

I213. Westhaven – Tamaki Herenga Waka Precinct

I213.1. Precinct description

The Westhaven – Tamaki Herenga Waka Precinct is located at the western edge of the city centre and comprises the land and coastal marine area occupied by Westhaven marina. The extent of the Westhaven – Tamaki Herenga Waka Precinct is shown on Precinct plan 1. Coordinates for the precinct boundary in the coastal marine area are shown on Precinct plan 2.

The purpose of the Westhaven – Tamaki Herenga Waka Precinct is to provide for the use and development of one of the largest marinas in the southern hemisphere. For more than 100 years, Westhaven has been a significant focus for recreational and competitive boating activities in Auckland and this remains the principal function of the precinct. Along with the Wynyard Precinct, this precinct is a hub of recreational boating, charter services, boat clubs, coastal services and the marine industry. Reflecting its principal function, the precinct provides for the operation of the marina and a limited range of supporting commercial activities.

Westhaven forms an important part of Auckland's waterfront, providing pedestrian and cycling access between the city centre and St Marys Bay. It is located adjacent to the Harbour Bridge and its southern approaches, but functions independently from the motorway infrastructure. The precinct encourages pedestrian and cycling access within the precinct to be enhanced provided such activities do not compromise the current and future function and growth of the marina.

The marina provides an important visual edge to the city centre, with low-level buildings separated by public open spaces, allowing for landscape views of the marina. Development within the Westhaven – Tamaki Herenga Waka Precinct is guided by Precinct plan 1.

The land and coastal marine area in the Westhaven – Tamaki Herenga Waka Precinct is zoned Coastal – Marina Zone.

I213.2. Objectives [rcp/dp]

- (1) A world-class marina for recreational boating and water sport activities that is supported by other marine and port activities and a limited range of commercial business activities that rely on and benefit from a waterfront and marina location and contribute to the efficient operation of the marina and amenity of the waterfront.
- (2) A safe, convenient and interesting environment, which provides for and encourages pedestrian and cycling use and improves connectivity within the precinct and to adjacent areas of the city.
- (3) The efficient use and development of Westhaven marina, principally for recreational and competitive boating activities.
- (4) Adverse effects arising from activities and development are avoided, remedied or mitigated, in an integrated manner across mean high water springs.

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

I213.3. Policies [rcp/dp]

- (1) Enable the efficient operation and development of the marina by providing for activities that have a functional need to locate in or adjacent to the coastal marine area, while avoiding, mitigating or remedying any significant adverse effects across mean high water springs.
- (2) Enable the use of Westhaven Marina for a limited range of non-marina based activities provided the current and future function and growth of the marina for recreational boating and accessory activities is not compromised.
- (3) Limit maximum building height and the location of building platforms to an appropriate scale to the marina waterfront setting and maintain identified views to and from the city centre.
- (4) Encourage development and use of the marina to enhance pedestrian and cycling access to and along the city centre waterfront and adjoining residential areas to the extent that such activities do not compromise the current and future function and growth of the marina for recreational boating and accessory activities.
- (5) Public open space and ancillary buildings and structures are established to connect Westhaven Precinct to Point Erin in a manner that provides for increased opportunity for recreation and access to, along, or over the coastal marine area.
- (6) Manage the land and coastal marine area to maintain and enhance the ecology of the natural coastal environment and built environment within the precinct.

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

I213.4. Activity table

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

Table I213.4.1 Activity table specifies the activity status for land use and development activities pursuant to section 9(3) of the Resource Management Act 1991 and the activity status for works, occupation and use in the coastal marine area pursuant to sections 12(1), 12(2), and 12(3) of the Resource Management Act 1991, including any associated discharges of contaminants or water into water pursuant to section 15 of the Resource Management Act 1991, or any combination of all of the above sections where relevant.

- (1) The activities in the Coastal – Marina Zone apply in the Westhaven – Tamaki Herenga Waka Precinct unless otherwise specified in the activity table below.
- (2) Those activities marked with * have the listed activity status only when that activity is located on an existing coastal marine area structure (e.g. a new

building on an existing wharf). If that activity is located directly in the coastal marine area (e.g. a new wharf) a different activity status will apply.

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 I213.4.1 to I213.9, 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 I213.4.1 Activity table

Activity		Activity status	
		CMA [rcp]	Land [dp]
Works in the coastal marine area			
(A1)	Maintenance or repair of a reclamation or drainage system	P	NA
(A2)	Minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation	RD	NA
(A3)	Reclamation or drainage not otherwise provided for	D	NA
(A4)	Declamation	RD	RD
(A5)	Maintenance dredging	RD	NA
(A6)	Capital works dredging	RD	NA
Use and activities and associated occupation			
Residential			
(A7)	Workers accommodation	NC	P
(A8)	Dwellings, visitor accommodation, home occupations, boarding houses, retirement villages and supported residential care	NC	NC
Commerce			
(A9)	Maritime passenger operations, excluding freight movement and storage	P*	P

(A10)	Marine retail	P*	P
(A11)	Food and beverage	P*	P
(A12)	Retail	P*	P
(A13)	Storage and sale of fuel and oil for vessels – maximum of 100m ² gross floor area	P*	P
(A14)	Service stations, excluding storage and sale of fuel and oil for vessels – maximum of 100m ² gross floor area	NC*	Pr
(A15)	Offices accessory to marine and port activities or maritime passenger operations	P*	P
(A16)	Offices that are not accessory to marine and port activities or maritime passenger operations	NC	NC
(A17)	Retail, commercial services and entertainment facilities not specified as a permitted activity	D*	NC
Community			
(A18)	Clubrooms for marine-related clubs	P*	P
(A19)	Educational facilities accessory to marine and port activities or maritime passenger operations	P*	P
(A20)	Community facilities and education facilities not specified as a permitted activity and healthcare facilities, care centres and emergency services	D*	D
(A21)	Hospitals and major recreation facilities	NC	NC
Industry			
(A22)	Marine and port activities	P	P
(A23)	Marine industry	RD*	RD
(A24)	Industrial activities not specified as a permitted or restricted discretionary activity	D*	D
(A25)	Parking accessory to permitted activities	P*	P
Development			
(A26)	Marine and port facilities	P*	P
(A27)	Marina berths	P	NA
(A28)	Marine and port accessory structures and services	P	P
(A29)	Demolition or removal of buildings or coastal marine area structures	P	P
(A30)	Wave attenuation devices	RD	RD
(A31)	Observation areas, viewing platforms and	RD	RD

	boardwalks		
(A32)	New and existing swing moorings and pile moorings including occupation of the waterspace by vessel to be moored	P	NA
(A33)	Maimai	NC	NC
(A34)	Helicopter landing areas	D	D
(A35)	Public amenities	P*	P
(A36)	Minor cosmetic alterations to a building that does not change its external design or appearance	P*	P
(A37)	New buildings and alterations and additions to buildings not otherwise provided for as permitted activities	RD*	RD
(A38)	Coastal marine area structures or buildings not otherwise provided for	D	NA
(A39)	Development that does not comply with Standards I213.6.1.1(1)-(2), I213.6.1.2(1) or I213.6.1.3(1)-(2)	NC	NC
(A40)	Development that does not comply with Standard I213.6.1.8(1)	NC	NC

I213.5. Notification

- (1) Any application for resource consent for an activity listed in Table I213.4.1 Activity table above 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\(4\)](#).

I213.6. Standards

I213.6.1. Land and water use standards

The land and water use standards in the Coastal – Marina Zone apply in the Westhaven – Tamaki Herenga Waka Precinct unless otherwise specified below.

I213.6.1.1. Retail

- (1) The gross floor area of an individual retail tenancy must not exceed 200m².
- (2) The total cumulative gross floor area of retail activities within the precinct must not exceed 500m².

I213.6.1.2. Marine retail

- (1) The gross floor area of a marine retail tenancy must not exceed 200m².

I213.6.1.3. Food and beverage

- (1) The gross floor area of a food and beverage tenancy must not exceed 200m².
- (2) The total cumulative gross floor area of food and beverage activities in the precinct must not exceed 500m².
- (3) This standard does not apply to food and beverage accessory to clubrooms.

I213.6.1.4. Parking

- (1) [Deleted]
- (2) Standard [E27.6.2](#) Number of parking and loading spaces does not apply.

I213.6.1.5. Public access

- (1) Standard [E38.7.3.2](#) Subdivision establishing an esplanade reserve does not apply to subdivision within the Westhaven – Tamaki Herenga Waka Precinct

I213.6.1.6. Building platforms

Purpose: manage building location to ensure development is of a scale and form appropriate to the marina waterfront setting.

- (1) Buildings must not locate outside of the building platforms shown on Precinct plan 1.
- (2) This standard does not apply to marine and port facilities, and marine and port accessory structures and services.

I213.6.1.7. Building height and coverage

Purpose: limit building height and coverage to achieve Policy I213.3(3) of the Westhaven – Tamaki Herenga Waka Precinct.

- (1) Buildings on the building platforms on Precinct Plan 1 must not exceed the heights and building coverage as set out in Table I213.6.1.7.1:

Table I213.6.1.7.1 Building height and coverage

Building platform	Maximum building height	Maximum building coverage
1	8m for 60% of the platform 10m for 45% of the platform	60%
2	12m	60%
3	10m	100%

4	4m for 100% of the platform 8m for the area specifically identified within the platform	100%
5	8m	100%
6	6m for 100% of the platform 8m for 50% of the platform	100%
7	12m	100%

- (2) Buildings on land must not exceed 8m in height when located outside of the building platforms shown on Precinct plan 1.
- (3) The height of buildings on land will be measured in accordance with Standard [H8.6.8 of the Business – City Centre Zone](#).
- (4) Buildings and structures in the coastal marine area must not exceed a height of 4.7m above NZVD2016.
- (5) The maximum floor area of buildings, including marine and port facilities, and marine and port accessory structures and services on land located outside of the building platforms on Precinct Plan 1 must not exceed 50m² for any one structure and a maximum total cumulative floor area of 300m² within the precinct.

I213.6.1.8. Viewshafts

Purpose: manage development at the north of the marina to maintain views between the marina and the Waitemata Harbour.

- (1) At least two 15m wide view shafts crossing building platform 1 generally in a north-south direction must be provided and kept free of buildings and structures from the ground level upwards.

I213.7. Assessment – controlled activities

There are no controlled activities in this precinct.

I213.8. Assessment – restricted discretionary activities

I213.8.1. 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) declamation:
 - (a) construction or works methods, timing and hours of construction works;

- (b) location, extent, design and materials used;
 - (c) effects on coastal processes, ecological values, water quality and natural character;
 - (d) effects on public access, navigation and safety;
 - (e) effects on existing uses and activities;
 - (f) consent duration; and
 - (g) effects on Mana Whenua values.
- (2) maintenance dredging and capital works dredging:
- (a) effects on coastal processes, ecological values and water quality;
 - (b) effects on other users of the coastal marine area, navigation and safety; and
 - (c) consent duration and monitoring.
- (3) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
- (a) form and design of the reclamation;
 - (b) contaminated material;
 - (c) the safe and efficient operation of marine and port activities;
 - (d) effects on Mana Whenua values;
 - (e) construction or works methods, timing and hours of operation; and
 - (f) effects on natural hazards, coastal processes, ecological values and water quality.
- (4) marine industry:
- (a) the matters of discretion in clauses [F3.8.1\(1\)](#) and [F3.8.1\(3\)](#) of the Coastal – Marina Zone for marine industry other than the maintenance and servicing of vessels apply.
- (5) wave attenuation devices:
- (a) location and design of the wave attenuation device;
 - (b) effects on navigation, safety and existing activities;
 - (c) effects on wave hydraulics;
 - (d) construction or works methods, timing and hours of operation; and
 - (e) consent duration and monitoring.

- (6) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) the matters of discretion in [F3.8.1\(1\) of the Coastal – Marina Zone](#) apply;
 - (b) effects on public access, navigation and safety.
- (7) observation areas, viewing platforms and boardwalks:
 - (a) the matters of discretion in [F2.23.1\(1\) of the Coastal – General Coastal Marine Zone](#) rules apply.
- (8) building platforms:
 - (a) building scale and form, and dominance/visual amenity effects;
 - (b) effects on public open space and pedestrian access; and
 - (c) effects on the operation and development of the marina.
- (9) building height and building coverage:
 - (a) building scale and form, and dominance/visual amenity effects; and
 - (b) effects on current and planned future form and character. building platforms.

I213.8.2. 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 Coastal – Marina Zone provisions:

- (1) declamation:
 - (a) whether the adverse effects of declamation are avoided, remedied or mitigated in respect of the effects of the final land/water configuration on:
 - (i) the marine environment, including coastal processes, water quality, sediment quality and ecology, of the coastal marine area;
 - (ii) hydrogeology (ground water) and hydrology; and
 - (iii) sediment accumulation and the need for ongoing maintenance dredging of the coastal marine area.
 - (b) whether declamation works, including the construction of seawalls, avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants;
 - (c) whether declamation is located and designed so that the adjacent land area can provide adequate public open space adjacent to, and public access along the water's edge whether on land or on the adjacent water space;

- (d) the extent to which declamation will affect Mana Whenua values.
- (2) maintenance dredging and capital works dredging:
 - (a) whether measures are taken to avoid, remedy or mitigate adverse effects on coastal processes, ecological values, and water quality;
 - (b) whether effects on other users of the coastal marine area during the dredging are avoided, remedied or mitigated;
 - (c) whether consent duration is limited to the minimum duration reasonably necessary for the functional or operational needs of the activity;
 - (d) whether monitoring is required in order to demonstrate the extent and type of effects of the dredging, and the degree to which the effects are remedied or mitigated during and after the activity.
- (3) minor reclamation for the purpose of maintaining, repairing or upgrading a reclamation:
 - (a) whether reclamation, as far as practicable, mitigate adverse effects through their form and design, taking into account:
 - (i) the compatibility of the design with the location;
 - (ii) the degree to which the materials used are visually compatible with the adjoining coast;
 - (iii) the ability to avoid consequential erosion and accretion, and other natural hazards;
 - (iv) the effects on coastal processes; and
 - (v) the effects on hydrology.
 - (b) whether the use of contaminated material in a reclamation is avoided unless it is contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and biodiversity;
 - (c) the extent to which the reclamation will affect Mana Whenua values;
 - (d) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (4) marine industry:
 - (a) the assessment criteria in [F3.8.2\(4\) of the Coastal – Marina Zone](#) rules apply.
- (5) wave attenuation devices:
 - (a) whether the location and design of the wave attenuation device avoid, remedy or mitigate adverse effects on existing activities including marine

related industries, other marine activities and/or adjoining coastal activities;

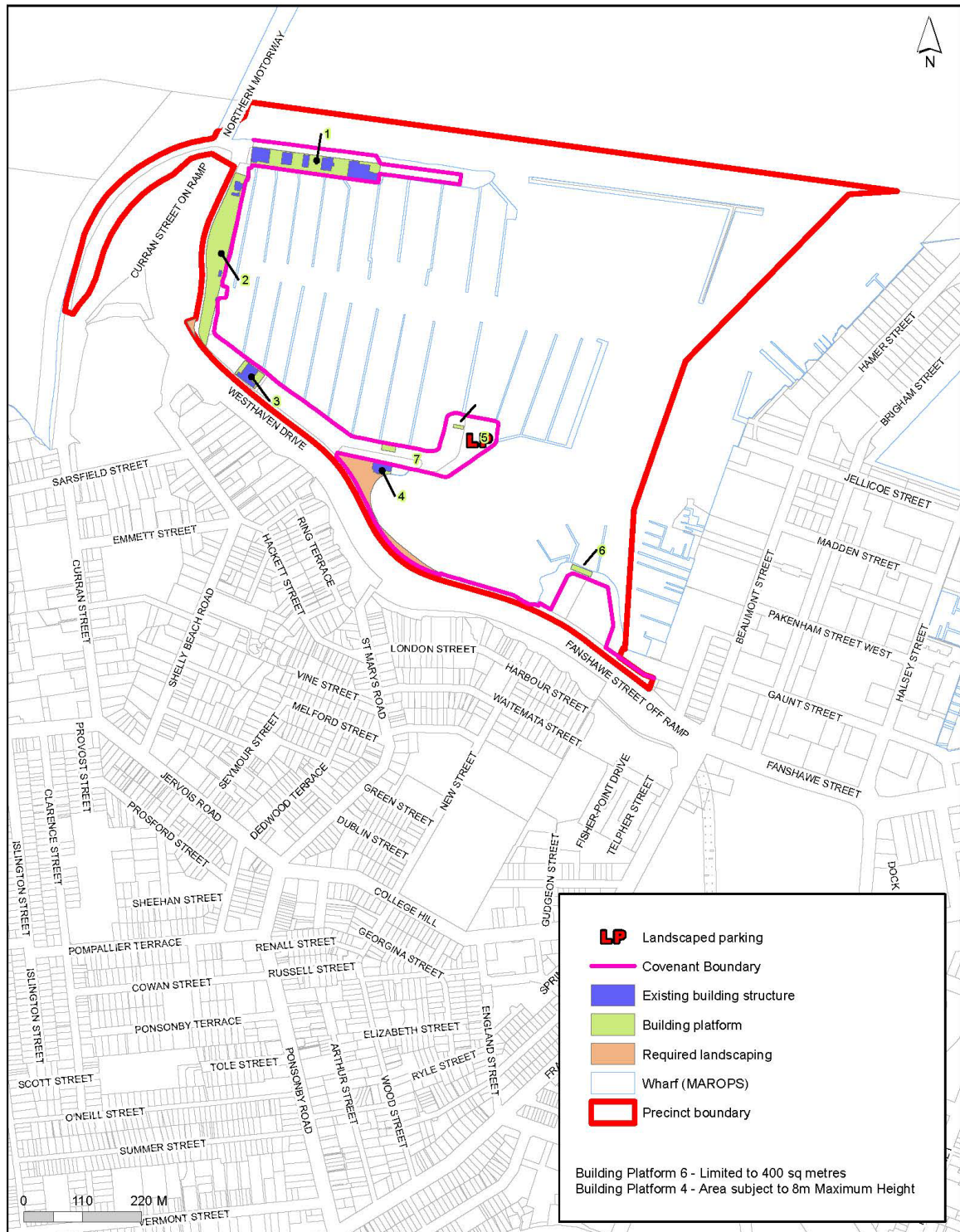
- (b) whether the location and design of the wave attenuation device avoid, remedy or mitigate adverse effects of wave hydraulics on other users of the coastal marine area;
 - (c) whether construction works avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated sediments, and other contaminants.
- (6) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) the relevant assessment criteria in [F3.8.2 Coastal – Marina Zone](#) apply;
 - (b) whether the building avoid or mitigate effects on public access, navigation and safety.
- (7) observation areas, viewing platforms and boardwalks:
- (a) the assessment criteria in [F2.23.2\(1\) and F2.23.2\(17\) of the Coastal – General Coastal Marine Zone](#) rules apply, in addition to the criteria below;
 - (b) whether the design and finish complement and enhance the coastal environment, open spaces and pedestrian linkages.
- (8) building platforms:
- (a) whether buildings are of a scale and form appropriate to the marina waterfront setting;
 - (b) whether the building location and scale maintains the open space character of the marina appropriate to the waterfront setting and maintain views to and from the city centre;
 - (c) whether the building location compromises the current and future function and growth of the marina.
- (9) building height and building coverage:
- (a) building height may be exceeded where it would provide an attractive and integrated roof form that also meets the purpose of the standard;
 - (b) where building height is exceeded, Policy I213.3(3) of the Westhaven – Tamaki Herenga Waka Precinct should be considered.

I213.9. Special information requirements

There are no special information requirements in this precinct.

I213.10. Precinct plans

I213.10.1 Westhaven – Tamaki Herenga Waka Precinct: Precinct plan 1 - Building platforms



I213.10.2 Westhaven – Tamaki Herenga Waka Precinct: Precinct plan 2 - Precinct boundary coordinates in the coastal marine area

