

### **F3. Coastal – Marina Zone**

#### **F3.1. Zone description**

The Coastal – Marina Zone provides for the development and operation of various established marinas, including both land and water components. The zone covers land and the coastal marine area to promote integrated management of activities and effects that cross mean high water springs.

The Coastal – Marina Zone applies to the following marinas:

- Sandspit, Warkworth;
- Mahurangi, Wilson Road, Warkworth;
- Gulf Harbour, Whangaparāoa;
- Milford;
- Bayswater;
- Hobsonville Marina, West Harbour;
- Westhaven;
- Outboard Boating Club, Hobson Bay;
- Ōrākei;
- Half Moon Bay;
- Pine Harbour, Beachlands; and
- Hobsonville Point.

#### **F3.2. Objectives [rcp/dp]**

- (1) The adverse effects of marinas on the coastal environment are avoided, remedied or mitigated.
- (2) Marina activities are located within the Coastal – Marina Zone which encompasses the coastal marine area and any adjoining land used for marina related activity.
- (3) Marina and related supporting facilities are developed, used, maintained, refurbished, reconstructed and berthage maximised.
- (4) Marina development and redevelopment above and below mean high water springs is integrated.
- (5) Activities in the Coastal – Marina Zone that have a functional need for a coastal location have priority over those that do not.
- (6) Access to the waterfront for berth holders and the public is maintained or enhanced.

- (7) Limited expansion of existing marinas in the coastal marine area is enabled provided there is adequate infrastructure to support it and any adverse environmental effects are avoided, remedied or mitigated.

### **F3.3. Policies [rcp/dp]**

- (1) Provide for use, development, repair, maintenance, refurbishment, and reconstruction of existing marinas, and their expansion, that avoids remedies or mitigates adverse effects on the coastal environment, including adjacent land zoned for residential or open space purposes.
- (2) Provide for marine-related and other compatible business activities, while avoiding, remedying or mitigating adverse effects on the coastal environment and adjacent land zoned for residential or open space purposes.
- (3) Provide for maritime passenger operations and maritime passenger facilities at marinas.
- (4) Provide for adequate and convenient facilities in marinas for the containment, collection and appropriate disposal of all of the following:
  - (a) rubbish from vessels;
  - (b) sewage from vessels;
  - (c) recyclable material including waste oils;
  - (d) residues from vessel construction and maintenance;
  - (e) spills from refuelling operations and refuelling equipment; and
  - (f) stormwater generated from the marina complex.
- (5) Encourage additional berthage to be created at existing marinas where this is practicable and will avoid, remedy or mitigate adverse effects on the environment including:
  - (a) the natural character of the coastal environment;
  - (b) landscape and visual amenity values;
  - (c) coastal processes;
  - (d) water quality;
  - (e) biosecurity;
  - (f) historic heritage and Mana Whenua values;
  - (g) land-based facilities including parking, access and the adjoining road network; and
  - (h) public access.

- (6) Minimise the size of any wave attenuation devices associated with a marina development while also ensuring the safe and efficient operation of the marina.
- (7) Require any marina development to be of a scale, design and location that remedies or mitigates adverse effects on the coastal environment, particularly in relation to the following matters:
  - (a) the natural character of the coastal environment;
  - (b) effects on the recreational, visual and amenity values in the locality, including lighting effects;
  - (c) public access to, along and within the coastal marine area;
  - (d) effects on the landscape elements and features;
  - (e) effects on historic heritage or Mana Whenua values;
  - (f) noise effects including construction noise and ongoing operational noise, such as halyard slap;
  - (g) effects on coastal processes including wave sheltering, downstream effects, sediment movement, erosion and depositing, littoral drift, and localised effects on water currents;
  - (h) effects on significant surf breaks;
  - (i) the need for capital works and maintenance dredging within the marina and any approach/entrance channel;
  - (j) effects on other users of the coastal marine area including existing maritime passenger operations, moorings and public boat ramps;
  - (k) effects on navigation and safety and the need for any aids to navigation;
  - (l) shore-based facilities including car and trailer parking, boat storage and maintenance areas, administration buildings, public toilets, boat racks, lockers, public access and esplanade reserves, landscaping and urban design treatment;
  - (m) the effects of additional traffic generation on the road network and any measures to mitigate these effects; and
  - (n) consideration of any relevant council structure plans, concept plans, strategies, reserve management plans, designations or additional limitations that apply to the adjoining land.
- (8) Provide for public access to be restricted only where it is necessary for public health, safety, security or operational reasons.

- (9) Require mitigation for any loss of public access to, along and within the coastal marine area, including providing facilities such as public boat ramps, and alternative access for other recreational users.
- (10) Allow activities that do not have a functional need for a coastal location only where all of the following can be demonstrated:
- (a) the proposed activities will not conflict with, or limit, the operation of marina activities, maritime passenger operations or other marine-related activities that are undertaken in the Coastal – Marina Zone;
  - (b) no reclamation is required to enable the activity and it will not create a demand for future reclamation;
  - (c) adequate provision remains for existing activities that have a functional or operational need for a coastal location;
  - (d) public access to and use of the coastal marine area will be maintained or enhanced;
  - (e) the development is integrated with public transport, where relevant; and
  - (f) the development is designed to complement its particular coastal location.

#### **F3.4. Activity table**

Table F3.4.1 Activity table below specifies the activity status of works in the coastal marine area pursuant to sections 12(1) of the Resource Management Act 1991 and the activity status of any associated discharges of contaminants into water pursuant to section 15 of the Resource Management Act 1991.

The provisions in the Coastal – General Coastal Marine Zone apply to the coastal marine area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

The provisions in the Open Space – Sport and Active Recreation Zone apply to the land area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

#### ***Resource Management (National Environmental Standards for Freshwater) Regulations 2020***

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 ('Freshwater NES') came into force on 3 September 2020. Currently, there may be duplication or conflict between specific plan rules and the Freshwater NES.

The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 apply to any part of the coastal marine area that is upstream from the mouth of a river.

If an activity provided for in rules F3.4.1 to F3.9, including any associated matters of discretion, is also regulated by the Freshwater NES, where there is conflict then the most restrictive provision will prevail.

If the Freshwater NES regulations do not apply to an activity, then the plan rules apply.

Duplication or conflict between plan rules and the Freshwater NES will be addressed in the plan as soon as practicable.

**Table F3.4.1 Activity table**

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A1)	Reclamation	D	NA
(A2)	Maintenance dredging	RD	NA
(A3)	Capital works dredging	RD	NA

Table F3.4.2 Activity table below specifies the activity status of use and activities on land pursuant to section 9(3) of the Resource Management Act 1991; use and activities in the coastal marine area pursuant to section 12(3) of the Resource Management Act 1991; the associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991; and the discharge of contaminants into water pursuant to section 15 of the Resource Management Act 1991.

The provisions in the Coastal – General Coastal Marine Zone apply to the coastal marine area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

The provisions in the Open Space – Sport and Active Recreation Zone apply to the land area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

Those activities in the coastal marine area marked with <sup>1</sup> apply when the activity is on an existing coastal marine area structure or where consent is being sought for that structure.

**Table F3.4.2 Activity table**

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A4)	Workers accommodation	NC	P
(A5)	Dwellings	NC	NC
(A6)	Aquaculture activities (including any activities under sections 12(1), 12(2), 12(3) and 15 of the Resource	Pr	NA

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	Management Act 1991)		
(A7)	Public amenities <sup>1</sup>	P	P
(A8)	Food and beverage <sup>1</sup>	RD	RD
(A9)	Storage and sale of fuel and oil for vessels – maximum of 100m <sup>2</sup> gross floor area <sup>1</sup>	P	P
(A10)	Dairies – maximum of 100m <sup>2</sup> gross floor area	NC	P
(A11)	Marine retail <sup>1</sup>	P	P
(A12)	Clubrooms for marine-related clubs <sup>1</sup>	P	P
(A13)	Offices accessory to marine and port activities <sup>1</sup>	P	P
(A14)	Offices not otherwise provided for	NC	NC
(A15)	Marine industry <sup>1</sup>	RD	P
(A16)	Helicopter landing areas	D	D
(A17)	Maritime passenger operations lawfully existing at 30 September 2013	P	P
(A18)	Maritime passenger operations established after 30 September 2013	RD	RD
(A19)	Vehicle parking on lawfully existing CMA structures associated with a marina	P	NA
(A20)	Marine and port activities	P	P

Table F3.4.3 Activity table below specifies the activity status of structures on land and in the coastal marine area pursuant to sections 9(3) and 12(1) of the Resource Management Act 1991; the occupation of the common marine and coastal area pursuant to sections 12(2) of the Resource Management Act 1991; and their use pursuant to section 12(3) of the Resource Management Act 1991.

The provisions in the Coastal – General Coastal Marine Zone apply to the coastal marine area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

The provisions in the Open Space – Sport and Active Recreation Zone apply to the land area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

Those activities in the coastal marine area marked with <sup>2</sup> apply when the activity is on a coastal marine area structure.

**Table F3.4.3 Activity table**

Note 1. Rule F3.4.3(A34) applies where occupation is proposed in an area that has an existing occupation consent. Rule F3.4.3(A34) does not apply if an activity is proposed by the party who holds the existing occupation consent or has received the written approval of that party (and is in accordance with that consent).

Activity		Activity status	
		Coastal marine area [rcp]	Land [dp]
(A21)	Marine and port facilities <sup>2</sup>	P	P
(A22)	New coastal marine area structures or buildings (excludes marine and port facilities, marine and port accessory structures and services) <sup>2</sup>	RD	P
(A23)	Temporary coastal marine area structures or buildings	P	NA
(A24)	Marine and port accessory structures and services	P	P
(A25)	Maritime passenger facilities established after 30 September 2013	RD	RD
(A26)	Public transport facilities	NA	P
(A27)	Wave attenuation devices	RD	RD
(A28)	Coastal marine area structures or buildings not otherwise provided for	D	NA
(A29)	Observation areas, viewing platforms and boardwalks	RD	RD
(A30)	New and existing swing moorings and marina berths including occupation and use by vessel to be moored	P	NA
(A31)	New and existing pile moorings including occupation and use by the vessel to be moored	P	NA
(A32)	Maimai	NC	NC
(A33)	Exclusive occupation of the common marine and coastal area by a structure or activity that would otherwise be permitted unless it is within the area of an existing coastal permit for occupation and that permit allows for exclusive occupation by that type of structure or activity	RD	NA
(A34)	Occupation of the common marine and coastal area by a structure or activity that would otherwise be permitted where the area to be occupied is already the subject of an existing occupation consent	RD	NA

### F3.5. Notification

- (1) Any application for resource consent for dwellings in the Coastal – Marina Zone must be publicly notified.
- (2) Any application for resource consent for an activity listed in Tables F3.4.1, F3.4.2 and F3.4.3 above and which is not listed in F3.5(1)(a) above, will be subject to

the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (3) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule [C1.13\(4\)](#).

### **F3.6. Standards**

All activities listed as a permitted activity or a restricted discretionary activity in Tables F3.4.1, F3.4.2 and F3.4.3 must comply with the following standards.

The provisions in the Coastal – General Coastal Marine Zone apply to the coastal marine area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

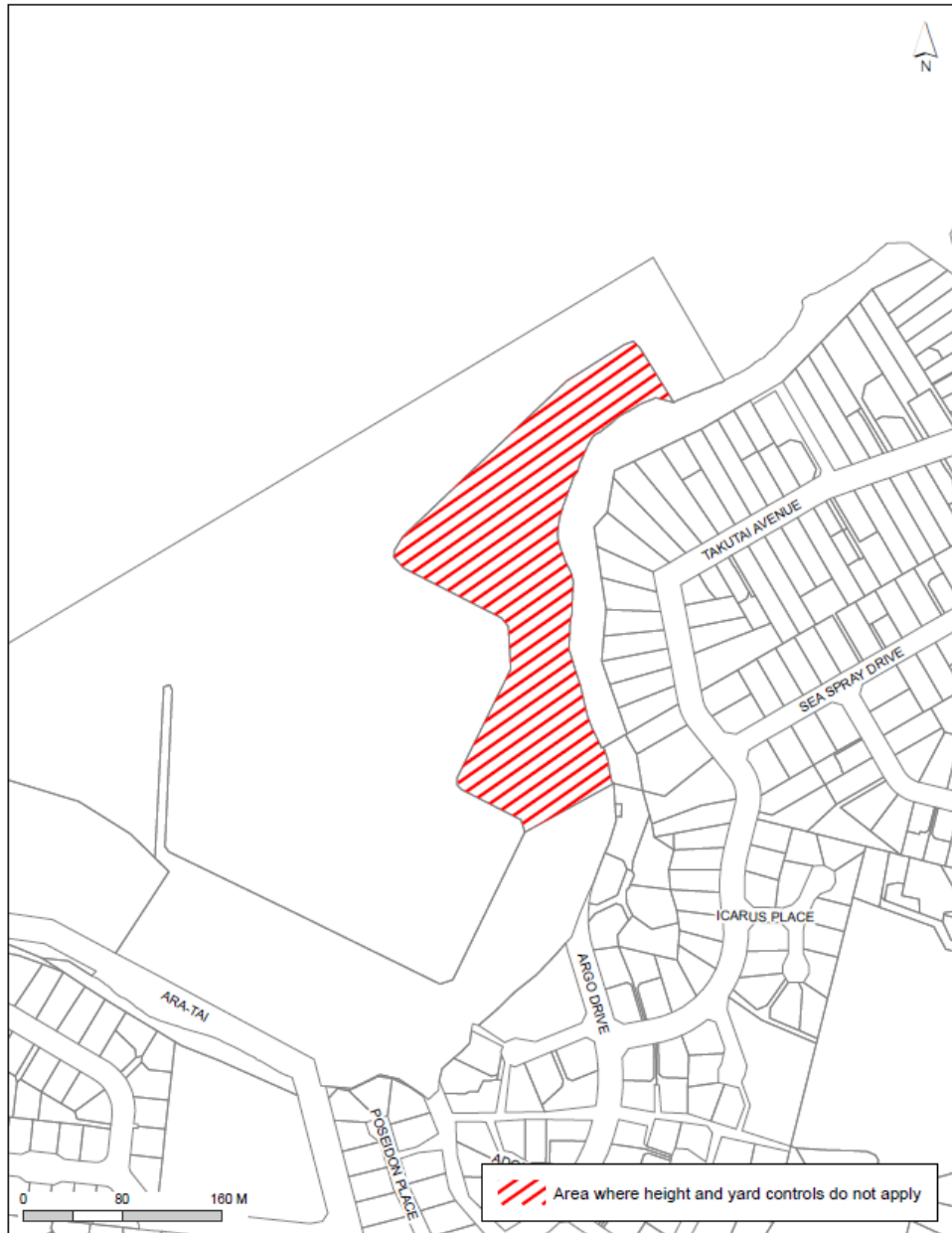
The provisions in the Open Space – Sport and Active Recreation Zone apply to the land area of the Coastal – Marina Zone unless otherwise specified in the following provisions.

#### **F3.6.1. Building height**

- (1) Buildings entirely within the coastal marine area must not exceed 5m in height above mean high water springs.
- (2) Structures for haulage or lifting must not exceed 18m in height above mean high water springs in the coastal marine area.
- (3) Buildings must not exceed 9m in height above ground level when located on land except within that area of Half Moon Bay shown on Figure F3.6.1.1 Half Moon Bay Marine – Area where the height and yard standards do not apply, where the maximum height must not exceed 12m. Those buildings located partially within the coastal marine area must not exceed 9m in height.
- (4) Structures such as travel lifts and boat stacking (not within buildings) must not exceed 12m in height above ground level when located on land.



**Figure F3.6.1.1 Half Moon Bay Marina – Area where the height and yard standards do not apply**



**F3.6.2. Yards**

- (1) All structures must be set back from the relevant boundary by the minimum depth listed in Table F3.6.2.1 Yards.
- (2) Goods, materials, refuse or refuse containers must not be stored in a yard.

**Table F3.6.2.1 Yards**

Yard	Minimum depth
Front	3m
	Yards are not required for internal roads or service lanes

Rear	5m where a rear boundary adjoins a residential or open space zone; or a reserve vested in the Council
Side	5m where the side boundary adjoins a residential or open space zone; or a reserve vested in the Council except that no side yard is required within that area of Half Moon Bay shown on Figure F3.6.1.1 Half Moon Bay Marine – Area where the height and yard standards do not apply.
Water	3m from the edge of a river where a boundary adjoins a river whose bed has an average width of 3m or more

### **F3.6.3. Building coverage**

- (1) The maximum permitted building coverage or cumulative total area of buildings on land must not exceed 35 per cent of the land area.

### **F3.6.4. Height in relation to boundary**

- (1) No part of any building may exceed a height equal to 2.5m plus the shortest horizontal distance between that part of the building and any site boundary, where the boundary is adjacent to a residential or open space zone, except that no height in relation to boundary control applies to that area within Half Moon Bay Marina shown in Figure F3.6.1.1 Half Moon Bay Marine – Area where the height and yard standards do not apply.

### **F3.6.5. Storage and screening**

- (1) Any outdoor storage or rubbish collection areas that directly face and are visible from a residential, rural or open space zone must be screened from those areas by a solid wall or fence at least 1.8m high.

### **F3.6.6. Marine retail**

- (1) The gross floor area of an individual retail tenancy must not exceed 300m<sup>2</sup>.  
 (2) The total cumulative gross floor area of retail activities within the marina must not exceed 1000m<sup>2</sup>.

### **F3.6.7. Workers' accommodation**

- (1) No more than one workers' accommodation per marina.

## **F3.7. Assessment – controlled activities**

There are no controlled activities in this section.

## **F3.8. Assessment – restricted discretionary activities**

### **F3.8.1. Matters of discretion**

The Council will reserve its discretion to all of the following matters when assessing a restricted discretionary resource consent application:

- (1) for all restricted discretionary activities:
  - (a) the effect of the construction or works methods, timing and hours of operation;
  - (b) the location, extent, design materials and landscaping;
  - (c) the effects on coastal processes, ecological values, water quality and natural character;
  - (d) the effects on public access, navigation and safety;
  - (e) the effects on existing uses and activities, including, but not limited to, access and parking;
  - (f) the effects on Mana whenua values; and
  - (g) consent duration and monitoring.
- (2) For food and beverage:
  - (a) traffic and parking.
- (3) for marine industry other than the maintenance and servicing of vessels:
  - (a) the effects from additional traffic.
- (4) for maritime passenger operations and facilities established after 30 September 2013:
  - (a) the effects from additional traffic.
- (5) for structures or buildings in the coastal marine area and buildings on land:
  - (a) effects on views to and from the surrounding area, and the visual amenity effects from the presence of the structure.
- (6) for occupation of the common marine and coastal area:
  - (a) the effects of the location, extent, timing and duration of the occupation, including exclusive occupation.

### **F3.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) location, extent, design and materials used:
  - (a) whether any marina development is of a scale, design and materials and located so that it remedies or mitigates adverse effects on the coastal environment, particularly the following matters:
    - (i) the natural character of the coastal environment;

- (ii) effects on the recreational, visual and amenity values in the locality, including lighting effects;
- (iii) public access to, along and within the coastal marine area;
- (iv) effects on the landscape elements and features;
- (v) effects on cultural and historic heritage values in the locality;
- (vi) noise effects including construction noise and ongoing operational noise, such as halyard slap;
- (vii) effects on coastal processes including wave sheltering, downstream effects, sediment movement, erosion and deposits, littoral drift, and localised effects on water currents;
- (viii) effects on significant surf breaks as identified in [Appendix 4 Surf breaks](#);
- (ix) the need for capital works and maintenance dredging within the marina and any approach/entrance channel, options for disposal, measures to address any contaminants in dredged material, and effects of dredging on water quality;
- (x) effects on other users of the coastal marine area including existing moorings and public boat ramps;
- (xi) effects on navigation and safety and the need for any aids to navigation;
- (xii) the provision of shore-based facilities including car and trailer parking, boat storage and maintenance areas, administration buildings, public toilets, boat racks, lockers, public access and esplanade reserves, landscaping and urban design treatment; and
- (xiii) consideration of any relevant council structure plans, concept plans, strategies, reserve management plans, designations or additional limitations that apply to the adjoining land.

(2) for existing uses and activities:

- (a) whether the effects of proposed buildings and activities have been considered in relation to existing activities including marine-related industries, other marina activities and/or adjoining residential/coastal activities, and what measures have been put in place to avoid, remedy or mitigate any adverse effects.

(3) for traffic and parking:

- (a) refer to any relevant assessment criteria in [E27.8.2 Transport](#); and
- (b) whether the proposal, including any additional vehicle movements, adversely affects the safe and efficient operation of the road network, including the operation of public transport and the movement of pedestrians, cyclists and general traffic.

- (c) [deleted]
- (4) for marine industry other than the maintenance and servicing of vessels, maritime passenger facilities:
  - (a) whether measures have been implemented to address reverse sensitivity effects on the surrounding Coastal – Marina Zone activities;
  - (b) the extent to which the activity is complementary to, and will not limit the primary use of the site for marina purposes, including the operation of marina activities, maritime passenger transport or other marine-related activities;
  - (c) whether measures have been taken to maintain or enhance public access to the coastal marine area;
  - (d) whether the design reflects the high visibility and coastal nature of the site;
  - (e) whether the activity avoids, remedies or mitigates the adverse effects on the amenity of the locality arising from use of the facility, including by controlling noise and hours of operation; and
  - (f) the extent to which parking or transport facilities conflicts with the main marina use and should be integrated with public transport.
- (5) for the intensification of berthage:
  - (a) the extent to which intensification of berthage within the Coastal – Marina Zone is enabled, allowing for more efficient use of the coastal marine area.
- (6) for occupation of the common marine and coastal area:
  - (a) refer to assessment criteria set out for occupation in the Coastal – General Coastal Marine Zone.

### **F3.9. Special information requirements**

There are no special information requirements in this section.