

The Proposed Auckland Unitary Plan (notified 30 September 2013)

3.13 Westhaven

The activities, controls and assessment criteria in the underlying City Centre and General Coastal marine zones and Auckland Wide rules apply in the following precinct, unless otherwise specified below.

Refer to the planning maps for the location and extent of the precinct.

1. Activity table

1. The activities in the General Coastal Marine and City Centre zones apply in the Westhaven precinct unless otherwise specified in the activity table below.
2. Those activities in the CMA marked with * apply when the activity is on a CMA structure.

Activity table – Westhaven precinct		
Activities	CMA [rcp]	Land [dp]
Works in the CMA		
Reclamation or drainage	D	NA
Declamation	RD	RD
Maintenance dredging	RD	NA
Capital works dredging	RD	NA
General activities		
Residential		
Workers accommodation	NA	P
Residential, excluding workers accommodation and visitor accommodation	NA	NC
Visitor accommodation	NA	D
Use and occupation of houseboats	D	NA
Commerce		
Marine retail	P*	P
Food and beverage	P*	P
Retail	P*	P
Storage and sale of fuel and oil for vessels – maximum of 100m ² GFA	P*	P
Service stations, excluding storage and sale of fuel and oil for vessels – maximum of 100m ² GFA	NC*	NC
Offices accessory to marine and port activities or maritime passenger operations	P*	P
Offices, retail, commercial services and entertainment facilities not specified as a permitted activity or non-complying activity	D*	D
Community		
Clubrooms for marine-related clubs	P*	P
Educational facilities accessory to marine and port activities or maritime passenger operations	P*	P
Maritime passenger operations, excluding freight movement and storage	P*	P

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Community facilities and education facilities not specified as a permitted activity, healthcare services, hospitals and major recreation facilities	D*	D
Industry		
Marine and port activities	P	P
Marine industry other than marine and port activities	RD*	RD
Industrial activities not specified as a permitted or restricted discretionary activity	D*	D
Parking accessory to permitted activities	P*	P
Buildings and structures (including construction in the CMA and occupation of the CMCA)		
Marine and port facilities	P*	P
Marine and port accessory structures and services	P	P
Demolition of buildings or structures	P	P
Wave attenuation devices	RD	RD
Minor cosmetic alterations to structures or buildings on land or on CMA structures that do not change their external design or appearance	P*	P
New structures or buildings on land or on CMA structures not listed as a permitted activity Note: excludes marine and port facilities and marine and port accessory structures and services	RD*	RD
Observation areas, viewing platforms, boardwalks and boat launching facilities	RD	RD
New and existing swing moorings and pile moorings including occupation of the waterspace by vessel to be moored	P	NA
Maimai	NC	NC
Helicopter landing areas	D	D
Public amenities	P*	P
Buildings and structures not otherwise provided for	D*	D

2. Land and water use controls

The land and water use controls in the General Coastal Marine zone apply to the CMA in the Westhaven precinct and the land use controls in the City Centre zone apply to land in the Westhaven precinct unless otherwise specified below

2.1 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.
3. Development that does not comply with clauses 1-2 above is a discretionary activity.

2.2 Marine retail

1. The gross floor area of a marine retail tenancy must not exceed 200m².
2. Development that does not comply with clause 1 above is a discretionary activity.

2.3 Food and beverage

1. The gross floor area of a food and beverage tenancy must not exceed 200m².

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2. The total cumulative gross floor area of food and beverage activities in the precinct must not exceed 500m².
3. This control does not apply to food and beverage accessory to clubrooms.
4. Development that does not comply with clauses 1-2 above is a discretionary activity.

2.4 Parking

1. Parking must be provided at a rate of 0.5 for every marina berth.
2. [Clause 1.2.3.2](#) of the Auckland-wide rules for Transport does not apply.
3. Development that does not comply with clause 1 above is a discretionary activity.

3. Development controls

The development controls in the City Centre and General Coastal Marine zones apply unless otherwise specified below.

3.1 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 control does not apply to marine and port facilities, and marine and port accessory structures.

3.2 Building height and coverage

Purpose: limit building height and coverage to achieve [policy 3](#) of the Westhaven precinct.

1. Buildings on the building platforms on precinct plan 1 must not exceed the heights and building coverage as set out below:

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 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 and structures on land will be measured in accordance with [clause 4.7](#) of the City Centre zone rules.
4. Buildings and structures in the CMA must not exceed a height of 5m above mean sea level, except that within Area A buildings and structures must not exceed a height of 8m above mean sea level.
5. The maximum floor area of buildings including marine and port facilities, and marine and port ancillary structures on land located outside of the building platforms on precinct plan 1 must not exceed 50m²

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for any one structure and a maximum total cumulative floor area of 300m² within the precinct.

3.3 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.
2. Development that does not comply with clause 1 above is a non-complying activity.

4. Assessment - Restricted discretionary activities

4.1 Matters of discretion

For the activities and development listed below that are restricted discretionary activities in the Westhaven precinct, the council will restrict its discretion to the following matters, in addition to the matters specified for the relevant restricted discretionary activities in the General Coastal Marine and City Centre zones.

1. Declamation
 - a. construction or works methods, timing and hours of operation
 - 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.
2. Maintenance dredging and capital works dredging
 - a. The matters of discretion in [clause 5.1](#) of the General Coastal Marine zone apply.
3. Marine industry other than the maintenance and servicing of vessels
 - a. The matters of discretion in [clauses 5.1.1](#) and [5.1.2](#) of the Marina zone rules for marine industry other than the maintenance and servicing of vessels apply.
4. Wave attenuation devices
 - a. The matters of discretion in [clause 5.1](#) of the General Coastal Marine zone apply.
5. New buildings, and alterations and additions to buildings excluding marine and port facilities, marine and port ancillary structures and services, and marina
 - a. The matters of discretion in [clause 6.2.1](#) of the City Centre zone rules for buildings apply.
6. Observation areas, viewing platforms, boardwalks and boat launching facilities
 - a. The matters of discretion in [clause 5.1](#) of the General Coastal Marine zone rules apply.

4.2 Assessment criteria

For development that is a restricted discretionary activity in the Viaduct Harbour precinct, the following assessment criteria apply in addition to the criteria specified for the relevant restricted discretionary activities in the General Coastal Marine and City Centre zones.

1. Declamation
 - a. The adverse effects of declamation should be 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 CMA
 - ii. hydrogeology (ground water) and hydrology
 - iii. sediment accumulation and the need for ongoing maintenance dredging of the CMA.

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- b. Declamation works, including the construction of seawalls, should avoid, remedy or mitigate the adverse effects of construction, particularly through the management of silt, contaminated soils and groundwater, and other contaminants.
- c. Declamation should be 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.
2. Maintenance dredging and capital works dredging
 - a. The assessment criteria in [clauses 5.2.1](#) and [5.2.11](#) of the General Coastal Marine zone rules for dredging apply in addition to the criteria below.
 - b. The dredging should be necessary to achieve the outcomes sought by the objectives and policies for the Westhaven precinct.
3. Marine industry other than the maintenance and servicing of vessels
 - a. The assessment criteria in [clause 5.2.4](#) of the Marina zone rules for marine industry other than the maintenance and servicing of vessels apply.
4. Wave attenuation devices
 - a. The assessment criteria in [clauses 5.2.1](#) and [5.2.16](#) of the General Coastal Marine zone rules for CMA structures apply, in addition to the criteria below.
 - b. The location and design of the wave attenuation device should consider existing activities including marine related industries, other marina activities and/or adjoining residential/coastal activities.
5. New buildings, and alterations and additions to buildings excluding marine and port facilities, marine and port ancillary structures and services
 - a. The assessment criteria in [clause 6.2.1](#) of the City Centre zone rules apply.
6. Observation areas, viewing platforms, boardwalks and boat launching facilities
 - a. The assessment criteria in the General Coastal Marine zone [clause 5.2.1](#) and [5.2.16](#) of the General Coastal Marine zone rules for CMA structures apply, in addition to the criteria below.
 - b. The design and finish should complement and enhance the coastal environment, open spaces and pedestrian linkages.

5. Assessment - Development control infringements

5.1 Matters of discretion

In addition to the general matters set out in [clause 2.3](#) of the general provisions, and the specific matters set out for the infringement in the City Centre and General Coastal Marine zone, the council will restrict its discretion to the matters below for the relevant development control infringement.

1. Building platforms
 - a. building scale and form, and dominance/visual amenity effects
 - b. effects on public open space and pedestrian access
 - c. effects on the operation and development of the marina.
2. Building height and building coverage
 - a. building scale and form, and dominance/visual amenity effects
 - b. effects on current and planned future form and character.

5.2 Assessment criteria

In addition to the general assessment criteria in [clause 2.3](#) of the general provisions, and the specific assessment criteria for the infringement in the City Centre and General Coastal Marine zones, the council will

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consider the relevant assessment criteria below for the infringement listed.

1. Building platforms
 - a. Buildings should be of a scale and form appropriate to the marina waterfront setting
 - b. Building location and scale should maintain the open space character of the marina appropriate to the waterfront setting and maintain views to and from the city centre
 - c. Building location should not compromise the current and future function and growth of the marina
2. 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 control.
 - b. Where building height is exceeded, [policy 3](#) of the Westhaven precinct should be considered.

6. Assessment - Discretionary activities

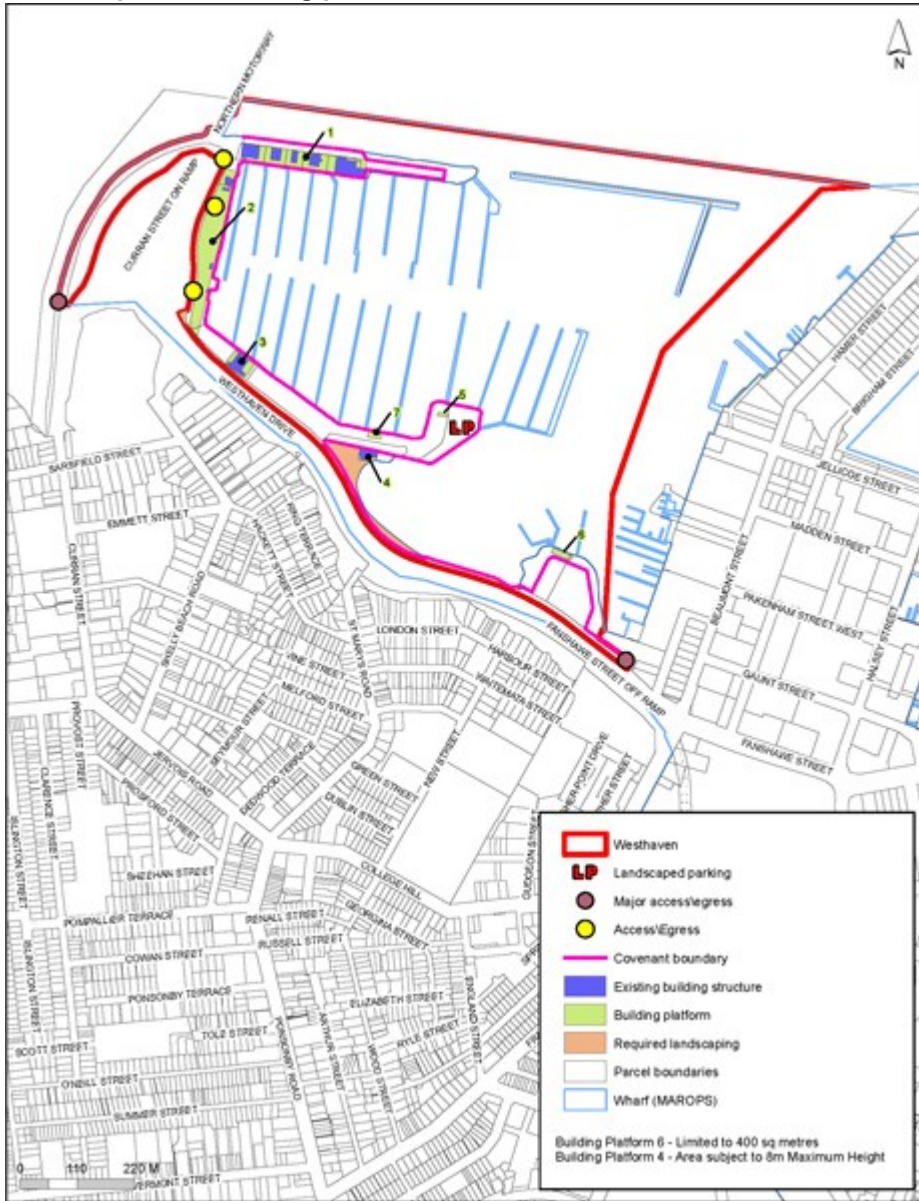
While not limiting the exercise of its discretion, the Council may consider the particular matters specified for the discretionary activities listed below:

1. Visitor accommodation, offices, commercial services, healthcare facilities
 - a. Sufficient land and building area should be available for the future long term growth and operation of Marine and Port Activities associated with Westhaven Marina.
 - b. Sufficient parking should be available for boat users of Westhaven Marina, particularly during peak boating times.
 - c. Adverse reverse sensitivity effects due to the operation of activities not directly associated with the operation of Westhaven Marina should be avoided, remedied or mitigated.

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7. Precinct plan

Precinct plan 1: Building platforms



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