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Summary of resource consent requirements

A review of the proposal has been undertaken against the provisions of the Unitary Plan. Resource consent has been assessed to be required for the following reasons:

Bledisloe North Wharf

- New wharves in the Port Precinct require resource consent as a restricted discretionary activity (I208.4.1(A24)).
- Hard protection structures (reconstruction of Bledisloe North revetment) require resource consent as a restricted discretionary activity (I208.4.1(A35)).
- Earthworks exceeding a volume of 2,500m³ (approximately 8,400m³) require resource consent as a restricted discretionary activity (E12.4.1(A10)).
- Temporary construction activities in the coastal marine area outside of the City Centre not otherwise provided for require resource consent as a restricted discretionary activity (E40.4.1(A10)).
- Impact and vibratory piling activities require resource consent as a restricted discretionary activity (F2.19.8(A114)).
- Temporary structures or buildings within the coastal marine area (associated with construction activities) that exceed 40 working days and therefore do not comply with Standard F2.21.10.4 require resource consent as a discretionary activity (F2.19.10(A121)).
- The discharge of stormwater from a wharf structure that exceeds 5,000m² (8,773m² proposed) to the coastal marine area requires resource consent as a discretionary activity (F2.8.4.1(A10)).
- The use of the wharf for an industrial or trade activity listed as "high risk" in Table E33.4.3 requires resource consent as a controlled activity (E33.4.1(A8)).
- The discharge of contaminants from a new industrial or trade activity area listed as "high risk" in Table E33.4.3 requires resource consent as a discretionary activity (E33.4.2(A24)).

Fergusson North Berth extension

- New wharves in the Port Precinct require resource consent as a restricted discretionary activity (I208.4.1(A24)).
- Temporary construction activities in the coastal marine area outside of the City Centre not otherwise provided for require resource consent as a restricted discretionary activity (E40.4.1(A10)).
- Temporary activities on land associated with building or construction that exceeds 24 months requires resource consent as a restricted discretionary activity (E30.4.1(A24)).
- Impact and vibratory piling activities require resource consent as a restricted discretionary activity (F2.19.8(A114)).
- Temporary structures or buildings within the coastal marine area (associated with construction activities) that exceed 40 working days and therefore do not comply with Standard F2.21.10.4 require resource consent as a discretionary activity (F2.19.10(A121)).
- The use of the wharf extension for a new industrial or trade activity listed as high risk in Table E33.4.3 requires resource consent as a controlled activity (E33.4.1(A8)).
- The discharge of contaminants from a new industrial or trade activity area listed as "high risk" in Table E33.4.3 requires resource consent as a discretionary activity (E33.4.2(A24)).

Rule	Standard	Commentary
Bledisloe North Berth		
I208 Port Precinct		
I208.4.1 Activity table	(A21) Marine and port activities, including the landing and taking of helicopters associated with the loading and unloading of cargo = Permitted.	<p>Complies.</p> <p>Marine and port activities are defined as activities associated with (amongst other things):</p> <ul style="list-style-type: none"> • The navigation, anchoring, mooring, berthing, manoeuvring, refuelling, storage, servicing, maintenance and repair of vessels. • The embarking and disembarking of passengers • The loading, unloading and storage of cargo and containers. • The use of buildings and structures associated with these activities, including accessory offices and parking. <p>The proposed use of Bledisloe North Wharf for the berthing of cargo and cruise vessels, together with the loading and unloading and storage of cargo and containers and the embarking and disembarking of passengers, is provided for as a permitted activity.</p> <p>The use of the ground floor of the vehicle handling facility for the embarking and disembarking of passengers, and the associated parking and manoeuvring/drop-off areas, is provided for as a permitted activity.</p>
	(A24) Wharves, landings and drydocks, including alterations and additions to these structures = Restricted Discretionary	Restricted discretionary activity consent required to construct a new wharf.
	(A32) Alterations and additions to existing buildings not otherwise provided for = Permitted	Complies.

Rule	Standard	Commentary				
Bledisloe North Berth						
		The vehicle handling facility is not located within 'Area A' of Precinct Plan 2. The alterations to the building to create the cruise terminal are provided for as a permitted activity.				
	(A34) Hard protection structures = Restricted discretionary	Restricted discretionary activity consent required to reconstruct the Bledisloe North revetment.				
I208.6.1.1 Noise	<p>(1) These standards do not apply to temporary activities allowed under the E40 Temporary activities rules.</p> <p>(2) Within the coastal marine area, these standards do not apply to the operational requirements of commercial vessels including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels.</p> <p>(3) The LAeq(15 min) noise level and maximum noise levels (LAFmax) arising from any activity (except construction or blasting activities) within the Port Precinct must not exceed the following:</p> <p>(a) when measured 1m from the façade of any building (measured as the incident level with facade reflections excluded) located on the southern side of Quay Street, beyond the inner control boundary shown on Precinct plan 3:</p> <table border="1" data-bbox="513 1615 919 1697"> <caption>Table I208.6.1.1 Noise levels 1</caption> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>11pm to 7am</td> <td>50dB LAeq 85dB LAFmax</td> </tr> </tbody> </table> <p>(b) when measured 1m from the façade of any residential building (measured as the incident level with facade</p>	Time	Noise level	11pm to 7am	50dB LAeq 85dB LAFmax	Complies – refer to acoustic report.
Time	Noise level					
11pm to 7am	50dB LAeq 85dB LAFmax					

Rule	Standard	Commentary						
Bledisloe North Berth	<p>reflections excluded) located beyond the outer control boundary shown on Precinct plan 3:</p> <p><small>Table I208.6.1.2 Noise levels 2</small></p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>7am to 11pm</td> <td>55dB L_{Aeq}</td> </tr> <tr> <td>11pm to 7am</td> <td>50dB L_{Aeq} 75dB L_{A,max}</td> </tr> </tbody> </table> <p>(4) In determining compliance with the above the following applies:</p> <p>(a) the long term average sound level, averaged over any 7 days (i.e. 7 days of short-term average levels) must not exceed the specified levels by more than 3dBA due to statistical variation over those days;</p> <p>(b) there must be no exceedance of the specified short-term average levels by more than 5dBA. The short-term LAeq (15 min) sound level will be the average of any four LAeq(15 min) values obtained during a single night or day when the wind speed at the site where measurement is taken is less than 2m per second. If the wind speed in the vicinity of both the subject site and the receiver, or any intervening area is known to have exceeded 2m per second during any measurement interval or a temperature inversion is present, then that measurement must not be used to determine the short-term average sound level. Measurements must be</p>	Time	Noise level	7am to 11pm	55dB L _{Aeq}	11pm to 7am	50dB L _{Aeq} 75dB L _{A,max}	
Time	Noise level							
7am to 11pm	55dB L _{Aeq}							
11pm to 7am	50dB L _{Aeq} 75dB L _{A,max}							

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>accompanied by records of air temperature. There must be no other restrictions on weather conditions;</p> <p>(c) care must be taken to ensure that the short-term average sound level represents noise from port activities and is not influenced by noise from other sources. The time period between 3:00am and 5:00am is the preferred time for noise measurements. If the short-term average level is wholly or partly determined from measurements at other times, then records must be adequate to demonstrate that the short-term average sound level was not influenced by noise from non-port sources;</p> <p>(d) except as noted above, the noise levels must be measured and assessed in accordance with New Zealand Standard on Acoustics Measurement of Environmental Sound (NZS 6801:2008) and New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).</p>	
I208.6.1.2 Construction noise	(1) Construction noise within the Port Precinct must not exceed the levels specified in E25.6.28 Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone, when measured 1m from the façade of any building located outside of the Port Precinct.	Complies – refer to acoustic report.

Rule	Standard	Commentary
Bledisloe North Berth		
I208.6.1.3. Lighting	<p>(1) Artificial lighting illuminance must not exceed 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.</p> <p>(2) Illumination associated with vehicles, mobile plant, and quay cranes are exempt from this control.</p> <p>(3) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.</p>	Complies – all lighting will be designed and maintained so as not to exceed 150 lux at ground level.
I208.6.1.4. Parking	(1) Standard E27.6.2 Number of parking and loading spaces does not apply to land and coastal marine area west of Solent Street.	For compliance.
I208.6.1.5. Maintenance or repair of a lawful reclamation or drainage system	N/A	N/A
I208.6.1.6. Public access	(1) Standard E38.7.3.2 Subdivision establishing an esplanade reserve does not apply to subdivision within the Port Precinct.	N/A
I208.6.1.7. Natural Hazards and flooding	<p>The activity status for activities listed in Table E36.4.1 of E36 Natural hazards and flooding do not apply and are replaced by standards I208.6.1.7.1 and I208.6.1.7.2 below:</p> <p>(1) Buildings or structures including fences and retaining walls located in 1 per cent annual exceedance probability (AEP) overland flow paths:</p> <p>(a) any ponding of floodwater caused by any new building or structure must not extend beyond (upstream of) the inland boundary of the Port</p>	N/A – no buildings or structures proposed to be located within the 1 per cent AEP or overland flow paths.

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>Precinct; or an alternative flow path of equivalent hydraulic capacity must be provided within the site; and</p> <p>(b) the entry point of the flow path into the Precinct must not be altered.</p> <p>(2) Habitable rooms of new buildings shall be located above the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise (CSI1).</p>	
I208.6.1.8. Building height	<p>(1) Buildings, structures, marine and port facilities, maritime passenger facilities and marine and port accessory structures and services must not exceed the heights specified on Precinct Plan 1.</p> <p>(2) For the avoidance of doubt, building height excludes: reefer gantries, cargo and containers, telecommunications equipment, masts, lighting poles and associated equipment and aerials that are accessory to marine and port activities.</p> <p>(3) The height of buildings and structures on land must be measured in accordance with Standard H8.6.8 Measuring building height in the Business – City Centre Zone rules.</p> <p>(4) The height of buildings and structures within the coastal marine area must be measured above mean sea level.</p>	<p>Complies.</p> <p>Precinct Plan 1 = 18m.</p> <p>H8.6.8 requires height to be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).</p>

Rule	Standard	Commentary
Bledisloe North Berth		
H8 Business – City Centre Zone		
H8.4.1 Activity Table	N/A	<p>The activities, standards and assessment criteria in the overlays and Auckland-wide rules apply in the Port Precinct, unless otherwise specified.</p> <p>The activities, standards and assessment criteria in the Business – City Centre Zone do not apply to land in the Port Precinct, unless otherwise specified.</p>
H8.6 Standards	N/A	The Business – City Centre Zone standards do not apply to land in the Port Precinct, unless otherwise specified.
H8.6.8. Measuring building height	<p>(1) Building height will be the same as the definition of height when measuring the:</p> <p>(a) height planes for admission of sunlight to public places and the special height limits (refer Map H8.11.4); and</p> <p>(b) height of buildings within the blocks bounded by Hobson Street, Fanshawe Street, Halsey Street, Victoria Street West, and Union Street.</p> <p>(2) Unless otherwise stated all other heights will be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).</p> <p>(3) For the sites fronting Nelson Street within the block bounded by Union Street to the south and Cook Street to the north, height may be determined from the mean street level of Nelson</p>	<p>Mean street level is the average level of all points on the surface of the street measured at the centre line of the street parallel to the street boundary of the site.</p> <p>The mean street level of Quay Street is approximately RL3 (flat).</p>

Rule	Standard	Commentary
Bledisloe North Berth		
	Street to a maximum depth of 26m from the site boundary with Nelson Street.	
D25. City Centre Port Noise Overlay		
D25.4.1 Activity table	N/A	City Centre Port Noise Overlay applies only to activities that are sensitive to noise, and which are located outside of the Port Precinct.
D25.6 Standards	N/A	
E8. Stormwater – Discharge and diversion		
E8.4.1 Activity table	(A10) All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for = discretionary	Discretionary activity consent required. As the area of the Bledisloe North Wharf exceeds 5,000m ² (8,773m ² proposed), the discharge of stormwater from the impervious areas to the CMA are not provided for as a permitted or controlled activity.
E8.6 Standards	N/A	The standards do not apply to discretionary activities.
E11. Land disturbance – Regional		
E11.4.1 Activity table	(A7) Up to 2,500m ² within the Sediment Control Protection Area = Permitted activity.	and disturbance works (above MHWS) to facilitate the construction of the wharf structure is approximately 1,400m ² .
E11.4.2 Activity table	(A13) The temporary diversion and damming of surface water and the discharge of treated sediment laden water from any land disturbance that complies with all relevant permitted activity standards = Permitted.	Complies: Refer to permitted standards below.
E11.6.1 Accidental discovery rule	(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the	For compliance.

Rule	Standard	Commentary
Bledisloe North Berth		
	standards and procedures set out in this rule must apply. ...	
E11.6.2 General standards	<p>(1) Land disturbance must not, after reasonable mixing, result in any of the following effects in receiving waters:</p> <ul style="list-style-type: none"> (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life. <p>(2) Best practice erosion and sediment control measures must be implemented for the duration of the land disturbance. Those measures must be installed prior to the commencement of land disturbance and maintained until the site is stabilised against erosion.</p> <p>(3) Dewatering of trenches and other excavations must be done in accordance with best practice and must not result in a discharge of untreated sediment laden water to any stormwater reticulation system or water body.</p> <p>(4) Trenching must be progressively closed and stabilised such that no more than 120m of continuous</p>	For compliance.

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>trench is exposed to erosion at any one time.</p> <p>(5) Only cleanfill material may be imported and utilised as part of the land disturbance.</p> <p>(6) To prevent the spread of contaminated soil and organic material with kauri dieback disease, vehicle and equipment hygiene procedures must be adopted when working within 3 times the radius of the canopy drip line of a New Zealand kauri tree. Soil and organic material from land disturbance within 3 times the radius of the canopy drip line must not be transported beyond that area unless being transported to landfill for disposal.</p> <p>(7) Earthworks for maintenance and repair of driveways, parking areas, sports fields and major recreational facilities within the Significant Ecological Areas Overlay shall be limited to the area of earth previously disturbed or modified.</p> <p>(8) Earthworks associated with a temporary activity within the Significant Ecological Areas Overlay shall be limited to the area of earthwork previously disturbed or modified.</p>	
E12. Land disturbance – District		
E12.4.1 Activity table	(A5) Earthworks greater than 1,000m ² up to 2,500m ² = Permitted.	:and disturbance works (above MHWS) to facilitate the construction of the wharf structure is approximately 1,400m ² .
	(A10) Earthworks greater than 2,500m ³ = Restricted discretionary.	Restricted discretionary activity consent required to undertake

Rule	Standard	Commentary
Bledisloe North Berth		
		earthworks (above MHWS) with a volume of 8,773m ² proposed.
E12.6.1 Accidental discovery rule	(1) Despite any other rule in this Plan permitting earthworks or land disturbance or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material which is not expressly provided for by any resource consent or other statutory authority, the standards and procedures set out in this rule must apply. ...	For compliance.
E12.6.2 General standards	(1) N/A (not located within riparian yard or coastal protection yard) (2) Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs. (3) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction. (4) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public. (5) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance. (6) N/A (no burial of marine mammals proposed).	For compliance. (in respect of E12.6.2(11), earthworks are not proposed within the 1% AEP)

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>(7) N/A (no land disturbance around Transpower transmission line poles proposed).</p> <p>(8) N/A (no land disturbance around Transpower transmission line towers proposed).</p> <p>(9) N/A (no land disturbance within 12m of Transpower transmission line poles or towers proposed).</p> <p>(10) Only cleanfill material may be imported and utilised as part of the land disturbance.</p> <p>(11) Earthworks (including filling) within a 100 year annual exceedance probability (AEP) flood plain:</p> <p style="padding-left: 20px;">(a) must not raise ground levels more than 300mm, to a total fill volume up to 10m³ which must not be exceeded through multiple filling operations; and</p> <p style="padding-left: 20px;">(b) must not result in any adverse changes in flood hazard beyond the site.</p> <p>(12) Earthworks (including filling) within overland flow paths must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.</p> <p>(13) N/A (no temporary stockpiling proposed within the 100 year AEP).</p> <p>(14) N/A (no earthworks proposed within a site or place of Significance to Mana Whenua).</p>	

Rule	Standard	Commentary
Bledisloe North Berth		
	(15) N/A (no earthworks proposed within the Historic Heritage Overlay). (16) N/A (no earthworks proposed within a site or place of Significance to Mana Whenua). (17) N/A (no earthworks proposed within the Historic Heritage Overlay).	
E24. Lighting		
E24.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards = Permitted.	Complies.
E24.6.1 General standards	N/A	The Auckland-wide Lighting rules E24 do not apply to land and the coastal marine area in the Port Precinct.
E25. Noise		
E25.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards = Permitted.	Complies – refer to acoustic assessment.
E25.6.1 General standards	(1) Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply. (2) The application of an adjustment for noise containing special audible characteristics in terms of Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply to the A weighted level for any	Complies – refer to acoustic assessment.

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>measurement but an adjustment must not be applied to any level measured in the 63Hz and 125Hz octave bands.</p> <p>(3) The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.</p> <p>(4) The noise limits of the Plan do not apply to emergency service sirens and callout sirens during emergency situations.</p> <p>(5) Where more than one standard applies that requires insulation of a noise-sensitive space from an external noise source, the standards must be applied cumulatively.</p> <p>(6) Where standards are provided for specific activities, the zone interface standards and the zone standards do not apply to that activity.</p>	
E25.6.14. Noise levels at the coastal interface [rcp/dp]	(1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal	Complies – refer to acoustic assessment.

Rule	Standard	Commentary						
Bledisloe North Berth								
	<p>Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.</p> <p>Table E25.6.14.1 Noise levels at the coastal interface</p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>7am-10pm</td> <td>50dB L_{Aeq}</td> </tr> <tr> <td>10pm-7am</td> <td>40dB L_{Aeq} 75dB L_{Afmax}</td> </tr> </tbody> </table> <p>(2) The noise levels in Standard E25.6.14(1) above do not apply to:</p> <p>(a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and</p> <p>(b) temporary activities in E40 Temporary activities.</p>	Time	Noise level	7am-10pm	50dB L _{Aeq}	10pm-7am	40dB L _{Aeq} 75dB L _{Afmax}	
Time	Noise level							
7am-10pm	50dB L _{Aeq}							
10pm-7am	40dB L _{Aeq} 75dB L _{Afmax}							
E25.6.19. Business zones interface	<p>(1) The noise (rating) and maximum noise level from any activity in the business zones must not exceed the levels in Table E25.6.19.1 Noise levels at the business zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.</p> <p>Table E25.6.19.1 Noise levels at the business zone interface</p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>Monday to Saturday 7am-10pm Sunday 9am-6pm</td> <td>55dB L_{Aeq}</td> </tr> <tr> <td>All other times</td> <td>45dB L_{Aeq} 60dB L_{Aeq} at 63 Hz 55dB L_{Aeq} at 125 Hz 75dB L_{Afmax}</td> </tr> </tbody> </table>	Time	Noise level	Monday to Saturday 7am-10pm Sunday 9am-6pm	55dB L _{Aeq}	All other times	45dB L _{Aeq} 60dB L _{Aeq} at 63 Hz 55dB L _{Aeq} at 125 Hz 75dB L _{Afmax}	Complies – refer to acoustic assessment.
Time	Noise level							
Monday to Saturday 7am-10pm Sunday 9am-6pm	55dB L _{Aeq}							
All other times	45dB L _{Aeq} 60dB L _{Aeq} at 63 Hz 55dB L _{Aeq} at 125 Hz 75dB L _{Afmax}							
E25.6.20. Noise levels at the Coastal – Marina Zone interface	<p>(1) The noise (rating) levels and maximum noise level from any activity on land in the Coastal – Marina Zone must not exceed the levels in Table E25.6.20.1 Noise levels at the Coastal Marina Zone interface when measured within the boundary of a site in a residential zone or</p>	Complies – refer to acoustic assessment.						

Rule	Standard	Commentary								
Bledisloe North Berth										
	<p>within the notional boundary of property in a rural zone.</p> <p><small>Table E25.6.20.1 Noise levels at the Coastal – Marina Zone interface</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Time</th> <th style="text-align: center;">Noise level</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Monday to Saturday 7am-10pm</td> <td style="text-align: center;">55dB L_{Aeq}</td> </tr> <tr> <td style="text-align: center;">Sunday 9am-6pm</td> <td style="text-align: center;">45dB L_{Aeq}</td> </tr> <tr> <td style="text-align: center;">All other times</td> <td style="text-align: center;">60dB L_{eq} at 63 Hz 55dB L_{eq} at 125 Hz 75dB L_{Afmax}</td> </tr> </tbody> </table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	45dB L _{Aeq}	All other times	60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{Afmax}	
Time	Noise level									
Monday to Saturday 7am-10pm	55dB L _{Aeq}									
Sunday 9am-6pm	45dB L _{Aeq}									
All other times	60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{Afmax}									
E25.6.30. Vibration	<p>(1) Construction and demolition activities must be controlled to ensure any resulting vibration does not exceed:</p> <p>(a) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and</p> <p>(b) the limits in Table E25.6.30.1 Vibration limits in buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building.</p> <p>...</p>	Complies – refer to acoustic assessment.								
E27. Transport										
E27.4.1 Activity table	(A1) Parking, loading and access which is an accessory activity and complies with the standards for parking, loading and access.	Complies								
E27.6.1. Trip generation	N/A	Does not apply where a proposal is located in the Business – City Centre Zone.								
E27.6.2. Number of parking and loading spaces	N/A	Standard E27.6.2 Number of parking and loading spaces does not apply to land and coastal marine area west of Solent Street.								

Attachment 22
Auckland Unitary Plan Rules Assessment

Rule	Standard	Commentary
Bledisloe North Berth		
E27.6.3. Design of parking and loading spaces	N/A	No accessory parking is proposed (the storage of vehicles within the building forms part of a marine and port activity).
E27.6.4.1. Vehicle Access Restrictions	N/A	No direct access to an arterial road.
E27.6.4.2. Width and number of vehicle crossings	N/A	No vehicle crossings proposed.
E27.6.4.3 Width of vehicle access and queuing requirements	N/A	No accessory parking or loading spaces proposed (the storage of vehicles within the building forms part of a marine and port activity).
E27.6.4.4 Gradient of vehicle access	N/A	No vehicle accesses proposed.
E30. Contaminated land		
E30.4.1 Activity table	N/A	Refer to DSI – contaminants do not exceed the criteria in Standard E30.6.1.4. The site is not 'land containing elevated levels of contaminants' as a result.
E33. Industrial and trade activities		
E33.4.1 Activity table	(A8) Use of land for a new industrial or trade activity listed as high risk in Table E33.4.3 = controlled.	Controlled activity consent required to use the Bledisloe North Wharf for an industrial or trade activity listed as "high risk" in Table E33.4.3.
E33.4.2 Activity table	(A24) Discharge of contaminants from a new industrial or trade activity area listed as high risk in Table E33.4.3 = discretionary.	Discretionary activity consent required to discharge contaminants from the Bledisloe North Wharf.
E33.6.1.1 Use of land for an industrial or trade activity	(1) Wastewater and washwater produced by industrial or trade activities must be disposed of on-site via the sanitary sewer, subject to approval from Watercare, or it must be collected, either for recycling or disposal, to a system or facility with all the appropriate authorisations to accept wastewater of that type. For the	See below

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>purposes of this rule, wastewater or washwater also includes:</p> <ul style="list-style-type: none"> (a) boiler blow down and condensate; (b) all waste liquids generated or collected as part of an industrial or trade activity; (c) cooling tower water excluding vapour; and (d) condensate from air compressors. <p>(2) A spill response plan is prepared where any environmentally hazardous substance is handled, used or stored on land at a quantity greater than used for domestic purposes. These plans must meet the requirements of Table E33.9.1 as relevant and be supplied to the Council on request.</p> <p>(3) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with those regulations will be considered to comply with Standard E33.6.1.1(2) provided the emergency spill response plan also explicitly addresses matters (vi) to (x) in Table E33.9.1.</p>	

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>(4) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with Council's factsheet 'Being Prepared for a Spill' will be considered to comply with Standard E33.6.1.1(2).</p>	
	<p>(5) When the quantity of environmentally hazardous substances stored above the ground exceeds that used for domestic purposes, it must be stored: (a) in a container and in a manner that prevents the entry of rainwater into the container; and (b) within a secondary containment device or within a containment system that is constructed of impervious materials that are resistant to chemical attack from the substances contained therein.</p>	
	<p>(6) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with those regulations will be considered to comply with Standard E33.6.1.1(5).</p>	

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>(7) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with council's factsheet 'Above Ground Storage' noting the following bund sizing criteria for secondary stage storage, will be considered to comply with Standard E33.6.1.1(5) where:</p> <p>(a) for tanks the bund has a storage capacity of at least 110 per cent of the capacity of the largest tank taking into account the volume displaced by any equipment and/or materials stored within the bund; and (b) for drums the bund has an effective storage height of at least 100mm, allowing for any sloping ground, and the bund is set back from the drums by a distance equal to half the height of the stacked or stored drums.</p>	
	<p>(8) All secondary containment devices must be designed, constructed and managed so that uncontaminated rainwater and stormwater runoff is prevented from flowing into the contained area.</p>	

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>(9) Weekly inspections must be undertaken and recorded to check that environmentally hazardous substances are stored and/or contained appropriately except as follows:</p> <ul style="list-style-type: none"> (a) National Grid - monthly inspections; (b) electricity substations – annual inspections; and (c) unmanned depots or facilities - monthly inspections. <p>(10) A regular reconciliation process must be undertaken for any environmentally hazardous substance stored in an underground storage tank that will identify any leakage or unaccounted losses of material from the tank.</p> <p>(11) Any waste compactors and bins must be located and operated in such a manner that prevents leachate or waste leaking from them.</p> <p>(12) All on-site vehicle re-fuelling areas must be segregated and housed under cover, and/or surrounded by a drain that drains to an appropriately designed and sized stormwater treatment and spill containment device fitted with a shut-off valve.</p>	
E33.6.2.1. Use of land for an industrial or trade activity	(1) The activity must comply with ‘Use of land for an industrial or trade activity’ permitted activity standards E33.6.1.1(1) to E33.6.1.1(12).	<p>Complies:</p> <ul style="list-style-type: none"> (1) No wastewater or washwater discharges proposed. (2) A spill response plan is already in place for the Port of Auckland

Rule	Standard	Commentary
Bledisloe North Berth		
		<p>and will be implemented for the Wharf.</p> <p>(3) A spill response plan for environmentally hazardous substances is already in place for the Port of Auckland and will be implemented for the Wharf.</p> <p>(4) A spill response plan for environmentally hazardous substances is already in place for the Port of Auckland and will be implemented for the Wharf.</p> <p>(5) Hazardous substances will be in the form of cargo and contained to prevent entry of rainwater.</p> <p>(6) Hazardous substances covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001 will be stored in accordance with those regulations.</p> <p>(7) Hazardous substances will be in the form of cargo and contained to prevent entry of rainwater.</p> <p>(8) No secondary containment devices are required.</p> <p>(9) Regular inspections are undertaken in accordance with POAL's standard operating procedures and reported to Council through the conditions of resource consent.</p> <p>(10) No underground storage tanks of hazardous substances proposed.</p> <p>(11) No waste compactors and bins proposed.</p> <p>(12) No on-site refuelling areas proposed.</p>

Rule	Standard	Commentary
Bledisloe North Berth		
E33.6.2.2 Discharge from an industrial or trade activity area	N/A	Standard E33.6.2.2 does not apply to discretionary activities.
E40. Temporary Activities		
E40.4.1 Activity Table	(A10) Temporary activities in public places in the coastal marine area outside of the City Centre and Metropolitan Centres not otherwise provided for = Restricted discretionary	Restricted discretionary activity to undertake construction work in the coastal marine area
	(A20) Temporary activities associated with building or construction (including structures and buildings that are accessory activities) on land for the duration of the project or up to 24 months, whichever is the lesser = Permitted	Permitted activity – Approximately 18 month construction period anticipated for Bledisloe North Berth
E40.6.1. Measurement of noise events	N/A	N/A – no noise events proposed
E40.6.2. Traffic associated with temporary activities	N/A	N/A – no events proposed
E40.6.3. Temporary activities in public places in the coastal marine area, for up to 14 consecutive days in a six-month period, outside of the City Centre and Metropolitan Centres	N/A	N/A – construction period within the CMA is greater than 14 days
E40.6.4. Noise events outside the City Centre and Metropolitan Centres	N/A	N/A – no noise events proposed
E40.6.5. Noise events within the City Centre and Metropolitan Centres	N/A	N/A – no noise events proposed
E40.6.6. Temporary storage or stacking of goods for up to six	N/A	N/A

Rule	Standard	Commentary
Bledisloe North Berth		
consecutive months in any 24-month period within a residential zone		
E40.6.7. Lighting of fireworks	N/A	N/A
E40.6.8. Temporary military training activities	N/A	N/A
F2. Coastal – General Coastal Marine Zone		
F2.19.4 Activity Table – Coastal marine area disturbance	(A34) Coastal marine area disturbance between 1,500m ³ and 10,000m ³ within a 12 month period = Restricted Discretionary	Restricted discretionary activity consent required to undertake the disturbance of the coastal marine area to facilitate the reconstruction of the rock revetment.
F2.19.8 Activity Table – Use and activities	(A114) Underwater blasting, impact and vibratory piling, marine seismic surveys = Restricted Discretionary	Restricted discretionary activity consent to undertake impact and vibratory piling.
F2.19.10 Activity table – Structures	(A121) Construction of coastal marine area structures and buildings unless provided for elsewhere in this table = Discretionary	Discretionary activity to construct temporary structures or buildings within the coastal marine area (associated with construction activities) that exceed 40 working days and therefore do not comply with Standard F2.21.10.4.
F2.21.1. All permitted activities, controlled activities and restricted discretionary activities	<p>(1) Structures and works must not cause a hazard to safe navigation.</p> <p>(2) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works.</p> <p>(3) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area</p>	Complies.

Rule	Standard	Commentary
Bledisloe North Berth		
	Overlay – Marine 1 and within seven days in other areas of the coastal marine area. (4) Written advice must be given to the Council at least 10 working days prior to the work starting unless otherwise specified.	
F2.21.1.1. Noise and vibration	(1) Interface with other zones: (a) activities in the coastal marine area must not exceed the relevant levels specified E25 Noise and vibration.	Complies – refer to acoustic assessment.
F2.21.1.2. Lighting	(1) Lighting in the coastal marine area must not exceed the levels specified in E24 Lighting. (2) Outdoor artificial lighting must not produce an illuminance exceeding 150 lux measured horizontally or vertically at the exterior of any building adjacent to the coastal marine area. (3) Lighting sources must be sited, directed and screened to minimise, as far as practicable, annoyance or nuisance to adjacent properties or the bird life of any adjacent sites within the D9 Significant Ecological Areas Overlay – Marine 1 or 2. (4) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.	For compliance.
F2.21.1.3. Storage or handling of hazardous substances	(1) Any activity involving the storage or handling of hazardous substances must comply with E31 Hazardous substances.	For compliance.
F2.21.1.4 Accidental discovery protocol	(1) Despite any other rule in this Plan permitting activities in the coastal marine area, including any disturbance of the foreshore	For compliance.

Rule	Standard	Commentary
Bledisloe North Berth		
	<p>and seabed, in the event of discovery of sensitive material which is not expressly provided for any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.</p> <p>(2) ...</p> <p>(3) ...</p>	
F2.21.10.2. Demolition or removal of any buildings or coastal marine area structures	(1) Any part of a structure or building that is not removed must not protrude above the foreshore or seabed so that they create a hazard to safe navigation or public access.	For compliance.
F2.21.10.4. Temporary coastal marine area structures or buildings	<p>(1) The temporary structure must be in place for no longer than 14 days within any six month period (except that temporary structures associated with maintenance, repair, reconstruction, alteration, extension or construction works (including scaffolding and fencing) must be in place for no longer than the duration of the construction project or 40 working days, whichever is the lesser).</p> <p>(2) The temporary structure must be removed within seven days of the completion of the event or use for which it was erected.</p> <p>(3) The temporary structure must occupy the minimum area necessary for its purpose.</p> <p>(4) The temporary structure must maintain safe navigation access.</p>	Does not comply – Construction activities and associated temporary structures within the coastal marine area will occur for more than 40 working days.

Rule	Standard	Commentary				
Fergusson North Berth Extension						
I208 Port Precinct						
I208.4.1 Activity table	(A21) Marine and port activities, including the landing and taking of helicopters associated with the loading and unloading of cargo = Permitted.	Complies. Marine and port activities are defined as activities associated with (amongst other things) the loading, unloading and storage of cargo.				
	(A24) Wharves, landings and drydocks, including alterations and additions to these structures = Restricted Discretionary	Restricted discretionary activity consent required to construct a wharf extension.				
I208.6.1.1 Noise	<p>(1) These standards do not apply to temporary activities allowed under the E40 Temporary activities rules.</p> <p>(2) Within the coastal marine area, these standards do not apply to the operational requirements of commercial vessels including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels.</p> <p>(3) The LAeq(15 min) noise level and maximum noise levels (LAFmax) arising from any activity (except construction or blasting activities) within the Port Precinct must not exceed the following:</p> <p>(a) when measured 1m from the façade of any building (measured as the incident level with facade reflections excluded) located on the southern side of Quay Street, beyond the inner control boundary shown on Precinct plan 3:</p> <p style="font-size: small;">Table I208.6.1.1 Noise levels 1</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #cccccc;">Time</th> <th style="background-color: #cccccc;">Noise level</th> </tr> </thead> <tbody> <tr> <td>11pm to 7am</td> <td>60dB LAeq 85dB LAFmax</td> </tr> </tbody> </table>	Time	Noise level	11pm to 7am	60dB LAeq 85dB LAFmax	Complies – refer to acoustic report.
Time	Noise level					
11pm to 7am	60dB LAeq 85dB LAFmax					

Rule	Standard	Commentary						
Fergusson North Berth Extension								
	<p>(b) when measured 1m from the façade of any residential building (measured as the incident level with facade reflections excluded) located beyond the outer control boundary shown on Precinct plan 3:</p> <p>Table I208.6.1.2 Noise levels 2</p> <table border="1"> <thead> <tr> <th>Time</th> <th>Noise level</th> </tr> </thead> <tbody> <tr> <td>7am to 11pm</td> <td>55dB L_{Aeq}</td> </tr> <tr> <td>11pm to 7am</td> <td>50dB L_{Aeq} 75dB L_{Afmax}</td> </tr> </tbody> </table> <p>(4) In determining compliance with the above the following applies:</p> <p>(a) the long term average sound level, averaged over any 7 days (i.e. 7 days of short-term average levels) must not exceed the specified levels by more than 3dBA due to statistical variation over those days;</p> <p>(b) there must be no exceedance of the specified short-term average levels by more than 5dBA. The short-term LAeq (15 min) sound level will be the average of any four LAeq(15 min) values obtained during a single night or day when the wind speed at the site where measurement is taken is less than 2m per second. If the wind speed in the vicinity of both the subject site and the receiver, or any intervening area is known to have exceeded 2m per second during any measurement interval or a temperature inversion is present, then that</p>	Time	Noise level	7am to 11pm	55dB L _{Aeq}	11pm to 7am	50dB L _{Aeq} 75dB L _{Afmax}	
Time	Noise level							
7am to 11pm	55dB L _{Aeq}							
11pm to 7am	50dB L _{Aeq} 75dB L _{Afmax}							

Rule	Standard	Commentary
Fergusson North Berth Extension		
	<p>measurement must not be used to determine the short-term average sound level. Measurements must be accompanied by records of air temperature. There must be no other restrictions on weather conditions;</p> <p>(c) care must be taken to ensure that the short-term average sound level represents noise from port activities and is not influenced by noise from other sources. The time period between 3:00am and 5:00am is the preferred time for noise measurements. If the short-term average level is wholly or partly determined from measurements at other times, then records must be adequate to demonstrate that the short-term average sound level was not influenced by noise from non-port sources;</p> <p>(d) except as noted above, the noise levels must be measured and assessed in accordance with New Zealand Standard on Acoustics Measurement of Environmental Sound (NZS 6801:2008) and New Zealand Standard on Acoustics – Environmental Noise (NZS 6802:2008).</p>	
I208.6.1.2 Construction noise	(1) Construction noise within the Port Precinct must not exceed the levels specified in E25.6.28 Construction noise levels in the Business – City Centre Zone and the Business – Metropolitan Centre Zone, when measured 1m	Complies – refer to acoustic report.

Rule	Standard	Commentary
Fergusson North Berth Extension		
	from the façade of any building located outside of the Port Precinct.	
I208.6.1.3. Lighting	<p>(1) Artificial lighting illuminance must not exceed 150 lux, measured at any point on the site containing the light source, in a horizontal or vertical plane at ground level.</p> <p>(2) Illumination associated with vehicles, mobile plant, and quay cranes are exempt from this control.</p> <p>(3) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.</p>	All lighting will be designed and maintained so as not to exceed 150 lux at ground level.
I208.6.1.4. Parking	(1) Standard E27.6.2 Number of parking and loading spaces does not apply to land and coastal marine area west of Solent Street.	For compliance.
I208.6.1.5. Maintenance or repair of a lawful reclamation or drainage system	N/A	N/A
I208.6.1.6. Public access	(1) Standard E38.7.3.2 Subdivision establishing an esplanade reserve does not apply to subdivision within the Port Precinct.	N/A
I208.6.1.7. Natural Hazards and flooding	<p>The activity status for activities listed in Table E36.4.1 of E36 Natural hazards and flooding do not apply and are replaced by standards I208.6.1.7.1 and I208.6.1.7.2 below:</p> <p>(1) Buildings or structures including fences and retaining walls located in 1 per cent annual exceedance probability (AEP) overland flow paths:</p> <p>(a) any ponding of floodwater caused by any new building</p>	N/A – no buildings or structures proposed to be located within the 1 per cent AEP or overland flow paths.

Rule	Standard	Commentary
Fergusson North Berth Extension		
	<p>or structure must not extend beyond (upstream of) the inland boundary of the Port Precinct; or an alternative flow path of equivalent hydraulic capacity must be provided within the site; and</p> <p>(b) the entry point of the flow path into the Precinct must not be altered.</p> <p>(2) Habitable rooms of new buildings shall be located above the coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise (CSI1).</p>	
I208.6.1.8. Building height	<p>(1) Buildings, structures, marine and port facilities, maritime passenger facilities and marine and port accessory structures and services must not exceed the heights specified on Precinct Plan 1.</p> <p>(2) For the avoidance of doubt, building height excludes: reefer gantries, cargo and containers, telecommunications equipment, masts, lighting poles and associated equipment and aerials that are accessory to marine and port activities.</p> <p>(3) The height of buildings and structures on land must be measured in accordance with Standard H8.6.8 Measuring building height in the Business – City Centre Zone rules.</p> <p>(4) The height of buildings and structures within the coastal marine area must be measured above mean sea level.</p>	<p>Complies.</p> <p>Precinct Plan 1 = 24m.</p> <p>H8.6.8 requires height to be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).</p>

Rule	Standard	Commentary
Fergusson North Berth Extension		
H8 Business – City Centre Zone		
H8.4.1 Activity Table	N/A	<p>The activities, standards and assessment criteria in the overlays and Auckland-wide rules apply in the Port Precinct, unless otherwise specified.</p> <p>The activities, standards and assessment criteria in the Business – City Centre Zone do not apply to land in the Port Precinct, unless otherwise specified.</p>
H8.6 Standards	N/A	The Business – City Centre Zone standards do not apply to land in the Port Precinct, unless otherwise specified.
H8.6.8. Measuring building height	<p>(1) Building height will be the same as the definition of height when measuring the:</p> <p>(a) height planes for admission of sunlight to public places and the special height limits (refer Map H8.11.4); and</p> <p>(b) height of buildings within the blocks bounded by Hobson Street, Fanshawe Street, Halsey Street, Victoria Street West, and Union Street.</p> <p>(2) Unless otherwise stated all other heights will be measured as the vertical distance between mean street level and a horizontal plane above that level (being the specified height limit).</p> <p>(3) For the sites fronting Nelson Street within the block bounded by Union Street to the south and Cook Street to the north, height may be determined from the mean street level of Nelson</p>	<p>Mean street level is the average level of all points on the surface of the street measured at the centre line of the street parallel to the street boundary of the site.</p>

Rule	Standard	Commentary
Fergusson North Berth Extension		
	Street to a maximum depth of 26m from the site boundary with Nelson Street.	
D25. City Centre Port Noise Overlay		
D25.4.1 Activity table	N/A	City Centre Port Noise Overlay applies only to activities that are sensitive to noise, and which are located outside of the Port Precinct.
D25.6 Standards	N/A	
E8. Stormwater – Discharge and diversion		
E8.4.1 Activity table	(A9) Diversion and discharge of stormwater runoff from impervious areas up to 5,000m ² outside an urban area that complies with Standard E8.6.1 and Standard E8.6.2.4 = permitted	As the area of the wharf extension is less than 5,000m ² (1,530m ² proposed), the discharge of stormwater from the Fergusson North Berth Extension to the CMA is provided for as a permitted activity.
E8.6.1 General standards	(1) The design of the proposed stormwater management device(s) must be consistent with any relevant precinct plan that addresses or addressed stormwater management matters.	Complies: (1) Stormwater 360 Stormfilters (or similar) proposed, consistent with existing approach at Port of Auckland. (2) There will be no scour and erosion effects from the discharge as the discharge occurs directly to the water, and the Port shoreline adjacent to the discharge locations are protected by a designed rock revetment. (3) The wharf is located outside of any overland flow paths or flood-prone areas. (4) There is no potential for flooding of, or damage or nuisance to, other properties because the harbour is the receiving environment. (5) Stormwater discharges from the wharf will be treated to ensure that they do not give rise to the effects of concern on coastal water. (6) N/A
	(2) The diversion and discharge must not cause or increase scouring or erosion at the point of discharge downstream.	
	(3) The diversion and discharge must not result in or increase the following: (a) Flooding of other properties in rainfall events up to the 1 per cent annual exceedance probability (AEP); or (b) Inundation of buildings on other properties in events up to the 1 per cent annual exceedance probability (AEP).	

Rule	Standard	Commentary
Fergusson North Berth Extension		
	<p>(4) The diversion and discharge must not cause or increase nuisance or damage to other properties.</p>	
	<p>(5) The diversion and discharge of stormwater runoff must not give rise to the following in any surface water or coastal water:</p> <ul style="list-style-type: none"> (a) The production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; (b) Any conspicuous change in the colour or visual clarity; (c) any emission of objectionable odour; (d) the rendering of fresh water unsuitable for consumption by farm animals; or (e) any significant adverse effects on aquatic life. 	
	<p>(6) Where the diversion and discharge is to ground soakage, groundwater recharge or peat soil areas any existing requirements for ground soakage, including devices to manage discharges or soakage, must be complied with.</p>	
<p>E8.6.2.4 Diversion and discharge of stormwater runoff from impervious areas up to 5,000m² outside an urban area</p>	<p>(1) The total impervious area on the site excludes unsealed or gravelled tracks.</p>	<p>No unsealed or gravelled tracks. Connection to a stormwater network is not practicable.</p>
	<p>(2) Connection to a stormwater network is not practicable.</p>	

Rule	Standard	Commentary
Fergusson North Berth Extension		
E24. Lighting		
E24.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards = Permitted.	Complies.
E24.6.1 General standards	N/A	The Auckland-wide Lighting rules E24 do not apply to land and the coastal marine area in the Port Precinct.
E25. Noise		
E25.4.1 Activity table	(A1) Activities that comply with all the relevant permitted activity standards = Permitted.	Complies – refer to acoustic assessment
E25.6.1 General standards	<p>(1) Noise levels arising from activities must be measured and assessed in accordance with the New Zealand Standard NZS 6801:2008 Measurement of environmental sound and the New Zealand Standard NZS 6802:2008 Acoustics - Environmental noise except where more specific requirements apply.</p> <p>(2) The application of an adjustment for noise containing special audible characteristics in terms of Appendix B4 Special Audible Characteristics in New Zealand Standard NZS 6802:2008 Acoustics – Environmental noise may apply to the A weighted level for any measurement but an adjustment must not be applied to any level measured in the 63Hz and 125Hz octave bands.</p> <p>(3) The noise from any construction work activity must be measured and assessed in accordance with the requirements of New Zealand Standard</p>	Complies – refer to acoustic assessment

Rule	Standard	Commentary						
Fergusson North Berth Extension								
	<p>NZS6803:1999 Acoustics – Construction noise. Construction work is defined in New Zealand Standard NZS6803:1999 Acoustics – Construction noise.</p> <p>(4) The noise limits of the Plan do not apply to emergency service sirens and callout sirens during emergency situations.</p> <p>(5) Where more than one standard applies that requires insulation of a noise-sensitive space from an external noise source, the standards must be applied cumulatively.</p> <p>(6) Where standards are provided for specific activities, the zone interface standards and the zone standards do not apply to that activity.</p>							
E25.6.14. Noise levels at the coastal interface [rcp/dp]	<p>(1) The noise (rating) level generated by any activity in the coastal marine area or on a lake or river must not exceed the levels in Table E25.6.14.1 Noise levels at the coastal interface when measured within the boundary of a site in a residential zone or notional boundary of any site in the Rural – Rural Production Zone, Rural – Mixed Rural Zone, Rural – Rural Coastal Zone; Rural – Rural Conservation Zone, Rural – Countryside Living Zone, Rural – Waitākere Foothills Zone and Rural – Waitākere Ranges Zone.</p> <p>Table E25.6.14.1 Noise levels at the coastal interface</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Time</th> <th style="text-align: center;">Noise level</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">7am-10pm</td> <td style="text-align: center;">50dB L_{Aeq}</td> </tr> <tr> <td style="text-align: center;">10pm-7am</td> <td style="text-align: center;">40dB L_{Aeq} 75dB L_{AFmax}</td> </tr> </tbody> </table>	Time	Noise level	7am-10pm	50dB L _{Aeq}	10pm-7am	40dB L _{Aeq} 75dB L _{AFmax}	Complies – refer to acoustic assessment
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Rule	Standard	Commentary							
Fergusson North Berth Extension									
	<p>(2) The noise levels in Standard E25.6.14(1) above do not apply to:</p> <p>(a) the operational requirements of vessels (including cargo vessels, tugs, passenger liners, naval vessels and commercial fishing vessels); and</p> <p>(b) temporary activities in E40 Temporary activities.</p>								
E25.6.19. Business zones interface	<p>(1) The noise (rating) and maximum noise level from any activity in the business zones must not exceed the levels in Table E25.6.19.1 Noise levels at the business zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.</p> <p><small>Table E25.6.19.1 Noise levels at the business zone interface</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Time</th> <th style="text-align: center;">Noise level</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Monday to Saturday 7am-10pm</td> <td rowspan="2" style="text-align: center;">55dB L_{Aeq}</td> </tr> <tr> <td style="text-align: center;">Sunday 9am-6pm</td> </tr> <tr> <td style="text-align: center;">All other times</td> <td style="text-align: center;">45dB L_{Aeq} 60dB L_{eq} at 63 Hz 55dB L_{eq} at 125 Hz 75dB L_{AJmax}</td> </tr> </tbody> </table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AJmax}	Complies – refer to acoustic assessment
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Sunday 9am-6pm									
All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AJmax}								
E25.6.20. Noise levels at the Coastal – Marina Zone interface	<p>(1) The noise (rating) levels and maximum noise level from any activity on land in the Coastal – Marina Zone must not exceed the levels in Table E25.6.20.1 Noise levels at the Coastal Marina Zone interface when measured within the boundary of a site in a residential zone or within the notional boundary of property in a rural zone.</p> <p><small>Table E25.6.20.1 Noise levels at the Coastal – Marina Zone interface</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Time</th> <th style="text-align: center;">Noise level</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Monday to Saturday 7am-10pm</td> <td rowspan="2" style="text-align: center;">55dB L_{Aeq}</td> </tr> <tr> <td style="text-align: center;">Sunday 9am-6pm</td> </tr> <tr> <td style="text-align: center;">All other times</td> <td style="text-align: center;">45dB L_{Aeq} 60dB L_{eq} at 63 Hz 55dB L_{eq} at 125 Hz 75dB L_{AJmax}</td> </tr> </tbody> </table>	Time	Noise level	Monday to Saturday 7am-10pm	55dB L _{Aeq}	Sunday 9am-6pm	All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AJmax}	Complies – refer to acoustic assessment
Time	Noise level								
Monday to Saturday 7am-10pm	55dB L _{Aeq}								
Sunday 9am-6pm									
All other times	45dB L _{Aeq} 60dB L _{eq} at 63 Hz 55dB L _{eq} at 125 Hz 75dB L _{AJmax}								
E25.6.30. Vibration	(1) Construction and demolition activities must be controlled to	Complies – refer to acoustic assessment							

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	<p>ensure any resulting vibration does not exceed:</p> <p>(a) the limits set out in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures when measured in accordance with that Standard on any structure not on the same site; and</p> <p>(b) the limits in Table E25.6.30.1 Vibration limits in buildings in any axis when measured in the corner of the floor of the storey of interest for multi-storey buildings, or within 500mm of ground level at the foundation of a single storey building.</p> <p>...</p>	
E27. Transport		
E27.4.1 Activity table	(A1) Parking, loading and access which is an accessory activity and complies with the standards for parking, loading and access.	Complies: Subject to achieving compliance with the relevant standards identified below.
E27.6.1. Trip generation	N/A	Does not apply where a proposal is located in the Business – City Centre Zone.
E27.6.2. Number of parking and loading spaces	N/A	Standard E27.6.2 Number of parking and loading spaces does not apply to land and coastal marine area west of Solent Street.
E27.6.3. Design of parking and loading spaces	N/A	No accessory parking is proposed (the storage of vehicles within the building forms part of a marine and port activity).
E27.6.4.1. Vehicle Access Restrictions	N/A	No vehicle crossings proposed. No direct access to an arterial road.

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E27.6.4.2. Width and number of vehicle crossings	N/A	No vehicle crossings proposed.
E27.6.4.3 Width of vehicle access and queuing requirements	N/A	No accessory parking or loading spaces proposed (the storage of vehicles within the building forms part of a marine and port activity).
E27.6.4.4 Gradient of vehicle access	N/A	No vehicle accesses proposed.
E33. Industrial and trade activities		
E33.4.1 Activity table	(A8) Use of land for a new industrial or trade activity listed as high risk in Table E33.4.3 = controlled.	Controlled activity consent required to use the Fergusson North Wharf extension for an industrial or trade activity listed as "high risk" in Table E33.4.3.
E33.4.2 Activity table	N/A	While the Fergusson North Berth extension will be used for commercial port activities, including ship loading/unloading, all environmentally hazardous substances will be transported across the wharf within bunded containers (to and from a bunded ship). A discharge of environmentally hazardous substances onto or into land or water associated with these operations is extremely unlikely to happen. On this basis, the wharf extension will not increase the existing "high risk" industrial or trade activity area of the Port of Auckland at this location, and a discharge permit is not required under Rule E33.4.2(A24).
E33.6.1.1 Use of land for an industrial or trade activity	(1) Wastewater and washwater produced by industrial or trade activities must be disposed of on-site via the sanitary sewer, subject to approval from Watercare, or it must be collected, either for recycling or disposal, to a system or facility	See below

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	<p>with all the appropriate authorisations to accept wastewater of that type. For the purposes of this rule, wastewater or washwater also includes:</p> <ul style="list-style-type: none"> (a) boiler blow down and condensate; (b) all waste liquids generated or collected as part of an industrial or trade activity; (c) cooling tower water excluding vapour; and (d) condensate from air compressors. 	
	<p>(2) A spill response plan is prepared where any environmentally hazardous substance is handled, used or stored on land at a quantity greater than used for domestic purposes. These plans must meet the requirements of Table E33.9.1 as relevant and be supplied to the Council on request.</p>	
	<p>(3) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with those regulations will be considered to comply with Standard E33.6.1.1(2) provided the emergency spill response plan also explicitly addresses matters (vi) to (x) in Table E33.9.1.</p>	

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	<p>(4) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, a spill response plan prepared in accordance with Council's factsheet 'Being Prepared for a Spill' will be considered to comply with Standard E33.6.1.1(2).</p>	
	<p>(5) When the quantity of environmentally hazardous substances stored above the ground exceeds that used for domestic purposes, it must be stored: (a) in a container and in a manner that prevents the entry of rainwater into the container; and (b) within a secondary containment device or within a containment system that is constructed of impervious materials that are resistant to chemical attack from the substances contained therein.</p>	
	<p>(6) For environmentally hazardous substances in quantities covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with those regulations will be considered to comply with Standard E33.6.1.1(5).</p>	

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	<p>(7) For environmentally hazardous substances not covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001, storage requirements in accordance with council's factsheet 'Above Ground Storage' noting the following bund sizing criteria for secondary stage storage, will be considered to comply with Standard E33.6.1.1(5) where:</p> <p>(a) for tanks the bund has a storage capacity of at least 110 per cent of the capacity of the largest tank taking into account the volume displaced by any equipment and/or materials stored within the bund; and (b) for drums the bund has an effective storage height of at least 100mm, allowing for any sloping ground, and the bund is set back from the drums by a distance equal to half the height of the stacked or stored drums.</p>	
	<p>(8) All secondary containment devices must be designed, constructed and managed so that uncontaminated rainwater and stormwater runoff is prevented from flowing into the contained area.</p>	

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	<p>(9) Weekly inspections must be undertaken and recorded to check that environmentally hazardous substances are stored and/or contained appropriately except as follows:</p> <ul style="list-style-type: none"> (a) National Grid - monthly inspections; (b) electricity substations – annual inspections; and (c) unmanned depots or facilities - monthly inspections. 	
	<p>(10) A regular reconciliation process must be undertaken for any environmentally hazardous substance stored in an underground storage tank that will identify any leakage or unaccounted losses of material from the tank.</p>	
	<p>(11) Any waste compactors and bins must be located and operated in such a manner that prevents leachate or waste leaking from them.</p>	
	<p>(12) All on-site vehicle re-fuelling areas must be segregated and housed under cover, and/or surrounded by a drain that drains to an appropriately designed and sized stormwater treatment and spill containment device fitted with a shut-off valve.</p>	
E33.6.2.1. Use of land for an industrial or trade activity	<p>(1) The activity must comply with ‘Use of land for an industrial or trade activity’ permitted activity standards E33.6.1.1(1) to E33.6.1.1(12).</p>	<p>Complies:</p> <ul style="list-style-type: none"> (1) No wastewater or washwater discharges proposed. (2) A spill response plan is already in place for the Port of Auckland and

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		<p>will be implemented for the Wharf.</p> <p>(3) A spill response plan for environmentally hazardous substances is already in place for the Port of Auckland and will be implemented for the Wharf.</p> <p>(4) A spill response plan for environmentally hazardous substances is already in place for the Port of Auckland and will be implemented for the Wharf.</p> <p>(5) Hazardous substances will be in the form of cargo and contained to prevent entry of rainwater.</p> <p>(6) Hazardous substances covered by Part 4 of the Hazardous Substances (Emergency Management) Regulations 2001 will be stored in accordance with those regulations.</p> <p>(7) Hazardous substances will be in the form of cargo and contained to prevent entry of rainwater.</p> <p>(8) No secondary containment devices are required.</p> <p>(9) Regular inspections are undertaken in accordance with POAL's standard operating procedures and reported to Council through the conditions of resource consent.</p> <p>(10) No underground storage tanks of hazardous substances proposed.</p> <p>(11) No waste compactors and bins proposed.</p> <p>No on-site refuelling areas proposed.</p>

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E33.6.2.2 Discharge from an industrial or trade activity area	N/A	Standard E33.6.2.2 does not apply to discretionary activities.
E40. Temporary Activities		
E40.4.1 Activity Table	(A10) Temporary activities in public places in the coastal marine area outside of the City Centre and Metropolitan Centres not otherwise provided for = Restricted discretionary	Restricted discretionary activity to undertake construction work in the coastal marine area
	(A24) Specific temporary activities that are not provided as a permitted activity in rules (A12) to (A23) = Restricted discretionary	Restricted discretionary activity – Should the Fergusson North Berth Extension be undertaken sequentially following the construction of Bledisloe North Berth, the total construction period will be approximately 26 months and is therefore not provided for as a permitted activity by (A20).
E40.6.1. Measurement of noise events	N/A	N/A – no noise events proposed
E40.6.2. Traffic associated with temporary activities	N/A	N/A – no events proposed
E40.6.3. Temporary activities in public places in the coastal marine area, for up to 14 consecutive days in a six-month period, outside of the City Centre and Metropolitan Centres	N/A	N/A – construction period within the CMA is greater than 14 days
E40.6.4. Noise events outside the City Centre and Metropolitan Centres	N/A	N/A – no noise events proposed
E40.6.5. Noise events within the City Centre and Metropolitan Centres	N/A	N/A – no noise events proposed
E40.6.6. Temporary storage or stacking of	N/A	N/A

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goods for up to six consecutive months in any 24-month period within a residential zone		
E40.6.7. Lighting of fireworks	N/A	N/A
E40.6.8. Temporary military training activities	N/A	N/A
F2. Coastal – General Coastal Marine Zone		
F2.19.8 Activity Table – Use and activities	(A114) Underwater blasting, impact and vibratory piling, marine seismic surveys = Restricted Discretionary	Restricted discretionary activity consent to undertake impact and vibratory piling.
F2.19.10 Activity table – Structures	(A121) Construction of coastal marine area structures and buildings unless provided for elsewhere in this table = Discretionary	Discretionary activity to construct temporary structures or buildings within the coastal marine area (associated with construction activities) that exceed 40 working days and therefore do not comply with Standard F2.21.10.4.
F2.21.1. All permitted activities, controlled activities and restricted discretionary activities	<p>(1) Structures and works must not cause a hazard to safe navigation.</p> <p>(2) Any excess building material, spoil, construction equipment or litter must be removed from the coastal marine area within 24 hours of completion of any works.</p> <p>(3) Any visible disturbance to the substrate of the coastal marine area must be remedied or restored within 48 hours of the completion of the works in areas identified in the D11 Outstanding Natural Character Overlay, D10 Outstanding Natural Features Overlay and D9 Significant Ecological Area Overlay – Marine 1 and within seven days in other areas of the coastal marine area.</p>	Complies.

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	(4) Written advice must be given to the Council at least 10 working days prior to the work starting unless otherwise specified.	
F2.21.1.1. Noise and vibration	(1) Interface with other zones: (a) activities in the coastal marine area must not exceed the relevant levels specified E25 Noise and vibration.	Complies – refer to acoustic assessment
F2.21.1.2. Lighting	(1) Lighting in the coastal marine area must not exceed the levels specified in E24 Lighting. (2) Outdoor artificial lighting must not produce an illuminance exceeding 150 lux measured horizontally or vertically at the exterior of any building adjacent to the coastal marine area. (3) Lighting sources must be sited, directed and screened to minimise, as far as practicable, annoyance or nuisance to adjacent properties or the bird life of any adjacent sites within the D9 Significant Ecological Areas Overlay – Marine 1 or 2. (4) Lighting sources must be sited, directed and screened to avoid, as far as practicable, creating a navigation safety hazard.	For compliance.
F2.21.1.3. Storage or handling of hazardous substances	(1) Any activity involving the storage or handling of hazardous substances must comply with E31 Hazardous substances.	For compliance.
F2.21.1.4 Accidental discovery protocol	(4) Despite any other rule in this Plan permitting activities in the coastal marine area, including any disturbance of the foreshore and seabed, in the event of discovery of sensitive material which is not expressly provided	For compliance.

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	<p>for any resource consent or other statutory authority, the standards and procedures set out in this rule must apply.</p> <p>(5) ...</p> <p>(6) ...</p>	
<p>F2.21.10.4. Temporary coastal marine area structures or buildings</p>	<p>(1) The temporary structure must be in place for no longer than 14 days within any six month period (except that temporary structures associated with maintenance, repair, reconstruction, alteration, extension or construction works (including scaffolding and fencing) must be in place for no longer than the duration of the construction project or 40 working days, whichever is the lesser).</p> <p>(2) The temporary structure must be removed within seven days of the completion of the event or use for which it was erected.</p> <p>(3) The temporary structure must occupy the minimum area necessary for its purpose.</p> <p>(4) The temporary structure must maintain safe navigation access.</p>	<p>Does not comply – Construction activities and associated temporary structures within the coastal marine area will occur for more than 40 working days.</p>