome and are drafted in plain English and active language.	The objectives clearly state the anticipated outcome for the Central Area, but are not specific to the port area.
Reasonableness:		
Will not impose unjustifiably high costs on the community/parts of the community	The objectives reflect current expectations and requirements for the management of operational port activities, and do not create unjustifiably high costs on landowners, operators, or the community.	The objectives do not create unjustifiably high costs on landowners, operators, or the community.
Acceptable level of uncertainty and risk	Certainty is provided as to the intention to support the safe, efficient and effective operation of activities in the Port Zone and their functional and operational needs. The objectives provide clear direction recognising the significant role of the port.	There is a reasonable level of uncertainty and risk caused by a lack of support for the port and operational port activities.
Achievability:		
Consistent with identified tangata whenua and community outcomes	Yes, consistent with community needs associated with the commercial port as a locally, regionally and nationally significant shipping and passenger	Yes, but not to the extent relevant to the commercial port.

	port and freight hub, and social, economic, cultural and environmental benefits of regionally significant infrastructure.	
Realistically able to be achieved within the Council's powers, skills and resources	Yes, can be implemented through the District Plan provisions and consent applications.	Yes, can be implemented through the District Plan provisions and consent applications.
Summary		
The preferred objectives provide best practice drafting and clear outcomes for the commercial port and activities in the Port Zone that align with the directive of the RPS. They are the more relevant, useful and reasonable than the status quo objectives, given the proposed restructuring as a Port Zone under the National Planning Standards format.		

9.3 Evaluation of Objectives PORTZ-PREC-01-01, PORTZ-PREC01-02, PORTZ-PREC-02-01 and PORTZ-PREC02-02

While not specifically required under s32, it is appropriate to also consider alternative objectives to those currently included in the Proposed District Plan, so as to ensure that the proposed objective(s) are the most appropriate to achieve the purpose of the RMA.

For the purposes of this evaluation, the Council has considered three potential options:

1. The proposed objectives
2. The current most relevant objectives - the status quo
3. A reasonable alternative objective - rely on the general objectives for the Port Zone

Proposed objectives for the Inner Harbour Port Precinct and Multi-User Ferry Precinct

Note: These objectives have been grouped and collectively evaluated because of the similarities in the scope and intent of objectives for each precinct.

Proposed IHPP objectives:

PORTZ-PREC01-O1 Purpose

The Inner Harbour Port Precinct is a safe, resilient, and flexible environment that:

1. Enables the effective operation of passenger port facilities and operational port activities and responds to evolving demands, services and technological changes in the port’s passenger and shipping capacity;
2. Transitions in a co-ordinated and integrated manner to a mixed-use waterfront environment in the long-term;
3. Is an attractive place for development and investment that contributes to the long-term vision of a mixed-use environment; and
4. Is integrated with existing and future active and public transport networks.

PORTZ-PREC01-O2 Amenity and design

The Inner Harbour Port Precinct complements and connects with the surrounding urban environment to create a distinctive waterfront identity, characterised by good quality buildings, urban design, and public spaces.

Proposed MUFP objectives:

PORTZ-PREC02-O1 Purpose

The Multi-User Ferry Precinct is a safe, resilient, convenient, and accessible environment that:

1. Is recognised for its strategic importance and function;
2. Optimises existing and future active and public transport network connectivity both inter-regionally and locally;
3. Provides safe and efficient integration with inter island and regional transport networks, including for freight and passenger vehicles;
4. Provides flexibility for the precinct to transition and develop in a comprehensive manner;
5. Improves the quality of Wellington’s passenger port facilities’ infrastructure, access and services for ferry users and the wider Wellington public; and
6. Optimises investment to support future passenger port facilities, freight efficiency, tourism spend, port operations and benefits to Wellington’s City Centre.

PORTZ-PREC02-O2 Amenity and design

Development in the Multi-User Ferry Precinct positively contributes to creating a well-functioning urban environment and enhances the entrance to the city.

General intent:

The intent of these objectives is to provide directive on the long-term vision of the precincts and the type of activities and development anticipated.

Other potential objectives

Status quo:

Objective 12.2.1 Containment and accessibility

To enhance the Central Area’s natural containment, accessibility, and highly urbanised environment by promoting the efficient use and development of natural and physical resources.

Objective 12.2.2 Activities

To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.

Objective 12.2.3 Urban form and sense of place

To recognise and enhance those characteristics, features and areas of the Central Area that contribute positively to the City’s distinctive physical character and sense of place.

Objective 12.2.4 Sensitive development areas

To ensure that any future development of large land holdings within the Central Area is undertaken in a manner that is compatible with, and enhances the contained urban form of the Central Area.

Objective 12.2.5 Effects of new building works

Encourage the development of new buildings within the Central Area provided that any potential adverse effects can be avoided, remedied or mitigated.

Alternative: No objectives specific to the precincts – rely on general objectives for the Port Zone proposed above (PORTZ-O1 and PORTZ-O2).

	Preferred objectives	Status quo	Alternative
<i>Relevance:</i>			
Addresses a relevant resource management issue	Yes, the purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing. Under section 7(b), (c), and (f) of the RMA, this includes having regard to the efficient use and development of natural and physical resources, maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values.	Yes, the purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing. Under section 7(b), (c), and (f) of the RMA, this includes having regard to the efficient use and development of natural and physical resources, maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values.	Yes, the purpose of the RMA is to promote the sustainable management of natural and physical resources by managing the use, development and protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing. Under section 7(b), (c), and (f) of the RMA, this includes having regard to the efficient use and development of natural and physical resources, maintenance and enhancement of the quality of the environment, and maintenance and enhancement of amenity values.

Assists the Council to undertake its functions under s31 RMA	Yes, consistent with s31(1)(a): <i>the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</i>	Yes, consistent with s31(1)(a): <i>the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</i>	Yes, consistent with s31(1)(a): <i>the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.</i>
Gives effect to higher level documents	Yes, implements the RPS which requires that district plans recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure, as well as protecting regionally significant infrastructure from incompatible subdivision, use and development.	No, does not implement the RPS in relation to recognising the benefits of regionally significant infrastructure, or protecting regionally significant infrastructure from incompatible subdivision, use and development.	Yes, implements the RPS which requires that district plans recognise the social, economic, cultural and environmental benefits of regionally significant infrastructure, as well as protecting regionally significant infrastructure from incompatible subdivision, use and development.
Usefulness:			
Guides decision-making	Yes, provides a supportive framework highlighting the long-term visions for these precincts, and transition and development of passenger port facilities which will guide decision making when considering a resource consent application under s104.	No, the lack of supportive objectives specifically for the transition and development of these areas does not appropriately guide decision making when considering a resource consent application. Objective 12.2.4 broadly addresses the future development of large land holdings but does not provide a clear outcome or vision for development in either precinct area.	No, the lack of supportive objectives specifically for anticipated development of the precincts and provision for passenger port facilities does not appropriately guide decision making when considering a resource consent application.

Meets best practice for objectives	Yes, the objectives clearly state the anticipated outcome and are drafted in plain English and active language. The objectives are specific to the long-term vision for each precinct and clearly identify each precincts purpose.	The objectives clearly state the anticipated outcome for the Central Area more broadly. While they are drafted in plain English and active language, the objectives are not specific to each precincts purpose.	The objectives clearly state the anticipated outcome for the Port Zone more broadly. While they are drafted in plain English and active language, the objectives are not specific to each precincts purpose.
Reasonableness:			
Will not impose unjustifiably high costs on the community/parts of the community	The objective does not create unjustifiably high costs on the community.	The objective does not create unjustifiably high costs on the community.	The objective does not create unjustifiably high costs on the community.
Acceptable level of uncertainty and risk	Certainty is provided as to the purpose and long-term vision of each precinct and the type of activities and development anticipated to occur.	There is a reasonable level of uncertainty and risk caused by a lack of support for passenger port facilities and development anticipated to occur.	Certainty is provided as to the intention to support ongoing activities within the Port Zone more broadly, but lacks certainty in relation to development anticipated to occur.
Achievability:			
Consistent with identified tangata whenua and community outcomes	Yes, consistent with community needs associated with passenger port facilities and transport network connectivity, as well as the social, economic, cultural and environmental benefits of regionally significant infrastructure – including freight efficiency and tourism spend.	Yes, but not to the extent relevant to passenger port facilities.	Yes, consistent with community needs associated with the commercial port as a locally, regionally and nationally significant shipping and passenger port and freight hub, and social, economic, cultural and environmental benefits of regionally significant infrastructure.
Realistically able to be achieved within the Council's powers, skills and resources	Yes, can be implemented through the District Plan provisions and consent applications.	Yes, can be implemented through the District Plan provisions and consent applications.	Yes, can be implemented through the District Plan provisions and consent applications.
Summary			
The preferred objectives provide best practice drafting and clear outcomes specific to the purpose and long-term visions for each precinct. They are more relevant, useful and reasonable than the status quo objectives or other proposed objectives for the Port Zone given the level of transition and			

development anticipated to occur in each precinct. It is considered drafting best practice to include precinct-specific objectives to support the package of Inner Harbour Port Precinct and Multi-User Ferry Precinct provisions and provide a complete and clear policy cascade.

10.0 Evaluation of Reasonably Practicable Options and Associated Provisions

10.1 Introduction

Under s32(1)(b) of the RMA, reasonably practicable options to achieve the objective/s associated with this proposal need to be identified and examined. This section of the report evaluates the proposed policies and rules, as they relate to the associated objective(s).

Along with the proposed provisions, the Council has also identified through the research, consultation, information gathering, and analysis undertaken in relation to this topic a reasonably practicable alternative option to achieve the objectives.

The technical and consultation input used to inform this process is outlined in section 5 of this report.

10.2 Evaluation method

For each potential approach an evaluation has been undertaken relating to the costs, benefits and the certainty and sufficiency of information (as informed by section 5 of this report) in order to determine the effectiveness and efficiency of the approach, and whether it is the most appropriate way to achieve the relevant objective(s).

This evaluation is contained in the following sections.

10.3 Provisions to achieve Objectives PORTZ-O1 and PORTZ-O2

For the purpose of this evaluation, the Council has considered the following potential options:

1. The proposed provisions
2. The status quo

Objectives:			
<p>PORTZ-O1 Purpose Activities in the Port Zone operate safely, efficiently and effectively as:</p> <ol style="list-style-type: none"> 1. A locally, regionally and nationally significant shipping and passenger port and freight hub; and 2. A commercial port area whose functional needs and operational needs are not constrained or compromised by non-port activities, reverse sensitivity, incompatible built form or subdivision. <p>PORTZ-O2 Managing effects Adverse effects from activities and development within the Port Zone are managed effectively, particularly on more sensitive environments in adjoining zones.</p>			
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Policies:</p> <p>PORTZ-P1 requires that the efficient and effective operation of the commercial port is maintained and protected through enabling operational port activities, avoiding incompatible activities, and only allowing non-operational port activities to establish in the Port Zone where the activity has a functional need or operational need to locate in the Port Zone, or is necessary for the safe and efficient operation of the commercial port.</p> <p>PORTZ-P2 recognises and provides for district activities that occur in different areas in the Port Zone – commercial port area, MUFP, IHPP, and railyard area.</p> <p>PORTZ-P3 requires that access and connections to other transport modes and networks are maintained and provided for.</p> <p>PORTZ-P4 requires the management of adverse use and development related effected.</p> <p>PORTZ-P5 seeks to avoid new sensitive activities establishing adjacent to the</p>	<p>No analysis that monetises costs has been undertaken.</p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Operational port activities have some environmental impacts, and this situation will be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Economic</p> <p>No direct or indirect costs identified.</p> <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Operational port activities have some potential amenity impacts, and this situation would be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Cultural</p> <p>No direct or indirect costs identified.</p>	<p><i>No analysis that monetises benefits has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <p>No direct benefits identified.</p> <p>Indirect effects:</p> <ul style="list-style-type: none"> Provides for activities that have a functional need or operational need to locate in the Port Zone. Recognises and provides for the environmental benefits of regionally significant infrastructure. <p>Economic</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Maintains and protects the safe, efficient and effective use and development of the Port Zone and commercial port as a locally, nationally, and regionally significant passenger port and freight hub. Enables operational port activities to be undertaken without the need to obtain resource consent, in a manner similar to the current regime that the port successfully operates under. Potential to increase economic growth and employment opportunities through enabling the commercial port to develop and adapt in response to evolving demands, services and technological changes in the port's passenger and shipping capacity, with potential efficiencies in freight, shipping and port operations, as well as tourism spend and benefits to Wellington's City Centre. Reduces potential for reverse sensitivity effects that may constrain the safe, efficient and effective operation of the port. <p>Indirect effects:</p>	<p>It is considered that there is certain and sufficient information on which to base the proposed policies and methods as:</p> <ul style="list-style-type: none"> The proposed approach does not represent a significant change from the status quo. Instead, the proposed approach provides greater direction, clarity and certainty than the status quo in terms of recognising and providing for the commercial port in a manner that is consistent with regional direction for regionally significant infrastructure.

<p>Port Zone to avoid adverse reverse sensitivity effects.</p> <p>Rules:</p> <p>Operational port activities are permitted where compliant with the height standard. All other activities are discretionary where the activity has an operational or functional need to locate in the zone, or otherwise non-complying.</p> <p>Maintenance, repair, demolition or removal of buildings and structures are permitted. Construction, additions and alterations are permitted where the building or structure is for operational port activities and compliant with the height standard, or otherwise restricted discretionary.</p>		<ul style="list-style-type: none"> Recognises and provides for the economic benefits of regionally significant infrastructure. <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Provides certainty to landowners/operators within the Port Zone and the wider community in relation to the nature and scale of anticipated activities and development. <p>Indirect effects:</p> <ul style="list-style-type: none"> Recognises and provides for the social benefits of regionally significant infrastructure. <p>Cultural</p> <p>No direct or indirect benefits identified.</p>	
<p>Effectiveness and efficiency</p>	<p>Effectiveness</p> <p>The proposed policies enable and protect the Port Zone as a locally, regionally, and nationally significant passenger port and freight hub. The proposed rules enable operational port activities and restrict the establishment of non-port activities. This achieves the objective of supporting the safe, efficient and effective operation of the Port Zone in recognition of the functional and operational needs of the commercial port and its activities.</p>		<p>Efficiency</p> <p>The Port Zone is an efficient method of providing for the continued safe, efficient and effective operation of the commercial port, as it provides a customised regime specific to operational port activities. The proposed rules enable operational port activities and provide flexibility for the commercial port to develop and adapt without resource consent. This provides for operational efficiencies, in turn contributing to economic well-being.</p>
<p>Overall evaluation</p>	<p>The proposed approach is the most appropriate approach as it provides specific policy support to maintain and protect the safe, efficient, and effective operation of the commercial port and enable operational port activities.</p>		
<p>Option 2: Status Quo</p>	<p>Costs</p>	<p>Benefits</p>	<p>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</p>
<p>Policies:</p> <p>Three policies that relate to the Pipitea Precinct, however no specific policies that are specific to the port or operational port activities.</p> <p><i>12.2.4.2 Provide for the future development of the Pipitea Precinct and its connections with the</i></p>	<p><i>No analysis that monetises costs has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Operational port activities have some environmental impacts, and this situation will be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p>	<p><i>No analysis that monetises benefits has been undertaken.</i></p> <p>Environmental</p> <p>No direct or indirect benefits have been identified.</p> <p>Economic</p> <p>No direct or indirect benefits have been identified.</p> <p>Social</p> <p>No direct or indirect benefits have been identified.</p> <p>Cultural</p>	<p>It is considered that there is certain and sufficient information on this option as it is the status quo.</p>

<p>remainder of the Central Area by way of a masterplan.</p> <p>12.2.4.3 Allow for a public space structure within the Pipitea Precinct which provides interconnections across and throughout the Area.</p> <p>12.2.4.4 Ensure that development within the Pipitea Precinct complements the established part of the central city and reinforces its contained urban form, its vitality, and its viability.</p> <p>Rules:</p> <p>Operational port activities are permitted. Buildings and structures for operational port activities are permitted, except those that exceed 100m² and are located within the southern end of the Port Redevelopment Precinct are controlled. Any other building is restricted discretionary, except those for office or retail activities which are a discretionary activity.</p> <p>Other Methods:</p> <p>Port Redevelopment Precinct Masterplan in Appendix 2/2a.</p> <p>Pipitea Precinct Masterplan requirements in Appendix 10</p> <p>Port Noise Management Plan requirements in Appendix 14</p>	<p>Economic</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Lack of policy support for the commercial port and operational port activities is not conducive to ensuring the efficient and effective operation of a locally, nationally, and regionally significant passenger port and freight hub, and accordingly could have economic wellbeing implications. <p>Indirect effects:</p> <ul style="list-style-type: none"> Potential limitations on economic growth and employment opportunities due to retention of provisions that are unresponsive to the current and future operational and development needs/ demands of port owners/operators. <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Provides an inadequate level of clarity and certainty to the community in relation to the nature and scale of anticipated activities and development in the operational port area. Operational port activities have some potential amenity impacts, and this situation would be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Cultural</p> <p>No direct or indirect benefits identified.</p>	<p>No direct or indirect benefits have been identified.</p>	
<p>Effectiveness and efficiency</p>	<p>Effectiveness</p> <p>The status quo policies provide for development within the Pipitea Precinct, which includes the Operational Port Area. While the rules enable operational port activities, the status quo provisions are not effective in achieving the objectives, or the directive of the RPS as they lack recognition of the significance of the port and its activities. The current structure within the Central Area chapter is not the most effective, as it is not easy to follow for a plan user.</p>	<p>Efficiency</p> <p>The status quo provisions are inefficient. The rules for the Operational Port Area do not integrate well into the Central Area chapter and there are no specific policies for the commercial port or operational port activities. The lack of specific policies could lead to less efficient use and development of the commercial port.</p>	

Overall evaluation	This approach is not appropriate because it does not reflect the significance of the commercial port as a locally, regionally, and nationally significant passenger port and freight hub. The status quo lacks sufficient specificity and clarity to effectively and efficiently provide for the port, and its activities. In addition, it does not align within the National Planning Standards structure.
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10.4 Evaluation of Objectives PORTZ-PREC-01-01, PORTZ-PREC01-02, PORTZ-PREC-02-01 and PORTZ-PREC02-02

For the purposes of this evaluation, the Council has considered three potential options:

1. The proposed objective
2. The current most relevant objective - the status quo
3. No objectives for the Inner Harbour Port Precinct or Multi-User Ferry Precinct - rely on the general objectives for the Port Zone

Objectives:			
PORTZ-PREC01-01 Purpose			
The Inner Harbour Port Precinct is a safe, resilient, and flexible environment that:			
<ol style="list-style-type: none"> 1. Enables the effective operation of passenger port facilities and operational port activities and responds to evolving demands, services and technological changes in the port's passenger and shipping capacity; 2. Transitions in a co-ordinated and integrated manner to a mixed-use waterfront environment in the long-term; 3. Is an attractive place for development and investment that contributes to the long-term vision of a mixed-use environment; and 4. Is integrated with existing and future active and public transport networks. 			
PORTZ-PREC01-02 Amenity and design			
The Inner Harbour Port Precinct complements and connects with the surrounding urban environment to create a distinctive waterfront identity, characterised by good quality buildings, urban design, and public spaces.			
PORTZ-PREC02-01 Purpose			
The Multi-User Ferry Precinct is a safe, resilient, convenient, and accessible environment that:			
<ol style="list-style-type: none"> 1. Is recognised for its strategic importance and function; 2. Optimises existing and future active and public transport network connectivity both inter-regionally and locally; 3. Provides safe and efficient integration with inter island and regional transport networks, including for freight and passenger vehicles; 4. Provides flexibility for the precinct to transition and develop in a comprehensive manner; 5. Improves the quality of Wellington's passenger port facilities' infrastructure, access and services for ferry users and the wider Wellington public; and 6. Optimises investment to support future passenger port facilities, freight efficiency, tourism spend, port operations and benefits to Wellington's City Centre. 			
PORTZ-PREC02-02 Amenity and design			
Development in the Multi-User Ferry Precinct positively contributes to creating a well-functioning urban environment and enhances the entrance to the city.			
Option 1: Proposed approach (recommended)	Costs	Benefits	Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>Policies:</p> <p>PORTZ-PREC01-P1 and PORTZ-PREC02-P1 provide for the staged redevelopment of the precincts.</p> <p>PORTZ-PREC01-P2 and PORTZ-PREC02-P2 seek to manage the effects of development including on interests and associations of importance to mana whenua and on sites of significance to Māori.</p>	<p><i>No analysis that monetises costs has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> • Operational port activities and passenger port facilities have some environmental impacts, and this situation will be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Economic</p>	<p><i>No analysis that monetises benefits has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> • xxx <p>Indirect effects:</p> <ul style="list-style-type: none"> • Provides flexibility for passenger port facilities to develop and adapt, thereby leading to improved efficiencies in land use. • Recognises and provides for the environmental benefits of regionally significant infrastructure. 	<p>There is certain and sufficient information on which to base the proposed policies and methods as they have been developed in response to CentrePort's regeneration plans, and they recognise and provide clear long-term visions for anticipated activities and development in these areas. The approach has been refined and updated from the operative District Plan's provisions for the Pipitea Precinct and Port Redevelopment Precinct.</p> <p>The risk of not acting is that ad-hoc land use and development may occur in a manner that:</p> <ul style="list-style-type: none"> • does not align with the long-term vision for these precincts;

<p>PORTZ-PREC01-P3 and PORTZ-PREC02-P3 require that the use, development and operation of the precincts provide connections to existing and planned transport networks, and promote and enhance pedestrian and cycle access.</p> <p>PORTZ-PREC01-P4 requires development to positively contribute to the visual quality, amenity, interest and public safety of the IHPP. PORTZ-PREC02-P4 require development to contribute to a well-functioning urban environment, complement and enhance the entrance to the city, and contribute positively to visual quality and amenity.</p> <p>PORTZ-PREC02-P5 requires that use and development recognises and has regard to cultural and ecological significance of the Kaiwharawhara area and interests and associations of importance to mana whenua.</p> <p>Rules:</p> <p>Commercial activities are permitted where the area of net lettable floor space occupied by commercial activities within the precinct is less than 500m². Office activities in the IHPP are permitted where the area of net lettable floor space occupied by office activities within the precinct does not exceed 2000m², or otherwise restricted discretionary. All other activities are discretionary.</p> <p>Existing passenger port facilities are permitted. The construction of buildings and structures for passenger port</p>	<p>Direct effects:</p> <ul style="list-style-type: none"> • Developmental cost to landowners/operators to prepare applications for development that meet the requirements of Appendix 10. • Administrative cost to prepare and process future resource consent applications and/or precinct plan updates (i.e. plan changes). <p>Indirect effects:</p> <ul style="list-style-type: none"> • Limits development of buildings and structures not for operational port activities or passenger port facilities. <p>Social</p> <p>No direct or indirect costs identified.</p> <p>Cultural</p> <p>No direct or indirect costs identified.</p>	<p>Economic</p> <p>Direct effects:</p> <ul style="list-style-type: none"> • Enables existing passenger port facilities. • Potential to increase economic growth and employment opportunities through enabling managed development and transition within the precincts in response to evolving demands, services and technological changes in the port's passenger and shipping capacity, with potential efficiencies in freight, shipping and port operations, as well as tourism spend and benefits to Wellington's City Centre. <p>Indirect effects:</p> <ul style="list-style-type: none"> • The provisions encourage a more co-ordinated, site-responsive, comprehensive and integrated approach to development within the precincts. • The provisions provide flexibility for ongoing operational port activities and passenger port activities to adapt, transition and develop in response to evolving demands, services and technological changes. • Recognises and provides for the economic benefits of regionally significant infrastructure. • Reduces potential for reverse sensitivity effects that may constrain the safe, efficient and effective operation of the port. <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> • The precinct-specific provisions and identification of long-term visions provides increased certainty and clarity to the public in relation to the nature, scale, and timeframes of anticipated activities and development in each precinct. • The provisions provide landowners and the community with increased certainty in relation to the expectations and requirements for resource consent applications for comprehensive development of each precinct. <p>Indirect effects:</p> <ul style="list-style-type: none"> • The provisions provide the community with increased certainty in relation to the development aspirations of CentrePort, including plans for the Multi-User Ferry Precinct. • Provides opportunities for public to participate in future resource consent applications for comprehensive development. 	<ul style="list-style-type: none"> • it restricts opportunities for intensification or expansion of passenger port facilities; • conflicts or compromises the safe, efficient and effective operation of the commercial port; and/or • is not well integrated or connected with the adjacent Waterfront or City Centre Zones.
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<p>facilities is permitted in some instances in the MUFP, or otherwise discretionary. The construction of buildings and structures not related to existing passenger port facilities or operational port activities is discretionary with a section 88 information requirement that applications must include an assessment of the requirements set out in Appendix 10.</p> <p>Other Methods:</p> <p>Appendix 10 - Inner Harbour Port Precinct and Multi-User Ferry Precinct Requirements</p>		<ul style="list-style-type: none"> Recognises and provides for the social benefits of regionally significant infrastructure. <p>Cultural</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Recognises the cultural and ecological significance of the Kaiwharawhara Stream and catchment area and associations of importance to mana whenua. Appendix 10 requires provision for a mana whenua engagement plan, and either a Cultural Impact Assessment, a Cultural Values report, or an assessment prepared by mana whenua. <p>Indirect effects:</p> <ul style="list-style-type: none"> Opportunity for mana whenua to participate in future resource consent applications for comprehensive development. 	
<p>Effectiveness and efficiency</p>	<p>Effectiveness</p> <p>The proposed policies and rules are effective at achieving the objectives, as they recognise and provide for the long-term vision of the precincts, including clearly identifying activities that are permitted, and activities/buildings that trigger the need for resource consent. In particular, the requirement of resource consent applications for buildings or structures not related to passenger port facilities or operational port activities in the Inner Harbour Port Precinct and Multi-User Ferry Precinct to provide an assessment of the requirements detailed in Appendix 10. This method ensures that the precincts transition and develop in a co-ordinated, integrated and comprehensive manner while providing flexibility for existing passenger port facilities.</p>		<p>Efficiency</p> <p>The proposed approach is the most efficient at achieving the objectives, as they ensure the precincts transition and develop in a co-ordinated, integrated and comprehensive manner while providing flexibility for existing passenger port facilities. This approach achieves the highest net benefit to the community as it provides increased certainty and clarity to the public in relation to the nature, scale, timeframes, and requirements of anticipated activities and development in each precinct.</p>
<p>Overall evaluation</p>	<p>The proposed approach is the most appropriate approach as the policies directly give effect to the objectives, and the rules effectively implement the policies. This will result in the appropriate management of development to enable the long-term vision of the precincts to be achieved.</p>		
<p>Option 2: Status Quo</p>	<p>Costs</p>	<p>Benefits</p>	<p>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</p>
<p>Policies:</p> <p>Three policies that relate to the Pipitea Precinct, one that relates specifically to the Port Redevelopment Precinct.</p> <p><i>12.2.4.1 Enhance the public environment of the Port Redevelopment Precinct (shown in Appendix 2, Chapter 13) by managing the design of new buildings and public space development, by enhancing accessibility to</i></p>	<p><i>No analysis that monetises costs has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Passenger port facilities have some environmental impacts, and this situation will be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Economic</p>	<p><i>No analysis that monetises benefits has been undertaken.</i></p> <p>Environmental</p> <p>No direct or indirect benefits have been identified.</p> <p>Economic</p> <p>No direct or indirect benefits have been identified.</p> <p>Social</p> <p>No direct or indirect benefits have been identified.</p> <p>Cultural</p> <p>No direct or indirect benefits have been identified.</p>	<p>It is considered that there is certain and sufficient information as this option is the status quo.</p>

<p><i>and within the precinct, and by providing for a range of activities and uses.</i></p> <p><i>12.2.4.2 Provide for the future development of the Pipitea Precinct and its connections with the remainder of the Central Area by way of a masterplan.</i></p> <p><i>12.2.4.3 Allow for a public space structure within the Pipitea Precinct which provides interconnections across and throughout the Area.</i></p> <p><i>12.2.4.4 Ensure that development within the Pipitea Precinct complements the established part of the central city and reinforces its contained urban form, its vitality, and its viability.</i></p> <p>Rules:</p> <p>Operational port activities are permitted. Buildings and structures for operational port activities are permitted, except those that exceed 100m² and are located within the southern end of the Port Redevelopment Precinct are controlled. Any other building is restricted discretionary, except those for office or retail activities which are a discretionary activity.</p> <p>In the Port Development Precinct office activities, and building and structures for office activities that exceed a combined floor area of 68,200m² are discretionary. New buildings, and the creation of associated open space are controlled activities.</p>	<p>Direct effects:</p> <ul style="list-style-type: none"> Lack of policy support for the passenger port facilities is not conducive to ensuring the efficient and effective operation of a locally, nationally, and regionally significant passenger port and freight hub, and accordingly could have economic wellbeing implications. <p>Indirect effects:</p> <ul style="list-style-type: none"> Potential limitations on economic growth and employment opportunities due to retention of provisions that are unresponsive to the current and future operational and development needs/ demands of landowners/operators and community needs and aspirations. <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Provides an inadequate level of clarity and certainty to the community in relation to the nature and scale of anticipated activities and development in each of the precincts and the long-term vision and aspirations of port owners/operators. Passenger port facilities have some potential amenity impacts, and this situation would be supported to continue. <p>No indirect costs identified.</p> <p>Cultural</p> <p>No direct costs identified.</p> <p>Indirect costs:</p> <ul style="list-style-type: none"> Does not specifically recognise the cultural and ecological significance of the Kaiwharawhara area and interests and associations of importance to mana whenua. Does not provide an opportunity for mana whenua to participate in future resource consent applications for comprehensive development. 		
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<p>Other Methods:</p> <p>Port Redevelopment Precinct Masterplan in Appendix 2/2a.</p> <p>Pipitea Precinct Masterplan requirements in Appendix 10</p> <p>Port Noise Management Plan requirements in Appendix 14</p>			
<p>Effectiveness and efficiency</p>	<p>Effectiveness</p> <p>The provisions are not the most effective method of achieving the objectives. While this approach would still achieve the objectives for the precincts, they are no longer up to date and inadequately recognise and provide for the transition and development of passenger port facilities. The status quo does not align with CentrePort's long-term regeneration plan for a multi-user ferry terminal at Kaiwharawhara and inner harbour precinct with enhanced urban integration between the port and city.</p>		<p>Efficiency</p> <p>The provisions will achieve the objectives at a high cost to the community. They are the least efficient approach as they rely on broader provisions within the Central Area and do not specifically recognise or provide for passenger port facilities or development, other than for operational port activities. The status quo provides for office activities and development in the operative Port Redevelopment Area – however this approach is no longer considered to be reflective of development aspirations for this area.</p>
<p>Overall evaluation</p>	<p>The status quo is not the most appropriate to achieve the objectives as the policies and methods do not clearly articulate the nature, scale, timeframes, and requirements of anticipated activities and development in each precinct. In addition, it does not align within the National Planning Standards structure.</p>		
<p>Option 3: Alternative approach to provisions</p>	<p>Costs</p>	<p>Benefits</p>	<p>Risk of Acting / Not Acting if there is uncertain or insufficient information about the subject matter of the provisions</p>
<p>Policies:</p> <p>PORTZ-P1, P2, P3, P4, and P5 as in the above tables would apply.</p> <p>Rules:</p> <p>Operational port activities are permitted where compliant with the height standard. All other activities are discretionary where the activity has an operational or functional need to locate in the zone, or otherwise non-complying.</p> <p>Maintenance, repair, demolition or removal of buildings and structures are permitted. Construction, additions and alterations are permitted where the building or structure is for operational port activities and compliant with the height standard, or otherwise restricted discretionary.</p>	<p><i>No analysis that monetises costs has been undertaken.</i></p> <p>Environmental</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Passenger port facilities have some environmental impacts, and this situation will be supported to continue. <p>Indirect effects:</p> <p>No indirect costs identified.</p> <p>Economic</p> <p>Direct effects:</p> <ul style="list-style-type: none"> Lack of policy support for the passenger port facilities is not conducive to ensuring the efficient and effective operation of a locally, nationally, and regionally significant passenger port and freight hub, and accordingly could have economic wellbeing implications. <p>Indirect effects:</p> <ul style="list-style-type: none"> Potential limitations on economic growth and employment opportunities due to retention of provisions that are unresponsive to the current and future operational and development needs/ demands 	<p><i>No analysis that monetises benefits has been undertaken.</i></p> <p>Environmental</p> <p>No direct or indirect benefits have been identified.</p> <p>Economic</p> <p>No direct or indirect benefits have been identified.</p> <p>Social</p> <p>No direct or indirect benefits have been identified.</p> <p>Cultural</p> <p>No direct or indirect benefits have been identified.</p>	<p>There is a risk that important parameters for the comprehensive development of each precinct, based on discussions with parties including CentrePort in relation to their long-term regeneration plan for a multi-user ferry terminal and inner harbour precinct, would be left out of the plan.</p>

	<p>of landowners/operators and community needs and aspirations.</p> <p>Social</p> <p>Direct effects:</p> <ul style="list-style-type: none"> • Provides an inadequate level of clarity and certainty to the community in relation to the nature and scale of anticipated activities and development in each of the precincts and the long-term vision and aspirations of port owners/operators. • Passenger port facilities have some potential amenity impacts, and this situation would be supported to continue. <p>No indirect costs identified.</p> <p>Cultural</p> <p>No direct costs identified.</p> <p>Indirect costs:</p> <ul style="list-style-type: none"> • Does not specifically recognise the cultural and ecological significance of the Kaiwharawhara area and interests and associations of importance to mana whenua. • Does not provide an opportunity for mana whenua to participate in future resource consent applications for comprehensive development. 		
<u>Effectiveness and efficiency</u>	<p><i>Effectiveness</i></p> <p>The provisions are not the most effective method of achieving the objectives. While this approach would still achieve the objectives for the precincts, they inadequately recognise and provide for the transition and development of passenger port facilities. This approach lacks clarity and certainty in relation to CentrePort's long-term regeneration plans for a multi-user ferry terminal at Kaiwharawhara, and inner harbour precinct which will provide enhanced urban integration between the port and city.</p>		<p><i>Efficiency</i></p> <p>The provisions will achieve the objectives at a high cost to the community. This approach is not efficient as it does not specifically recognise or provide for passenger port facilities or development, other than for operational port activities.</p>
<u>Overall evaluation</u>	<p>This approach is not appropriate as it would not include precinct-specific provisions for passenger port facilities and the comprehensive development of each precinct which were arrived at through discussions with parties including CentrePort in relation to their long-term regeneration plan for a multi-user ferry terminal and inner harbour precinct.</p>		

10.5 Further Explanation of Proposed Approach to Provisions

The Proposed District Plan removes the masterplan requirement contained in the Draft District Plan. This requirement has been replaced by a section 88 information requirement for new buildings or structures not related to passenger port facilities or operational port activities in the Inner Harbour Port Precinct and Multi-User Ferry Precinct. The amended rule framework provides a stronger link for the comprehensive assessment requirements contained in Appendix 10. This change disincentives ongoing development without a comprehensive masterplan or plan change.

11.0 Conclusion

This evaluation has been undertaken in accordance with section 32 of the RMA in order to identify the need, benefits and costs, and the appropriateness of the proposal, having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.

The evaluation demonstrates that this proposal is the most appropriate option as:

- The Port Zone provides specific policy support for the commercial port and operational port activities, and recognises the local, regional, and national significance of the passenger port and freight hub.
- It includes policies and rules that will enable and protect the safe, efficient and effective operation of the Port Zone.
- The Inner Harbour Port Precinct applies additional place-based provisions to manage the transition from operational port uses in the short to medium term, to a fully functioning, vibrant, mixed-use environment that is successfully integrated into the overall urban fabric and transport network in the long-term.
- The Multi-User Port Precinct applies additional place-based provisions that recognise the long-term vision of the precinct as a co-located, single ferry precinct, and provides flexibility for the potential need for new, modified, and/or flexible port or freight and passenger port buildings and structures as the Precinct develops.

Appendix 1: Advice Received from Taranaki Whānui and Ngāti Toa Rangatira

Appendix 2: Feedback on Draft District Plan 2021

Port Zone:

Who	Feedback Received	Response
KiwiRail	Considered more appropriate to define area as “Rail Corridor” which captures the Wellington yard as well as all other rail land.	No changes made for the following reasons: ‘Railyard area’ defines the specific area within the Port Zone (i.e. just KRH1) whereas the rail corridor more broadly refers to wider rail infrastructure.
CentrePort	Questioned definition of ‘port activities’ given ‘operational port activities’ is already defined. Questioned difference between ‘commercial port’ and ‘port’ and how it relates to Burnham and Miramar Wharves – suggested using a common terminology with the Natural Resources Plan.	Changes made for the following reasons: Agree that consequential amendments to fix duplicated definitions are required – deletion of ‘port’, ‘commercial port area’ and ‘port activities’. Further feedback from CentrePort is that they no longer own the land adjacent to the Miramar and Burnham wharves. These wharves are instead addressed via GIZ provisions and should not be part of the commercial port definition.
	Seeks clear inclusion of ‘bulk fuel transfer’ in definition of ‘operational port activities’.	Changes made for the following reasons: Agree addition of ‘bulk fuel transfer’ is appropriate for inclusion within the scope of operational port activities.

Inner Harbour Port Precinct and Multi-User Ferry Precinct:

Who	Feedback Received	Response
KiwiRail	Considers that it is not clear what ‘passenger handling equipment’ is. Does this include the passenger	Changes made for the following reasons:

	<p>walkway that is used to transport walk on passengers onto ferries?</p> <p>Also considers that the proposed 18.6m height limit does not reasonably provide for passenger egress requirements whereby deck level access and walkway incline levels determine what the walkway height is required to be. Seeks that the maximum height for passenger walkways be provided with a maximum height of 25m.</p>	<p>Amended standard with addition of 'including walkways' to clarify.</p> <p>Passenger handling equipment, and walkways, have no height limit in either precinct or underlying Port Zone. Passenger handling equipment as an exemption of the maximum height limit is a carryover from the Operative Plan. All other buildings and structures have a maximum height of 19m.</p>
CentrePort	<p>Seeks that permitted activity provision for demolition or removal of buildings and structures should include creation of space for operational port activities or passenger port facilities.</p>	<p>Changes made for the following reasons:</p> <p>Agree that this is appropriate to provide for as a permitted activity for both precincts.</p>
	<p>Seeks clarification as to why Centres and Mixed Use Design Guides apply to new development of passenger port facilities.</p>	<p>Changes made for the following reasons:</p> <p>Consequential amendment to add reference to design guide to both precincts requirements in Appendix 10.</p> <p>The Centres and Mixed Use Design Guide provides a high level of urban design and amenity considerations to a new developing area that is physically close and aligned with the Centres zone.</p>
Wellington Civic Trust	<p>Notes intention that both areas will be transformed over time, and the eventual vision for the Inner Harbour Port Precinct is that it becomes an extension of the Waterfront Zone. Considers the plan includes no provisions that require particular timing for the intended plan change process, or that disincentivize ongoing development under the loose provisions set out in the Draft Plan without public opportunity to comment on a long term strategic masterplan for</p>	<p>Changes made for the following reasons:</p> <p>Agree with submitter that there needed to be a disincentive for ongoing development without a comprehensive masterplan or plan change. Rules have been revised to reduce the permitted activity threshold for activities in the IHPP and MUFF.</p>

	<p>comprehensive development of both of these areas.</p> <p>Seeks either that a specific date by which a masterplan must be notified for each of these areas is written into the Plan or permitted building heights are substantially reduced so that early master-planning and a plan change process is triggered prior to substantial development being progressed in either area.</p> <p>Suggest that the Council and Port should establish a leadership group to develop a framework for this area, as was done for the Lambton Harbour Area.</p>	<p>Consequential amendment to add a s88 RMA information requirement for rules PORTZ-PREC01-R7 and PORTZ-PREC02-R7. This provides a trigger link for assessment of the Appendix 10 requirements for any any application for buildings or structures not related to passenger port facilities or operational port activities.</p> <p>Public notification clause has been added so that there is opportunity for public comment. Alternatively, a plan change would also provide the opportunity for public comment. This provides certainty to the public on engagement processes. These changes don't put a particular timing on a masterplan, but instead incentivise comprehensive development of the IHPP.</p>
	<p>Provisions for Quality and Amenity in PORTZ PREC02-P4 (Multi-User Ferry Precinct) include support for "Incorporating public artwork and wayfinding including provision of interpretation and references to the area's heritage and culture" should also be included in PORTZ-PREC01-P4.</p>	<p>Changes made for the following reasons:</p> <p>Whilst this policy clause was initially drafted for the cultural/heritage values associated with the Kaiwharawhara area in the MUFPP, there are also potential cultural/heritage values in the IHPP, and this area would benefit from public art and wayfinding.</p>
	<p>The permitted activity rules in the Inner Harbour Port Precinct provide for operational port activities, as of right, and for very limited commercial activities, but for a very substantial area of office activities in this small part of the central city (68,000m²). This is a carry-over from the Operative Plan which had in place a Master Plan for this area. It appears that the</p>	<p>Changes made for the following reasons:</p> <p>Reduce net lettable floor space for office activities to 2000m², and commercial activities in both the IHPP and MUFPP to 500m² across the precinct. This lower threshold provides a much stronger directive for</p>

	<p>opportunity to build new buildings is quite limited without discretionary consent, and given the importance of the location, we would expect any new office or residential buildings to be subject to be notified resource consents. We consider permitted status for this amount of office development on an “open slather” permitted basis (even though the buildings would require consent) is an inconsistency in the Draft Plan and completely inappropriate.</p>	<p>integrated comprehensive development in line with policy, or otherwise provides scope for a decision-maker to decline an application.</p>
	<p>PORTZ PREC01-R7 (1)(b)(ii). It needs to be clarified whether the 20% coverage limit applies to all buildings in the Precinct, or just those for non-port-related activities.</p>	<p>No changes made for the following reasons:</p> <p>Consequential amendment – rule deleted. For the MUFPP – clarification that building coverage applies across the precinct.</p>
	<p>Seek that both the permitted height for the Inner Harbour Port Precinct for non-port-related buildings and the allowable non-port related office area are significantly cut back (building height to 20m and total office area to 500m², to match the commercial floorspace in the Precinct) until a new Master Plan is in place. Also seek specific limit on the height of lighting poles in at least the southern part of this area – at no more than 10m.</p>	<p>No changes made for the following reasons:</p> <p>Lowering of maximum height is not justified. Operational port activities have specific operational and functional needs and are regionally significant infrastructure. Consequential amendment to specify ‘lighting poles’ in the standards of which the maximum height is – no limit.</p>
	<p>Seek that PORTZ-PREC02-P4 is reworded to clarify the meaning of “Providing building forms and facades that reflect their visual prominence” and that item 3 should have an additional consideration added as (c) which states “and; the coastal marine area”.</p>	<p>Changes made for the following reasons:</p> <p>PORTZ-PREC02-P4 amended to clarify that building forms and facades relate to the precinct’s visually prominent city gateway location.</p> <p>The Port Zone is exempt from provisions relating to public access and the coastal environment because of the functional and operational needs of the activities in this</p>

		<p>location. The Coastal Marine Area is within GWRC's jurisdiction. It is therefore not appropriate to consider or respond to the coastal marine area.</p>
	<p>Considers that both the Introduction and Appendix 10 should include the following as matters where specific protection is required:</p> <ul style="list-style-type: none"> - The bed and banks of Kaiwharawhara Stream, along with sufficient riparian protection to ensure the long-term health of the stream and its ecological values. - A protected coastal strip or reserve of a minimum width of 20m along the edge of the reclamation area (known as Kaiwharawhara Point, including the small beach) and available to the public. 	<p>Changes made for the following reasons:</p> <p>Addition of reference to the Kaiwharawhara Stream and ecological values to MUFF introduction. No change to Appendix 10 or addition of specific protection as requested because:</p> <p>The precinct is/will be part of an operational port and passenger port facility, and it is not appropriate to permit/require public access. In addition, the anticipated activities have functional and operational needs that require use of the coastal edge. The Port Zone has exemptions in the Coastal Environment Chapter.</p>
	<p>Seeks that PORTZ-PREC02-P4 is reworded to clarify the meaning of "Providing building forms and facades that reflect their visual prominence" and that item 3 should have an additional consideration added as (c) which states "and; the coastal marine area".</p>	<p>Changes made for the following reasons:</p> <p>PORTZ-PREC02-P4 amended to clarify that building forms and facades relates to the precinct's visually prominent city gateway location.</p> <p>The Port Zone is exempt from provisions relating to public access and the coastal environment because of the functional and operation needs of the activities in this location, therefore not appropriate to consider or respond to coastal marine area.</p>

Greater Wellington Regional Council	Seeks inclusions of a specific reference to the public transport network in PORTZ-PREC01-P3.	<p>No changes made for the following reasons:</p> <p>PREC-01-P3 already references transport networks (of which this definition includes public transport).</p>
	<p>References to MUFP place an emphasis on “passenger port facilities” which has a set definition. While freight is referenced in the definition of passenger port facilities, most freight is not associated with passengers. Arguably freight is the main purpose of the Cook Strait ferry connection, with passengers being an ancillary function, rather than the other way round. Seeks that more emphasis is placed on freight movements in the MUFP provisions.</p>	<p>Changes made for the following reasons:</p> <p>Amend definition of passenger port facilities to refer to ‘freight and passengers’. There is emphasis on freight in the introduction to the Port Zone, PORTZ-O1, and PORTZ-PREC02-O1.</p>