

## **I504. Bayswater Marina**

### **I504.1. Precinct Description**

The Bayswater Marina precinct is located at O'Neills Point at the end of Bayswater peninsula in the Waitemata Harbour. The zoning of land within this precinct is Coastal - Marina Zone and Open Space – Informal Recreation Zone.

The precinct includes the coastal marine area and 4.5 hectares of reclaimed land that supports marina users, marine-related activities and the Bayswater ferry service, including providing for parking associated with these activities. The land is also used by the public for recreation, marine sports activities and for access to the coast.

The primary purpose of the Bayswater Marina precinct is to provide for marina, ferry terminal and marine-related activities, including associated parking and facilities, and for public access, community uses and marine sports uses, open space and recreation. Provision is also made for residential activities and food and beverage, subject to these activities being assessed through a resource consent process to assess the effects of the proposal on the use and function of the precinct for the purposes discussed above. Minimum standards are specified to qualify for discretionary activity status, and proposals then need to be carefully assessed to ascertain whether the proposal appropriately ensures the primary focus of the precinct is achieved.

The precinct is comprised of six sub-precincts as shown on the planning maps:

- Sub-precinct A provides for public access and open space, and for marina berth holders parking and marine-structures, around the seaward edge of the precinct land;
- Sub-precinct B provides for the marine related uses, car parking, public pedestrian access and open space areas, food and beverage, and residential development;
- Sub-precinct C provides for the main road into the precinct and a bus stop;
- Sub-precinct D provides for the existing public boat ramp, passive open space activities, marine sports activities, the development of ferry terminal facilities, including on the old wharf, and associated access, manoeuvring and parking for all of these activities;
- Sub-precinct E provides for community uses and recreation; and
- Sub-precinct F provides for marina, ferry service, marine and port activities

### **I504.2. Objectives [rcp/dp]**

The underlying zones and Auckland-wide objectives apply in this precinct except as specified below:

- (1) Bayswater Marina precinct is a community and marina-oriented place developed in a comprehensive and integrated way with a primary focus on recreation, public open space and access to and along the coastal marine area, public transport, boating, maritime activities and maritime facilities.
- (2) Residential activities and food and beverage are enabled, provided that the focus in Objective 1 is achieved.

The overlay, Auckland-wide and zone objectives apply in this precinct in addition to those specified above.

**I504.3. Policies [rcp/dp]**

- (1) Ensure that quality open space is made available to and around the coastal edge, including a minimum 15m esplanade strip, to maintain and enhance public access and enjoyment and to enable views out over the coastal marine area.
- (2) Require new buildings to be located and designed so that they:
  - (a) are visually appropriate for a marine environment and are designed to reflect the maritime location;
  - (b) reflect an integrated design approach incorporating open space and pedestrian focused access;
  - (c) reflect a diversity of development intensity across the precinct;
  - (d) are constructed of suitable materials for a marine environment;
  - (e) do not dominate or detract from existing landscape or coastal features, such as the cliff line;
  - (f) do not detract from the character of the scheduled historic heritage Takapuna Boating Club building;
  - (g) address and contribute to the amenity of the coastal edge;
  - (h) are compatible with the use of the area by pedestrians including access to and around the coastal edge; and
  - (i) provide a safe environment for people using facilities within the precinct.
- (3) Require significant areas of public open space on the main reclamation area (in sub-precincts A, B and C), and on other land within the precinct to be provided, to enable opportunities for recreation associated with the coastal marine area.
- (4) Encourage development to be designed and located to retain the existing mature trees, in particular the pohutukawa trees on and next to the old reclamation, and to provide new trees for amenity and shelter.
- (5) Ensure space is available for publicly managed transport facilities for the ferry, and bus, including park and ride and cycle parking.
- (6) Require public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities.
- (7) Require the retention of appropriate facilities for boating, such as public boat ramps and parking space associated with the marina and boat ramp.
- (8) Provide for appropriate boating facilities to be located on land directly adjoining the coastal marine area.

- (9) Enable community uses, such as clubs directly related to the use of the adjoining coastal marine area, within the precinct provided that the scale and design of any structures are appropriate.
- (10) Promote and encourage comprehensive and integrated development and encourage consultation with any owners of land within the sub-precinct(s) and any neighbouring sub-precinct(s) when preparing resource consent applications.
- (11) Promote distinctive high quality design for all new development.
- (12) Require that, residential, or other non-marine related activities such as restaurants and cafes are provided for only where sufficient space remains available as required for marina, ferry service, and public access, recreation, public transport and boating activities, including associated parking.

The overlay, Auckland-wide and zone policies apply in this precinct in addition to those specified above.

**I504.4. Activity table [rcp/dp]**

The provisions in any relevant overlays, zone and Auckland-wide provisions apply in this precinct unless otherwise specified below.

Table I504.4.1 Activity table specifies the activity status of land use and development, use or occupation of the coastal marine area activities in the Bayswater Precinct pursuant to section 9(3), 12(1), 12(2), 12(3) of the Resource Management Act 1991 or any combination of all of these sections where relevant.

**Table I540.4.1 Activity table**

Activity							
		A	B	C	D	E	F
<b>Use</b>							
Accommodation							
(A1)	Dwellings  Dwellings in Sub-precinct B subject to the following minimum provision being available for primary activity focus within Sub-precinct B: (a) Gross floor area for Marine Retail and Marine Industry - 100 <sup>2</sup> (b) Marina berth parking at a ratio of no less than 0.5 spaces per berth (c) 20 car and boat trailer parking spaces (d) Open space accessible to the public (not including any parking spaces or vehicle access areas) – 7,200m <sup>2</sup>	NC	D	NC	NC	NC	NC

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	Note for (b) and (c): Approval may be given as a discretionary activity for these spaces to be shared with other non-residential activities.						
(A2)	Dwellings in Sub-precinct B not complying with (A1) above	NA	NC	NA	NA	NA	NA
<b>Commerce</b>							
(A3)	Food and beverage up to 100m <sup>2</sup> gross floor area within a ferry terminal	NC	NC	NC	RD	NC	NC
(A4)	Food and beverage not otherwise provided for.  Food and beverage in Sub-precinct B subject to the following minimum provision being available for primary activity focus within Sub-precinct B: <ul style="list-style-type: none"> <li>(a) Gross floor area for Marine Retail and Marine Industry - 100<sup>2</sup></li> <li>(b) Marina berth parking at a ratio of no less than 0.5 spaces per berth</li> <li>(c) 20 car and boat trailer parking spaces</li> <li>(d) Open space accessible to the public (not including any parking spaces or vehicle access areas) – 7,200m<sup>2</sup></li> </ul> Note for (b) and (c): Approval may be given as a discretionary activity for these spaces to be shared with other non-residential activities.	NC	D	NC	NC	NA	NA
(A5)	Food and beverage in Sub-precinct B not complying with (A4) above	NA	NC	NA	NA	NA	NA
(A6)	Offices associated with permitted activities	NC	P	NC	P	P	D
(A7)	Offices associated with discretionary activities	D	D	NC	D	D	D
(A8)	Offices existing at 30 September 2013	P	NA	NC	NA	NA	NA
<b>Community</b>							
(A9)	Artworks and markets	P	P	P	P	P	D
(A10)	Organised sport and recreation	P	P	P	P	P	P
<b>Development</b>							
(A11)	Minor cosmetic alterations to a structure or building that does not change its external design and appearance	P	P	P	P	P	P
(A12)	Buildings for dwellings	NC	D	NC	NC	NC	NC
(A13)	Buildings for food and beverage not provided for as a permitted activity	NC	D	NC	D	D	NC
(A14)	Maritime passenger facilities	RD	RD	C	C	RD	D

(A15)	Park and ride facilities	RD	P	P	P	P	NA
(A16)	Parks, playgrounds and walkways	P	P	P	P	P	P
(A17)	Public transport facilities	P	P	P	P	P	NA
(A18)	Development that exceeds Standards I540.6.1 – I540.6.4	D	D	D	D	D	D

#### **I504.5. Notification**

- (1) An application for resource consent for a controlled activity listed in Table I540.4.1 Activity table above will be considered without public or limited notification or the need to obtain written approval from affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991.
- (2) Any application for resource consent for any of the following activities must be publicly notified:
  - (a) Dwellings; and/or
  - (b) Food and beverage
- (3) Any application for resource consent for an activity listed in Table I540.4.1 Activity table and which is not listed in I540.5(1) or I540.5(2) above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (4) 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). The Council will publicly notify resource consent applications for the following activities:

#### **I504.6. Standards**

The overlay, zone and Auckland-wide standards apply in this precinct.

All activities listed as permitted, controlled and restricted discretionary in Table I540.4.1 Activity table must comply with the following standards.

##### **I504.6.1. Markets**

- (1) Any markets must be open air markets.

##### **I504.6.2. Height**

- (1) Buildings up to 12m in height above ground level in Sub-precinct B.
- (2) Buildings up to 10m in height above mean sea level across the rest of the precinct.

### **I504.6.3. Height in relation to boundary**

- (1) Height in relation to boundary controls on the boundaries adjacent to any landward zoning must be the same as the height in relation to boundary controls applying to that landward zoning.

### **I504.6.4. Esplanade Strip**

- (1) An esplanade strip of no less than 15m in width must be provided at the time of any subdivision involving sub-precincts A or B.

## **I504.7. Assessment – controlled activities**

### **I504.7.1. Matters of control**

The Council will restrict its discretion to all of the following matters when assessing a controlled activity resource consent application, in addition to the matters specified for the relevant controlled activities in the overlay, Auckland wide or zone provisions:

- (1) Maritime passenger facilities – refer Matters in I540.8.1 below.

### **I504.7.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for controlled activities, in addition to the assessment criteria specified for the relevant controlled activities in the overlay, Auckland wide or zone provisions:

- (1) Maritime passenger facilities – refer Matters in I540.8.2 below.

## **I504.8. Assessment – restricted discretionary activities**

### **I504.8.1. Matters of discretion**

The Council will restrict its discretion to all of the following matters when assessing a restricted discretionary activity resource consent application, in addition to the matters specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) All activities:
  - (a) location, extent, design and materials;
  - (a) traffic and parking;
  - (b) park and ride facilities;
  - (c) construction or works methods, timing and hours of operation; and
  - (d) consent duration.

### **I504.8.2. Assessment criteria**

The Council will consider the relevant assessment criteria below for restricted discretionary activities, in addition to the assessment criteria specified for the relevant restricted discretionary activities in the overlay, Auckland wide or zone provisions:

- (1) Construction or works methods, timing and hours of operation:

- (a) the extent to which construction or works methods avoid, remedy or mitigate adverse effects, on water quality and sedimentation, on marine mammals, bird roosting, nesting and feeding, and recreational users of the coastal marine area; and
  - (b) the extent to which construction or works hours of operation are limited to minimise effects of noise and disruption on existing activities, and on nearby residential and open space areas.
- (2) Location, extent, design and materials:
- (a) the extent to which the activity is complementary to, and not limiting of the primary focus of the precinct for marina purposes including the operation of marina activities, maritime passenger transport or other marine-related activities;
  - (b) the extent to which adequate provision is made for activities with a functional requirement for a coastal location;
  - (c) the extent to which measures are taken to enhance public access to the coastal marine area;
  - (d) the extent to which any development is of a scale, design and materials and located so that it remedies or mitigates adverse effects on the coastal environment and adjacent residential and open space zoned land, particularly the following:
    - (i) the natural character of the coastal environment;
    - (ii) the high visibility and coastal nature of the site;
    - (iii) effects on the recreational, visual, amenity and ecological values in the locality, including lighting effects;
    - (iv) public access to, along and within the coastal marine area;
    - (v) effects on the landscape elements and features in the locality;
    - (vi) effects on cultural and historic heritage values in the locality;
    - (vii) noise effects including ongoing operational noise, such as halyard slap, and hours of operation;
    - (viii) effects on coastal processes including wave sheltering, downstream effects, sediment movement, erosion and deposits, littoral drift, and localised effects on water currents and water quality;
    - (ix) effects on existing activities in the coastal marine area and on adjacent land;
    - (x) effects on navigation and safety and the need for any aids to navigation; and

- (xi) reverse sensitivity effects on the surrounding Coastal - Marina Zone activities.
- (e) the extent to which development is located to create clearly defined active frontages that positively contribute to open spaces and the coastal edge.
- (3) Consent duration:
- (a) the extent to which consent duration is limited to the minimum duration necessary for the functional or operational needs of the activity.
- (4) Traffic and parking:
- (a) the extent to which the proposal, including any additional vehicle movements, adversely affects the safe and efficient operation of the internal or adjacent road network, including the operation of public transport and the movement of pedestrians, cyclists and general traffic;
- (b) the extent to which the provision of parking ensures the amount of parking is adequate for the site and the proposal, and considers effects on alternative parking available in the area and access to the public transport network; and
- (c) the extent to which the generation of a need for parking or transport facilities is in conflict with the main marina use and is integrated with public transport.
- (5) Park-and-ride facilities
- (a) the extent to which the scale, design, management and operation of the parking facility and its access points adversely affects the safe and efficient operation of the transport network.
- (b) the extent to which the location, design and external appearance of the parking facility is:
- accessible, safe and secure for users with safe and attractive pedestrian connections within the parking building and area, and to adjacent public footpaths;
  - ensures that any buildings or structures are of similar or complementary scale to other buildings or structures existing or provided for in the surrounding area; and
  - ensures that any buildings can be adapted for other uses if no longer required for parking purposes. In particular, the floor to ceiling height of a parking building at street level should be capable of conversion to other activities provided for in the zone.



- (c) the extent to which the parking facility is compatible with surrounding activities. This includes the extent to which the design and operation of the facility is in accordance with the lighting and noise standards.

#### **I504.9. Special information requirements**

The special information requirements of the underlying zones do not apply in this precinct.

- (1) An application for dwellings or food and beverage activities in Sub-precinct B must be accompanied by the following information:
  - (a) the overall context of the application area relative to existing buildings, open space, boundaries between the sub-precinct and adjoining sub-precincts, and any approved buildings;
  - (b) the exact location and design of vehicle access and car parking (including any proposed shared parking) and:
    - (i) an assessment of traffic generation having regard to the safe and efficient operation of the internal and adjacent road network, including the operation of public transport and the movement of pedestrians, cyclists and general traffic;
    - (ii) an assessment of parking, confirming the amount of parking is adequate for the application area and the proposal, including consideration of effects on alternative parking available in the area and access to the public transport network.
  - (c) identification of the main pedestrian routes that provide circulation around each sub-precinct area and between sub-precincts, showing how they are integrated with the coastal margin, public transport nodes and bus stops;
  - (d) the exact location and design of proposed areas of:
    - (i) open space;
    - (ii) public pedestrian access to and along the coastal marine area;
  - (e) the location of building platforms;
  - (f) the landscape concept for the application area;
  - (g) the proposed location of residential and non-residential activities;
  - (h) a staging plan illustrating and explaining any intended staged implementation of all development proposed in Sub-precincts A and B and the means of managing any vacant land through the staging process;
  - (i) details of how the development will be consistent with the provisions, including reference to the Standards in Table I540.4.1 (A1)(A4) Activity table, the assessment criteria in I540.8.2(2) and the assessment criteria

applying to Residential - Terrace Housing and Apartment Buildings Zone in H6.8.2;

- (j) how sub-precincts will integrate with each other and other surrounding land and the coast;
- (k) how the development provides or facilitates adequate transport connections, including connections to the surrounding road network;
- (l) identification of potential reverse sensitivity issues and how they are proposed to be remedied or mitigated.

**I504.10. Precinct plans**

There are no Precinct plans in this section.