

## **F4. Coastal – Mooring Zone and moorings outside the Coastal – Mooring Zone**

### **F4.1. Zone description**

This section addresses the provisions relating to moorings in the Coastal – Mooring Zone and those outside the Coastal – Mooring Zone. The Coastal – Mooring Zone contains objectives, policies and rules for moorings within the Coastal – Mooring Zone. The objectives, policies and rules for moorings outside the Coastal – Mooring Zone are also contained in this section.

Auckland has a large number of recreational vessels and the number is likely to increase as the population grows. Recreational boating is a popular activity, particularly in the Hauraki Gulf, and the mooring of vessels needs to be provided for in appropriate locations.

Many recreational vessels are permanently stored in the coastal marine area, either in marinas or on moorings. While moorings enable recreational use of the coastal marine area, individual moorings and groups of moored vessels may have adverse effects on the environment, particularly on natural character, landscape, visual and amenity values and Mana Whenua values. Leaching from boat hulls may have an adverse effect on water quality and ecological values.

Moorings, due to their occupation of space, exclude other water users from that space and can affect other recreational use of the coastal marine area, including limiting the water space available for vessels to anchor at popular boating destinations. Moorings can also limit the areas where vessels can anchor to shelter from poor weather. In some cases moorings may be important to property owners to provide access to land where no land-based access is available.

To consolidate moorings in appropriate areas, the Coastal – Mooring Zone has been identified in a number of areas. Most Coastal – Mooring Zone sites are within the Hauraki Gulf, reflecting the high recreational boat use of the Gulf. Enabling the mooring of vessels within a Coastal – Mooring Zone ensures the efficient use of the coastal marine area by:

- concentrating moorings in suitable areas, and avoiding a proliferation of moorings around the coast;
- reducing conflict with other users of coastal space;
- reducing pressure on areas with high natural values or Mana Whenua values; and
- enabling the strategic planning and provision of land-based facilities such as dinghy racks, parking and boat ramps.

Moorings in the Coastal – Mooring Zone, other than new pile moorings, are a permitted activity. Moorings outside the Coastal – Mooring Zone are provided for, but require resource consent as a discretionary activity. This is to enable the effects (both positive and adverse) to be assessed.

The day-to-day management of moorings within the Coastal – Mooring Zone is managed by the harbourmaster's office under the Council's Navigation Safety bylaw.

#### **F4.2. Objectives [rcp]**

- (1) Vessels are moored in appropriate locations in the coastal marine area to avoid as far as practicable adverse effects on natural character, landscape, navigational safety, commonly used safe anchorage areas, infrastructure, recreational activities, amenity values, ecological values, historic heritage and Mana Whenua values.
- (2) Moorings are located within the Coastal – Mooring Zone and the space within the Coastal – Mooring Zone is used efficiently.
- (3) The use of the Coastal – Mooring Zone is enhanced by the provision of land-based facilities in appropriate locations while avoiding, remedying or mitigating adverse effects on the environment.

#### **F4.3. Policies [rcp]**

- (1) Avoid new moorings being located in any of the following:
  - (a) within an area identified in the Significant Ecological Areas Overlay - Marine 1 and 2 area;
  - (b) where they would have an adverse effect on any outstanding natural feature identified in the Outstanding Natural Features and Outstanding Natural Landscapes Overlay;
  - (c) within an area identified in the Outstanding Natural Character and High Natural Character Overlay;
  - (d) where they would have an adverse effect on identified historic heritage values and identified Mana Whenua values;
  - (e) that are commonly relied upon for safe anchorage during adverse weather conditions;
  - (f) that are popular cruising and anchoring destinations used by the general boating public; or
  - (g) where they will impede maritime passenger operations.
- (2) Determine the appropriateness of moorings outside the Coastal – Mooring Zone by taking into account any of the following:
  - (a) whether there is a Coastal – Mooring Zone with available space in proximity to the proposed mooring location;
  - (b) whether there is a demonstrable need for a mooring outside of a Coastal – Mooring zone;
  - (c) whether the only access to the property associated with the mooring is from the coastal marine area;

- (d) whether it can be demonstrated that short-term anchorage as opposed to a permanent mooring is not a practicable option;
  - (e) whether sharing an existing mooring is possible and or practical;
  - (f) whether the proposed method of mooring is the most appropriate taking into account the particular location, the extent of water space that will be occupied and the level of impact on other users;
  - (g) whether it can be demonstrated that the location is suitable in terms of wave, tide, and wind conditions, particularly during storms;
  - (h) whether the navigation and safety of other vessels, or other lawful use of the coastal marine area, including the short term anchorage of other vessels will be adversely affected;
  - (i) whether land-based vessel storage is a practicable option;
  - (j) whether it will limit public access to and along the coastal marine area;
  - (k) whether a mooring was lawfully established at the time the Plan was notified (30 September 2013); or
  - (l) whether the mooring makes efficient use of the coastal marine area through regular and frequent use of the mooring rather than infrequent use.
- (3) Encourage the provision of land-based facilities in appropriate locations that support the use of a Coastal – Mooring Zone, such as boat ramps, dinghy storage, toilets and wastewater pump-out station facilities for disposal of waste from vessels and vessel haul-out and maintenance with containment and collection facilities.
- (4) Manage the Coastal – Mooring Zone to:
- (a) concentrate moorings;
  - (b) consolidate moorings by progressively replacing swing moorings with bow and stern moorings where this is practicable;
  - (c) maximise the opportunities for the use of water space by other recreational activities; and
  - (d) make provision for safe anchorage.

#### **F4.4. Activity table**

Table F4.4.1 Activity table specifies the activity status of use and activities in the coastal marine area pursuant to section 12(3) of the Resource Management Act 1991 and the associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 1991.

The activities, standards and assessment criteria in the Coastal – General Coastal Marine Zone apply in the coastal marine area of the Coastal – Mooring Zone unless otherwise specified in the following provisions.

**Table F4.4.1 Activity table**

Activity		Activity status
(A1)	Aquaculture activities (including any activities under section 12(1), 12(2), 12(3) and 15 of the Resource Management Act 1991)	Pr
(A2)	Expansion of a marina existing at the date the Plan becomes operative by no more than 15 per cent of its area within the Coastal – Mooring Zone in the coastal marine area existing at that time	D

Table F4.4.2 Activity table below specifies the activity status of structures in the coastal marine area pursuant to section 12(1) of the Resource Management Act 1991 and the associated occupation of the common marine and coastal area pursuant to section 12(2) of the Resource Management Act 199; and their use pursuant to section 12(3) of the Resource Management Act 1991.

The activities, standards and assessment criteria in the Coastal – General Coastal Marine Zone apply in the coastal marine area of the Coastal – Mooring Zone unless otherwise specified in the following provisions.

**Table F4.4.2 Activity table**

Activity		Activity status
(A3)	New and existing swing moorings including occupation and use by vessel to be moored	P
(A4)	Pile moorings existing at 30 September 2012 including occupation and use by the vessel to be moored	P
(A5)	New pile moorings including occupation and use by vessel to be moored	RD

The activities, standards and assessment criteria in the Coastal – General Coastal Marine Zone apply in the coastal marine area of the Coastal – Mooring Zone unless otherwise specified in the following provisions.

Table F4.4.3 specifies the activity status of activities in the Coastal – General Coastal Marine Zone (GCM Zone) and the coastal marine area parts of the following overlays pursuant to sections 12(1), 12(2) and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants into water pursuant to section 15 of the Resource Management Act 1991:

- (a) D9 Significant Ecological Areas Overlay – Marine 1 and 2 (SEA-M1, SEA-M2);

(b) D17 Historic Heritage Overlay (HH);

(c) D11 Outstanding Natural Character and High Natural Character overlays (ONC) (HNC);

(d) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay (ONF) (ONL).

The abbreviations in brackets after the overlay names that are listed above, are used as references to these overlays in Table F4.4.3

**Table F4.4.3 Activity table**

Activity		Activity Status						
		GC M Zone	SEA-M1, ONC	ONL	SEA-M 2, HNC	ONF Type A1 and A	ONF Type V1, V2, B, C, D, E, F1, F2	HH
(A6)	Existing moorings outside a mooring zone that had a valid coastal permit at 30 September 2013 or did not require a permit at the time they were established, including the occupation and use of water space by the vessel to be moored	D	D	D	D	D	D	D
(A7)	New moorings, and existing moorings that required but did not have a valid coastal permit at 30 September 2013, located outside the Coastal – Mooring Zone, including the occupation and use of water space by the vessel to be moored	D	NC	D	D	NC	NC	D

#### F4.5. Notification

- (1) Any application for resource consent for an activity listed in tables F4.4.1, F4.4.2 and F4.4.3 will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.

- (2) 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).

#### **F4.6. Standards**

##### **F4.6.1. All permitted and restricted discretionary activities**

All activities listed as a permitted activity or a restricted discretionary activity in tables F4.4.1, F4.4.2 and F4.4.3 must comply with the following standards.

Purpose: ensure adequate safety and appropriate site management to minimise disturbance of the coastal marine area and adverse effects on other users.

- (1) Structures and works must not cause a hazard to safe navigation.
- (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.
- (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 of:
  - (a) high natural character identified in the Outstanding Natural Character and High Natural Character Overlay;
  - (b) outstanding natural features identified in the Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay,
  - (c) within a Marine 1 area in the Significant Ecological Areas Overlay; and
  - (d) 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 stated below.

##### **F4.7. Assessment – controlled activities**

There are no controlled activities in this section.

##### **F4.8. Assessment – restricted discretionary activities**

###### **F4.8.1. Matters of discretion**

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

- (1) for new pile moorings including occupation and use by the vessel to be moored:
  - (a) the effects on visual amenity;
  - (b) the effects on public access; and
  - (c) the consent duration.

**F4.8.2. Assessment criteria**

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

- (1) for new pile moorings including occupation and use by the vessel to be moored:
  - (a) whether there are cumulative visual effects of the pile moorings in terms of all mooring and other pile moorings in the Coastal – Mooring Zone;
  - (b) whether there are adverse effects on public access; and
  - (c) whether consent needs to be limited to less than 35 years.

**F4.9. Special information requirements**

There are no special information requirements in this section.