21 SIR PETER BLAKE PARADE, BAYSWATER

SECTION 92 RESPONSE MATERIAL

21 JANUARY 2022

BAYSWATER MARINA HOLDINGS LIMITED

Sam Otter
SENIOR HEARINGS ADVISOR

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3 December 2021

Shearer Consulting Limited
Attention: Craig Shearer (Agent)
PO Box 60-240
Titirangi
Auckland 0644

Dear Craig,

Resource consent application – Submission Points Further Information

Application number:	BUN60373319
Applicant:	Bayswater Marina Holdings Limited
Address:	21 Sir Peter Blake Parade (Bayswater Marina), Bayswater
Proposed activity:	Proposal to redevelop and subdivide the existing marina reclamation with public open space, landscaping, access to the coastline, new building including three apartment buildings (27 apartments) and 97 terraced dwellings, various commercial activities, parking and access, tree removals and works and other associated works.

Submissions

Outlined below are key topics identified through the review of the submissions that do not appear to be addressed in the application documents. Providing responses on these matters will assist with responding to submissions points and considering the proposal in the s42A report.

If your think there are additional matters that we have missed from a submission that have not been addressed then it would be appreciated if you can highlight this and provide a response. Given, the quantum of submissions it is possible that we might miss an issue, it would be good to identify this now rather than once working through the reporting, or at the hearing.

Bayswater Precinct Objectives 1 and 2 and Primary Focus

A wide range of submitters raised concerns about the balance of uses being sought and whether the 'primary focus' of Objective 1 is being achieved.

- A number of submitters raise concerns about the extent of residential development being sought impacting on the ability to achieve the primary focus of Objective 1 of the Precinct. In particular, submissions on the proposed ramp/ trailer parking design identify that this will impact on the ability for these marine facilities to be used post development. It would be helpful if the applicant provides a response to these submission points and confirms the applicant position on any design changes.

- Submissions raise concerns that the lack of land-based storage, marine recreational activities and a marine support service alongside the loss of the existing boat storage and trailer park servicing[1] demonstrate that this focus is not being achieved. The economic assessment was peer reviewed Greg Akehurst who raised a number of queries which have not yet been responded to. It is recommended that the response from Property Economics address these submission matters as well.

Boat Ramp

The importance of the existing ramp in terms of usability as a full length ramp, and being an all weather and all tide ramp is raised in a number of submissions. There is a lack of detail in the application materials about the mechanics of how the ramp currently operates and how that will compare to the proposal in particular the type of users of the ramp in terms of craft types, sizes and how the proposed design of the adjacent road/ block layout caters for these users. The key points raised in submissions are outlined below:

- Impact of the proposal on the adjacent Takapuna Rowing Club in terms of accessing the ramp, impacts of retaining walls, construction impacts in terms of access. The AEE states that the rowing facilities are not impacted[2] however there are a number of submissions from the Rowing Club, Club Members, Auckland Rowing Association and Rowing NZ raising concerns about the impact of the proposal on the rowers. It would be helpful if you could respond to these comments.

- Submissions have identified safety concerns about the interface between the open space, the steps into the water, and the boat ramp nearby. The AEE does identify that the steps from the southern park will provide access into the water[3]. If you could please respond to these safety concerns.

- Submissions[4] talk about the need for staging areas for the preparation of boats/ craft prior to them being launched and following haul out. Can you explain how this is catered for in the current design and what the traffic implications from this would be?

- A number of submitters identify themselves as regular boat ramp/ trailer users and have identified that turning around to reverse into the ramp on the new intersection/ road layout would be extremely difficult, raise safety issues for boat users, pedestrians and other vehicles. There is a lack of assessment around the practicalities of using the ramp post development in the transport assessments and how the design caters for the range of ramp users.

- A number of submitters have identified queuing as an issue in terms of the road layout to the ramp and the preparation for launching and haul out requirements. What considerations have been given to this matter, particularly in light of heavy use of the ramp based on the submissions.

[1] 12771, 13169, EP069
[2] Page 61, AEE
[3] Page 63, AEE
[4] 12600, 12599 12573, EP069

Trailer Parking

The location, usability and practicalities of the trailer parking is raised in a significant number of submissions. The submissions highlight that the existing trailer parks are well used with some references to over 50+ cars and trailers being regularly used during peak times.

- A variety of trailer sizes and combined vehicle lengths are identified in the submissions ranging from 10.5m to 17m with submitters identifying that 50% of car and trailers will be 15m. The proposed spaces would not cater for these vehicles/ trailer sizes and there is no rationale in the Stantec report to ascertain the length chosen nor a comparison of the access/ usability of the trailer spaces existing and proposed. Where are the larger car and trailers that currently use the ramp antipcated to park?

- Submitter 12639 raises a number of queries regarding the reliability of the survey information from 2017 for users of the ramp. It is not clear if this survey identified types/ sizes of vehicles and boats/ other craft using the ramp or if any more recent survey information has been identified? It is considered that this issue will be at the forefront of the hearing and that additional surveys occurring at 'peak times' from now until the hearing is recommended. This would allow for up-to-date information and allow for some more recent survey data to be available prior to the completion of the s42a reporting.

- A number of submitters identify that it will be impossible to reverse a trailer into a parallel park once others are occupied and manoeuvring into spaces would not be practical nor best practice. They state that the existing angled spaces are the best way to achieve this and are best practice approach to parking, and they identify a number of inconsistencies in the assessments by Stantec. It is recommended that additional assessment on this is provided, are there any existing formal trailer parking areas at other ramp locations that have similar parallel parking approach to that proposed here?

- A number of submissions identify that a number of users of the ramp would now be excluded by the new roading arrangement around the ramp and the size of the trailer park given craft types and sizes. Are there any comments that want to be made on this point?

Traffic

Submissions have raised points on the extent of provision of public car parking, residential visitors and trades people has been raised in terms of access to the marine facilities in Baywater and servicing the future residents, and the safety of the roading layout in terms of cars and trailers and for other users has been. You may wish to provide additional commentary in response.

Construction

A number of submitters raise concerns about the 10-15year construction timeframe (though only a 10-year lapse is being sought so unclear where the extra 5 years is coming from in terms of documentation) and impacts on users of the boat ramp i.e. rowing club, sail craft and boats in terms of temporary parking provision for car and trailers and access to ramp. It would be helpful to provide

additional commentary on this especially for the different n timelines for different phases of work on site and on any potential cumulative effects from the long lapse date. There may be some additional mitigation that might assist with addressing these concerns that the consent holder may wish to consider.

Submitters raise consents about impacts from construction debris on boats/ equipment from dust/filings. Having reviewed the Construction Management Plan, I could not see any commentary on this matter. If you could provide an additional assessment on this and any potential mitigation measures.

Security and Access Restriction

A number of submitters raise concerns about security and access to the berth holders and piers. If your able to clarify the proposal in this regard.

Ownership and control

The Bayswater Marina Berthholders Association (BMBA) submission identifies a number of matters around ownership structure and access to facilities if located within residential and commercial spaces of the future apartments. If you can outline how you antipcated that legal right of access and ensuring those facilities are provided to the berth holders/ public.

Esplanade

The submission from the Community Committee (CC) raises concerns about the location of parking within the esplanade strip and achieving s229 of the RMA specifically clause 2 of Schedule 10. In section 3.6 and 3.7 it makes additional comments on the esplanade waiver and strip. It would be helpful for BML to respond to these matters.

Open Space

The CC submission queries impacts of shading on open space. It would be helpful in considering this matter to have shadowing diagrams provided for the apartment/ townhouses adjacent to or in proximity to the proposed South Park so the assessment of any potential effect is clear.

AUP Interpretation

The CC submission identifies that the qualifying matters under I504.4.1 (A1) under Section 3.3 and are not met. It would be helpful for a response to be provided on this. There may well have been discussions on this matter under the IHP process to draft these provision that you may wish to refer us to given BML was actively involved in that process.

Residual Consenting Matters

The submission by the Community Committee identifies a number of missing consents under section 3.2 and 3.5 of the submission can you please review these and identify if these additional reasons need to be captured and provide additional assessment as appropriate.

Pier Access, Piling and Associated works

A number of submissions including the CC and BMBA query the works to the pier access points in terms of steepness and the lack of detail on this aspect of the interface with the marina in the future state. It would be helpful if BML could provide more detail on this matter so it is clear any extent of effect from the development on the access arrangements to the Marina.

The scope of the piling consent has been raised by the CC and differences between the consent i.e., in terms of pile size identified. I note the Marshall Day report for this consent appears to only assess 400mm piles. If BML can response on these matters.

Live-aboards

A number of submissions raise concerns about potential amenity and reverse sensitivity matters on people living in boats within the marina. It is not clear the number of people actually living in the marina it would be helpful to have that confirmed? A submission[5] identifies 60-80 people. The submissions raise concerns about supporting facilities for the live-aboards both during and post construction. They raise concerns about lack of consistency in service provision in the development. It would be helpful if BML can confirm on the extent of live-aboards and provide additional assessment on the matters raised by the submitters.

Universal Access

Submission E079 raised concerns about universal access matters. It would be helpful if BML could outline how it seeks to manage these matters.

Fire Hydrant

The Fire and Emergency submission talks about distances to hydrants. If you can confirm if your content to amend to achieve this submission point.

Ecological Matters

The submission from Forest and Bird[6] raises matters on potential impacts on:

- Seabirds in particular from artificial lights and sedimentation.
- The SEA-M2 area adjacent in terms of increased run-off of sediments and pollutants.

We have requested the Council Ecologist to review these matters, but would like your team to respond to these matters also.

Overland Flow Paths

Council has updated the Council GIS in since the lodgement of the resource consent, and there are now Flooding and OLFP shown through the site. Submissions have raised this discrepancy in the technical assessments. The Aireys report currently says there are none. Can this matter be reviewed and additional comments provided on this matter?

[5] 12745
[6] EP075

Climate Change

During the processing of the resource consent, the mapping of the coastal inundation control layer has been updated on the unitary plan viewer. Some of the submissions have cited this change, and we suggest the civil reporting is updated as required.

Additional consenting matters were also raised in the CC submission regarding coastal inundation if these can be considered at the same time.

NZ Coastal Policy Statement

Forest and Bird identifies that the proposal would be inconsistent with Policy 11 and 13. Having reviewed the AEE there is no reference to an assessment against policy 11. A number of other submissions raise concerns about inconsistencies in the assessment. You may wish to provide additional commentary on this matter.

RPS/ AUP

A number of matters are raised in the BMBA and CC submissions on the RPS/ AUP which you may wish to provide additional commentary on.

Original s92 Requested information

There are a number of actions or information that was outstanding in relation to the table of s92 queries dated 16 Sept 2021. You are aware of these and have been preparing this concurrently to the notification process. It is antipcated these will be provided as part of responding to the above.

Providing the information

To achieve a hearing for mid-March 2022, we would need to have had all reporting completed for the s42A report by the start of February 2022.

The timeframes to achieve the above are tight particularly so with the Christmas shutdown period and the likely Auckland exodus on the 15/12. Consequently, we will need a response on both the earlier post notification matters and the submission matters by the 17/12/21 to be able to achieve specialist memo completion on the 21/01/22 and therefore to allow suitable lead ins for the s42A reporting. If you do not think this is achievable then if you can confirm the timeframe and we can agree a s37 extension.

If you have any queries, please contact me on 021 147 9681 or via email at ila@campbellbrown.co.nz and quote the application number above.
Yours sincerely,

Ila Daniels
Consultant Planner – Auckland Council

21 January 2022

Ila Daniels
Principal Planner
Campbell Brown Planning
Ila@campbellbrown.co.nz

cc Masato.Nakamura@aucklandcouncil.govt.nz

Dear Ila

Bayswater Marina Holdings Limited BUN60373319S92 – Submission Points Further information

Thank you for your letter dated 3 December 2021 regarding further information on submission points for the above application, and also requesting feedback on clarification on the s92 information outstanding in relation to the table of s92 queries dated 16 Sept 2021. These queries are shown in blue type.

This letter, and the various attachments, serves to answer many of the queries in those two documents. The remaining responses will be forwarded to you as soon as the technical information becomes available.

A. Letter of 3 December 2021

1. Bayswater Precinct Objectives 1 and 2 and Primary Focus

A wide range of submitters raised concerns about the balance of uses being sought and whether the 'primary focus' of Objective 1 is being achieved.

- *A number of submitters raise concerns about the extent of residential development being sought impacting on the ability to achieve the primary focus of Objective 1 of the Precinct. In particular, submissions on the proposed ramp/ trailer parking design identify that this willimpact on the ability for these marine facilities to be used post development. It would be helpful if the applicant provides a response to these submission points and confirms the applicant position on any design changes.*

BMHL Response:

BMHL's Assessment of Effects on the Environment dated 31 August 2021 (**AEE**) included a detailed evaluation of the proposal against the objectives and policies of the Bayswater Marina Precinct (**BMP**) in section 8.3.1. Also, relevant to demonstrating the primary purpose/focus of the BMP is achieved is the detailed description in section 5.0 of the AEE which explains how primary focus activities such as the marina and associated parking activities, public open space and coastal access to and along the coastal marine area, and

ferry terminal and services is to be achieved in the proposal. Section 8.1 provides a comprehensive assessment of effects of the proposal, including on primary focus activities such as amenity effects on public access, open space and recreation; on transportation and in particular access to the piers and vehicle parking and traffic circulation; walking and cycling enhancement; public transport connections; and outlines the positive effects.

Relevant to the second information query under this heading (addressed below), the AEE also included an economic assessment (Attachment 15) focused entirely on the question of potential demand for marine activities at Bayswater to inform the extent of land use activities to be accommodated within the overall development design. The issue of "primary focus" has therefore been addressed in the application.

In order to further assist Council officers to address the numerous submissions that disagree with the assessment completed in the AEE, the following additional information is provided.

BMP objective 1 seeks a variety of outcomes to be achieved for the "Bayswater Marina precinct". Under the AUP, the Bayswater Marina precinct comprises just over 14.9 ha of land and coastal marine area. This area is zoned a combination of Coastal – Marina Zone (13.8739 ha) and Open Space – Informal Recreation Zone (1.0568 ha).

Under the BMP provisions the precinct is 'sub-divided' into six Sub-precinct areas, to which the precinct provisions then make specific reference both in terms of their described purpose within the precinct as a whole, and for the purposes of identifying the land use and related rules and standards that apply to them. The following table identifies the Sub-precinct areas, their physical extent and proportion of the whole precinct:

Sub-precinct	Purpose	Area (m^2)	% of BMP
A	Public access and open space, and for marina berth holders parking and marine structures, around the seaward edge of the precinct land	9,760	6.54%
B	Marine related uses, car parking, public pedestrian access and open space areas, food and beverage, and residential development	20,954	14.08%
C	Main road into the precinct and bus stop	3,047	2.04%
D	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	10,568	7.08%

E	Community uses and recreation	840	0.56%
F	Marina, ferry service, marine and port activities	104,138	69.75%
	Total	**149,307**	**100.00%**

Objective 1 of the BMP states:

> *"The Bayswater Marina precinct is a community and a 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."*

The language of this objective is clear: it applies to the "Bayswater Marina precinct" as a whole. It follows that it does not need to be entirely achieved in each Sub-precinct area. Indeed, based on the land area analysis in the table, attainment of the whole objective within each Sub-precinct area would be impossible. The BMP approach of dividing the precinct into Sub-precincts, describing their discrete purposes and providing specific rules to apply to them, is thus the primary method used by the AUP to achieve objective 1. This conclusion is supported by the fact that there are no rules in Table I504.4.1 that apply to the whole precinct. Accordingly, objective 1 (and all of the objectives and policies for that matter) is to be achieved by managing each of the Sub-precinct areas that make up the whole precinct in accordance with their described purposes and applicable standards.

BMHL's application has been crafted consistent with this method:

- It relates only to Sub-precincts A, B and C, which together comprise less than one quarter (22.6%) of the overall precinct.
- The activities it proposes within Sub-precincts A, B and C are all consistent with the anticipated uses of each of those areas.

Objective 2 makes it clear that: "*Residential activities and food and beverage are enabled, provided that the focus in Objective 1 is achieved*". As it is only Sub-precinct B in which residential activities and food and beverage not associated with a ferry terminal are provided for (as a discretionary activity), it follows that those activities should only be allowed to develop if the precinct-wide outcome expressed in Objective 1 is able to be maintained.

As BMHL's application seeks residential and food and beverage activities within Sub-precinct B only, and not within any of the other Sub-precincts, the overall location and proportion of anticipated activities that make up the whole precinct (as represented by each of the Sub-

precincts) will not be impacted. Objective 1 is therefore not threatened by the location and nature of the activities proposed.

BMHL also considers that anticipated development within each Sub-precinct should also be designed in such a way that the maintenance and development of the anticipated activities in other Sub-precincts are not adversely impacted. In this regard, the design of Sub-precincts A, B and C and whether it might impact on the ability for Sub-precincts D or F, for example, to function as intended is an issue that was considered at the outset.

In terms of Sub-precinct F (the marina berths), the design of Sub-precincts A, B and C has maintained extensive pedestrian and vehicular access to the western edge of the reclamation from where the marina piers (and berths) are accessed by berth holders. Carparking for berth-holders and marina visitors has also been maintained, both as to the number of parking spaces, and as to their location, within a short distance to the marina piers. As such, the design and layout of Sub-precincts A, B and C, with residential and other land use activities and buildings as proposed by the application, ensures the primary marina orientation of the precinct is preserved.

In relation to Sub-precinct D, in particular the public boat ramp and vehicle and trailer manoeuvring and parking associated with it, the design and layout of Sub-precincts B and C paid particular attention to the need to maintain suitable access to an area for vehicles to launch and retrieve small trailer boats at this boat ramp. Parking for vehicles with boat trailers connected (post-launching) was also incorporated into the design – with the number (20) being proposed to ensure compliance with the BMP standards, and their location identified so as to be as close as practicable to the boat ramp. On this basis, BMHL was satisfied that its application maintained the ability for Sub-precinct D to function as intended as, inter alia, a *public boat ramp,* and *associated access, manoeuvring and parking* for it (noting that all of these activities are specifically earmarked to take place on Sub-precinct D, not BMHL's land), and overall, that the primary community based orientation of the precinct (i.e., coastal access, boating, and maritime activities) was preserved.

Since lodging the application, BMHL has been in discussions with Auckland Transport as to the preferred future layout of its land (Sub-precinct D) at Bayswater for public transport activities. These discussions have resulted in the preparation of an agreed layout plan (see Attachment 2), which alters the way in which BMHL and AT's land interfaces in a number of significant ways. These plan refinements have also allowed a reconsideration of the layout of the access to the boat ramp and the provision of additional car and boat trailer parking in its vicinity that further improves the position for users of the boat ramp. In summary, the changes proposed to the application in this respect are:

- Buses now enter and exit from AT land to the north of the Precinct;

- The ramp has been widened above mean high water springs to enable easier access and departure;

- A holding bay for two cars with boats immediately north of the boat ramp on the eastern side is now proposed to enable preparation for launching;

- Additional car/trailer parking is now provided down the eastern side of Sir Peter Blake Parade – an increase of 8 parks, taking the total number to 28;

- Landscaping has been modified to better enable forward entry to these car/trailer parks on Sir Peter Blake Parade;

- Two raised zebra crossings are now proposed, close to the boat ramp, one on Sir Peter Blake Parade and one on Cross Street. These will help deliver a safer, slower traffic speed traffic environment for all road users, including pedestrians and cyclists;

On the basis of the further analysis set out above, including the further improvements to the layout and design of boat ramp access and associated parking, BMHL maintains its position that the proposed development within Sub-precincts A, B and C will not adversely impact upon the operation and development of Sub-precinct D, including the public boat ramp and that Objective 1 of the BMP is therefore fully achieved by its proposal.

In terms of the location and layout of the proposed car and boat trailer parking spaces on Sub-precinct B, BMHL's position is that they remain adequate for their purpose for the following reasons:

- The BMP provisions only stipulate the number of car and boat trailer parks to be provided within Sub-precinct B, not where within the Sub-precinct they are to be located and laid out, indicating that these were design details to be resolved by the developer of Sub-precinct B and integrated accordingly.

- There are no design standards for parking spaces to be used by cars with boat trailers in the AUP (see Table E27.6.3.1.1). The only other guidance on this subject is Section 11.9 of the Auckland Transport Code of Practice 2013 which recommends that dedicated facilities be provided for the parking of boat trailers near boat ramps to avoid them parking inefficiently across multiple standard size spaces, and that the likely demand should determine the number and size of them, and this guideline was considered by the proposal.

- By reference to the boat trailer parking arrangements provided at multiple other Auckland public boat ramps, the location and layout of those proposed in the Application is similar, if not better, due to the fact that the spaces to be provided

will be formed and marked out for boat trailer parking only and are within a close walk to the boat ramp.

- An analysis of other Auckland boat ramps and their parking and manoeuvering arrangements has been commissioned and will be forwarded when available.

- *Submissions raise concerns that the lack of land-based storage, marine recreational activities and a marine support service alongside the loss of the existing boat storage and trailer park servicing[1] demonstrate that this focus is not being achieved. The economic assessment was peer reviewed Greg Akehurst who raised a number of queries which havenot yet been responded to. It is recommended that the response from Property Economics address these submission matters as well.*

BMHL Response:

Land based storage is currently provided within the BMP on the Auckland Transport operated land. Takapuna Rowing Club, for example, stores rowing skiffs in a large building located on this land, and has done so for many years. There are small lockers located on the eastern side of the old reclamation, adjacent to the water's edge. The Application will not change this activity.

Objective 1 of the BMP provides for "maritime facilities", which covers a wide range of facilities (eg ferry waiting room, marina office). There is ample provision within the ground floors of the three apartment buildings for such activities to be based at the precinct. A minimum of 100m² for marine retail/industry must be provided, but the proposal provides significantly more floor area that would be available for such activities if there is the demand.

A detailed response from an economic perspective has been prepared in relation to land-based storage including boat storage and trailer park servicing, see separate report, Attachment 1, prepared by Property Economics Limited.

2. Boat Ramp

The importance of the existing ramp in terms of usability as a full length ramp, and being an all weather and all tide ramp is raised in a number of submissions. There is a lack of detail in the application materials about the mechanics of how the ramp currently operates and how that will compare to the proposal in particular the type of users of the ramp in terms of craft types, sizes and how the proposed design of the adjacent road/ block layout caters for these users. The key points raised in submissions are outlined below:

- *Impact of the proposal on the adjacent Takapuna Rowing Club in terms of accessing the ramp, impacts of retaining walls, construction impacts in terms of access. The AEE states that the rowing facilities are not impacted[2] however there are a number of submissions*

from the Rowing Club, Club Members, Auckland Rowing Association and Rowing NZ raising concerns about the impact of the proposal on the rowers. It would be helpful if you could respond to these comments.

BMHL Response:

See separate report – Attachment 2, Stantec.

- *Submissions have identified safety concerns about the interface between the open space, the steps into the water, and the boat ramp nearby. The AEE does identify that the steps from the southern park will provide access into the water[3]. If you could please respond to these safety concerns.*

BMHL Response:

The steps are provided to facilitate connection for the public between the park and the water. The lowest step does not extend below MHWS and will adjoin the existing rock riprap. This location is not in line with the orientation of boats accessing the boat ramp and any boat in this location should be travelling at very low speed (5 knots or less, up to 200m from land). There are no safety issues in respect of the relationship between the steps and the boat ramp. The existing footpath to the ferry is in this location with similar considerations in terms of the interface of the boat ramp and the public.

- *Submissions[4] talk about the need for staging areas for the preparation of boats/ craft prior to them being launched and following haul out. Can you explain how this is catered for in the current design and what the traffic implications from this would be?*

BMHL Response:

The Concept Plan has been refined to provide space for staging areas for two cars / boat trailers on the left side of Sir Peter Blake Parade adjacent to the boat ramp - see separate report and drawings Attachment 2, Stantec.

- *A number of submitters identify themselves as regular boat ramp/ trailer users and have identified that turning around to reverse into the ramp on the new intersection/ road layout would be extremely difficult, raise safety issues for boat users, pedestrians and other vehicles. There is a lack of assessment around the practicalities of using the ramp post development in the transport assessments and how the design caters for the range of ramp users.*

- *A number of submitters have identified queuing as an issue in terms of the road layout to the ramp and the preparation for launching and haul out requirements. What considerations have been given to this matter, particularly in light of heavy use of the ramp based on the submissions.*

BMHL Response:

See separate report – Attachment 2, Stantec

3. Trailer Parking

The location, usability and practicalities of the trailer parking is raised in a significant number of submissions. The submissions highlight that the existing trailer parks are well used with some references to over 50+ cars and trailers being regularly used during peak times.

- *A variety of trailer sizes and combined vehicle lengths are identified in the submissions ranging from 10.5m to 17m with submitters identifying that 50% of car and trailers will be 15m. The proposed spaces would not cater for these vehicles/ trailer sizes and there is no rationale in the Stantec report to ascertain the length chosen nor a comparison of the access/ usability of the trailer spaces existing and proposed. Where are the larger car and trailers that currently use the ramp anticipated to park?*

- *Submitter 12639 raises a number of queries regarding the reliability of the survey information from 2017 for users of the ramp. It is not clear if this survey identified types/ sizes of vehicles and boats/ other craft using the ramp or if any more recent survey information has been identified? It is considered that this issue will be at the forefront of the hearing and that additional surveys occurring at 'peak times' from now until the hearing is recommended. This would allow for up-to-date information and allow for some more recent survey data to be available prior to the completion of the s42a reporting.*

- *A number of submitters identify that it will be impossible to reverse a trailer into a parallel park once others are occupied and manoeuvring into spaces would not be practical nor best practice. They state that the existing angled spaces are the best way to achieve this and are best practice approach to parking, and they identify a number of inconsistencies in the assessments by Stantec. It is recommended that additional assessment on this is provided, are there any existing formal trailer parking areas at other ramp locations that have similar parallel parking approach to that proposed here?*

- *A number of submissions identify that a number of users of the ramp would now be excluded by the new roading arrangement around the ramp and the size of the trailer park given craft types and sizes. Are there any comments that want to be made on this point?*

BMHL Response:

See separate report – Attachment 2, Stantec. Also, see discussion above in Question 1, including additional parking arrangements.

4. Traffic

Submissions have raised points on the extent of provision of public car parking, residential visitors and trades people has been raised in terms of access to the marine facilities in Bayswater and servicing the future residents, and the safety of the roading layout in terms of cars and trailers and for other users has been. You may wish to provide additional commentary in response.

BMHL Response:

See separate report – Attachment 2, Stantec

5. Construction

A number of submitters raise concerns about the 10-15year construction timeframe (though only a 10-year lapse is being sought so unclear where the extra 5 years is coming from in terms of documentation) and impacts on users of the boat ramp i.e. rowing club, sail craft and boats in terms of temporary parking provision for car and trailers and access to ramp. It would be helpful to provide additional commentary on this especially for the different timelines for different phases of work on site and on any potential cumulative effects from the long lapse date. There may be some additional mitigation???? that might assist with addressing these concerns that the consent holder may wish to consider.

Submitters raise consents about impacts from construction debris on boats/ equipment from dust/filings. Having reviewed the Construction Management Plan, I could not see any commentary on this matter. If you could provide an additional assessment on this and any potential mitigation measures.

BMHL Response:

See separate report - Attachment 3, Construction Management Plan. (Note - This will now replace Attachment 3.4 - Draft Construction Management Plan Dec 2021 in the Application Documentation, submitted with the application).

6. Security and Access Restriction

A number of submitters raise concerns about security and access to the berth holders and piers. If your able to clarify the proposal in this regard.

BMHL Response:

An exclusive occupation consent (CST60337798) was granted to the Marina on August 2019. The consent provides for exclusive occupation of the common marine and coastal area (CMCA) for parts of the marina complex – berths, gangways, and breakwater, with the ability to exclude people (non-berth holders) from those areas. Public access can only be excluded for safety,

security, and efficient marina operational reasons, including, during night time hours (dusk to dawn), during adverse/stormy weather and sea conditions, when maintenance, repair/replacement activities are being undertaken, and when maintaining the berth space for use of the 'berth holder'.

Access to the piers is currently controlled by way of security card, and the gates are locked outside daylight areas. Restricted access to the piers at night will continue and for the reasons set out above. A pier gate will be installed which will be controlled by a security card issued by the marina manager.

In respect of protecting ongoing access for berth holders for parking, a security system will be put in place. This has not been finalised and must be addressed at a berth holder AGM. Although BMHL considers this not to be a resource management issue arising from the application, it is committed to engaging the berth holders on this matter.

7. Ownership and control

The Bayswater Marina Berthholders Association (BMBA) submission identifies a number of matters around ownership structure and access to facilities if located within residential and commercial spaces of the future apartments. If you can outline how you anticipate that legal right of access and ensuring those facilities are provided to the berth holders/ public.

BMHL Response:

There will be two facility types in question, the carparks and the ablution and laundry facilities.

At this time, we are contemplating a range of security measures that could be engaged for access to berth holder car parking. We will finalise at a later date.

Access to the ablution and laundry facilities will be controlled by security cards, which is presently the case. At the moment, the ablution blocks, containing areas which can only be accessed by berth holders. Ensuring these facilities are only accessed by berth holders is a normal function of the marina manager and is no different to what occurs today.

Ownership structure of these facilities will remain as it is today. The current facilities are owned by Bayswater Marina Holdings Limited with formal leases in place ensuring provision of the facilities to the end of the licence term.

8. Esplanade

The submission from the Community Committee (CC) raises concerns about the location of parking within the esplanade strip and achieving s229 of the RMA specifically clause 2 of Schedule 10. In section 3.6 and 3.7 it makes additional comments on the esplanade waiver and strip. It would be helpful for BML to respond to these matters.

BMHL Response:

Clause 2 of Schedule 10 of the RMA identifies eight specific activities that are prohibited in an esplanade strip unless specifically excluded under section 232(4) of the RMA. By reference to Schedule 10 of the RMA and BMHL's proposed Esplanade Strip Instrument, the position is as follows:

RMA Schedule 10		**Proposed BMHL Esplanade Strip Instrument**	
(1) Prohibitions applicable to users (not owners)			
(a)	wilfully endangering, disturbing, or annoying any lawful user (including the land owner or occupier) of the strip	Clause 3.1.1(a)	Same wording
(b)	wilfully damaging or interfering with any structure adjoining or on the land, including any building, fence, gate, stile, marker, bridge, or notice:	Clause 3.1.1(b)	Same wording
(c)	wilfully interfering with or disturbing any livestock lawfully permitted on the strip	N/A	N/A
(2) Other prohibitions – subject to modification per s232(4) RMA			
(a)	lighting any fire:	3.1.3(a)	Same wording
(b)	carrying any firearm	3.1.3(b)	Same wording
(c)	discharging or shooting any firearm	3.1.3(c)	Same wording
(d)	camping:	3.1.3(d)	Same wording
(e)	taking any animal on to, or having charge of any animal on, the land	3.1.3(e)	Same wording but with proposed modification to exclude "domestic pets on a leash"
(f)	taking any vehicle on to, or driving or having charge or control of any vehicle on, the land (whether the vehicle is motorised or non-motorised):	N/A	Proposed to exclude this prohibition

(g)	wilfully damaging or removing any plant (unless acting in accordance with the Biosecurity Act 1993):	3.1.3(f)	Same wording
(h)	laying any poison or setting any snare or trap (unless acting in accordance with the Biosecurity Act 1993).	3.1.3(g)	Same wording
(3) Fencing			
	The instrument or easement may include any fencing requirements, including gates, stiles, and the repositioning or removal of any fence	N/A	N/A
(7) Closure			
(1)	Any instrument creating an esplanade strip or any easement for an access strip may specify that the strip may be closed for any specified period, including particular times and dates.	3.1.6	The Strips may be closed to public access from time to time for security and maintenance purposes provided that at no time shall any Strip be closed to the public while the Grantor is entitled to continue to use that Strip
(2)	Any instrument or easement may specify who is responsible for notifying the public by signs erected at all entry points to the strip, and any other means agreed, that a strip or easement is closed as a result of closure periods specified in the instrument or easement	Nothing specified	

Section 220(1)(a) of the RMA provides:

> (1) Without limiting section 108 or any provision in this Part, the conditions on which a subdivision consent may be granted may include any 1 or more of the following:
>
> (a) where an esplanade strip is required under section 230, a condition specifying the provisions to be included in the instrument creating the esplanade strip under section 232:

Section 232(4) and (5) provide:

> (4) When deciding under section 220(1)(a) which matters shall be provided for in the instrument, the territorial authority shall consider—

(a) which provisions in clauses 2, 3, and 7 of Schedule 10 (if any) to modify (including the imposition of conditions) or to exclude from the instrument; and

(b) any other matters that the territorial authority considers appropriate to include in the instrument.

(5) When deciding under subsection (4) which provisions (if any) to modify or exclude or what other matters to include, the territorial authority shall consider—

(a) any relevant rules in the district plan; and

(b) the provisions and other matters included in any existing instrument for an esplanade strip, or easement for an access strip, in the vicinity; and

(c) the purpose or purposes of the strip, including the needs of potential users of the strip; and

(d) the use of the strip and adjoining land by the owner and occupier; and

(e) the use of the river, lake, or coastal marine area within or adjacent to the strip; and

(f) the management of any reserve in the vicinity.

BMHL's proposal for berth holder car parking to be located within the proposed esplanade strip and its request for clause 2(f) of Schedule 10 to be excluded is a matter over which the consent authority has complete discretion in the course of considering its conditioning powers. By reference to section 232(5), BMHL's position is that its proposal is reasonable and appropriate and will better enable the primary objective of the BMP to be achieved as follows:

(a) Relevant plan rules: The BMP provisions provide strong guidance on Council's intent for the use of the esplanade strip for vehicle access and parking. Activity Table I504.4.1(A1) specifies *"Dwellings in Sub-precinct B subject to the following minimum provision being available for primary activity focus within Sub-precincts A and B: Marina berth parking at a ratio of no less than 0.5 spaces per berth."* This is a clear and direct indication of the appropriateness of car access and parking spaces being located within Sub-precinct A (i.e., the proposed esplanade strip).

The AUP reinforces the above guidance in the BMP Description where Sub-precinct A is described as providing for "*marina berth holders parking*". Policy 6 requires "*public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities*" – the esplanade strip being located on the coastal margin. This policy indicates a clear intent of the territorial authority to provide for taking any vehicle on to, or driving or having charge or control of any vehicle on, the land that comprises the esplanade strip at Bayswater Marina.

Note that the provision for the esplanade strip in the proposal is not confined to Sub-precinct A, but is enlarged and a significant part is located in Sub-precinct B. The use of the esplanade strip for vehicle access and parking is extended to this wider area which also includes some dedicated open space provision.

(b) Existing instruments: BMHL's land at Bayswater Marina is currently subject to a public right of access over a 15 metre wide coastal access strip around the perimeter of the Land (**Access Strip**). The Access Strip was created at the time that the fee simple title was transferred to BMHL and is recorded in encumbrance no. 9592729.5 (Attachment 11 Encumbrance 95927295). The encumbrance creates pedestrian access rights over the Access Strip for the public and also allows for parking and vehicular circulation on the Access Strip by BMHL and its lessees. This reflects the current use of the land with parking and roadways located within the Access Strip. The Access Strip was crafted in this way (i.e., allowing parking and vehicle circulation associated with the marina) to recognise that at the date it was created, the land was an existing, operating marina and that public access had to accommodate that fact.

(c) Purpose and users: Bayswater Marina is, and will always be, a working marina, and the area adjacent to the water's edge has always had the dual role of providing vehicle access/parking, particularly for berth holders, and for providing public access to the waters' edge. Vehicle access close to the gantries and gangways leading down to the berthing piers is a critical feature of all marinas as berth holders need to be able to transport bulky and often heavy loads to their vessels. Parking and easy access close to gantries is a feature of all Auckland marinas and has been in existence at Bayswater Marina since it was constructed.

(d) Use of strip and adjoining land by owner and occupiers: The esplanade strip area is currently used predominantly for berth holder parking, but also for marina administration and for marine servicing purposes, the latter mainly involving boat sales, service and storage. The Takapuna Boating Club building is located on adjoining land as is the old reclamation owned by Auckland Transport and mainly used for public transport purposes.

Of these uses, the use of the esplanade strip for marina administration and marine services will be impacted by the proposal. Administration of the marina will move out of the strip area and into the ground floor of the South apartment. Marine services, in particular boat sales and storage, currently restricts public access to the strip, being fenced off. These activities will cease at Bayswater Marina.

The proposed esplanade strip will not affect, or be affected by, existing or proposed uses on the strip or on adjoining land owners or operators.

(e) Use of adjacent CMA: The use of the coastal marine area within or adjacent to the strip is as a working marina, with 418 berths available for vessels. This use is linked directly to the immediately adjacent land, needed to provide access to the berths and for servicing, and for parking vehicles.

(f) Not relevant.

In terms of sections 3.6 and 3.7 of the BCC submission, in which additional comments are made on the esplanade waiver and strip, BMHL's response is set out below.

In section 3.6, BCC believes there is inadequate provision for public spaces and in particular relitigates the issue of the 15m esplanade strip being shared with road and car parking, first raised

in 3.3 of that submission. The issue has been addressed in section 10, below, in particular the concerns with 'double counting'.

In terms of the view that the areas of public open space being "insufficient to meet the recreation needs of the community and future residents", the BMP provisions are quite specific in the minimum open space that must be made accessible to the public, in the event dwellings are constructed in Sub-precinct B – 7,200m². This area was recommended by the IHP and accepted by the Council on receiving representations from Bayswater Marina and other parties. The proposal is to provide 7,515m² of public open space.

In terms of 3.7 of the BCC submission, a response on parking and roads on the esplanade strip have been set out above. The boardwalk, up to 3.5m in width, is not proposed as a substitute for the 15m esplanade strip. As set out in the response to Q10 below, public accessible open space and the esplanade strip can be achieved on the same land. In the proposal, the walkway/boardwalk will be for the exclusive use of pedestrians, including those accessing the marina piers. This is a significant increase in the 1m wide footpath that currently circulates around the perimeter of much of the Marina.

Consent being needed under E38.4.1 is covered under Q 11 below.

9. Open Space

The CC submission queries impacts of shading on open space. It would be helpful in considering this matter to have shadowing diagrams provided for the apartment/ townhouses adjacent to or in proximity to the proposed South Park so the assessment of any potential effect is clear.

BMHL Response:

See separate "Shading diagrams PBA" report – Attachment 4.

10. AUP Interpretation

The CC submission identifies that the qualifying matters under I504.4.1 (A1) under Section 3.3 and are not met. It would be helpful for a response to be provided on this. There may well have been discussions on this matter under the IHP process to draft these provision that you may wish to refer us to given BML was actively involved in that process.

BMHL Response:

The BCC submission is that the proposal fails to meet the "minimum provision" requirements set out in Activity Table I504.4.1 (A1) in respect of car and boat trailer parking and in respect of open space provision. The submission suggests boat trailer parking will be hazardous, restricted to small boats, and contrary to the intent of the BMP to provide appropriate facilities for parking. In respect of open space, BCC considers the provision of open space within the esplanade strip to be double counting of these provisions.

This first matter raised has been discussed in response to Question 1 above, and also in the Stantech report, Attachment 2.

Secondly, turning to the matter of double counting raised by BCC, the submission says:

> *"The two pocket parks and boardwalk are located in sub-Precinct A, and double count the requirement for a minimum 15m wide esplanade strip and 7,200m² publicly accessible open space. The proposal does not meet the standard for open spaces to make the "minimum provisions*" for the ***primary activity focus on recreation, public open space and access to and along the coastal marine area****" (emphasis added).*

It appears this view is derived from Objective 1 in the BMP provisions, and the section highlighted is almost a direct quote from the objective, although it does omit the reference to other activities such as public transport, boating, maritime activities and maritime facilities.

In respect of the view of BCC, BMHL considers that these provisions have been confused by the submitter. BCC says that BMHL has 'double counted' when it comes to open space provision of 7,200m² and provision of the minimum 15m wide esplanade strip. In other words, they must be provided separate to each other.

The RMA sets out, in section 229, the purpose of an esplanade strip, as follows:

229 Purposes of esplanade reserves and esplanade strips

An esplanade reserve or an esplanade strip has 1 or more of the following purposes:

(a) to contribute to the protection of conservation values by, in particular,—

(i)maintaining or enhancing the natural functioning of the adjacent sea, river, or lake; or

(ii)maintaining or enhancing water quality; or

(iii)maintaining or enhancing aquatic habitats; or

(iv)protecting the natural values associated with the esplanade reserve or esplanade strip; or

(v)mitigating natural hazards; or

(b) to enable public access to or along any sea, river, or lake; or

(c) to enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river, or lake, where the use is compatible with conservation values.

The minimum 15m esplanade strip at Bayswater Marina falls into the categories of enabling public access to and along the sea, and enabling public recreational use of the esplanade strip and adjacent sea. The legislation itself provides for and seems to expect double counting of uses – the strip is to provide public access and enable public recreational use, both uses being those one would anticipate on areas of public open space.

The BMP provisions also provide strong policy guidance on this matter. I504.6.4 says the esplanade strip is to be "no less than 15m in width", and involve Sub-precincts A or B. Coincidently 15m corresponds very closely to the width of sub-precinct A in the BMP provisions.

Contrary to the view set out in the BCC submission, the precinct provisions actually envisage the integrated use of this land area for both access and recreation.

This is firstly evident in each of the Sub-precinct descriptions set out in I504.1 (these are set out in response to Question 1 above). For example, sub-precinct A provides for a number of uses, public access and open space, and for marina berth holders parking and marine structures.

Policy 1 in particular provides strong direction that multiple uses can occur within particular locations and says: "ensure that quality **open space** is made available **to and around the coastal edge** including **a minimum 15m esplanade strip**……" (emphasis added). Clearly the intention from this policy is for both open space and the esplanade strip to co-exist in the same Sub-precinct. And open space is to "include" a minimum 15m esplanade strip.

The theme and encouragement of co-location of open space and the esplanade strip is further emphasised in Policy 3 which requires: *"significant areas of public open space on the main reclamation area (in Sub-precincts A, B and C)"*. It would not be possible to locate open space in Sub-precinct A if that open space was not also anticipated to be designated as esplanade strip as well.

Finally, turning to the wording in Activity Table I504.4.1, the rule which requires 7,200m² of open space to be provided. The rule is:

> *Dwellings in Sub-precinct B subject to the following minimum provision being available for primary activity focus within Sub-precincts A and B:*
>
> *(d) Open space accessible to the public (not including any parking spaces or vehicle access areas) – 7,200m2*

Open space is clearly anticipated and expected in Sub-precinct A if dwellings are constructed in Sub-precinct B, and yet Sub-precinct A, being 15m wide, has no additional capacity to cater for open space within the sub-precinct outside the esplanade strip area.

It can therefore be concluded that using the esplanade strip land to also provide for other uses, and in this case open space, is anticipated in the provisions of the RMA and in the provisions of the BMP in the AUP. It is also noted that the proposed esplanade strip is significantly wider than the required 15m in many places, and extends to 30m in North Park (see Title Plan in Attachment 10.3 to the original application documentation and drawing A15265A Rev C in the Masterplan sets).

11. Residual Consenting Matters

The submission by the Community Committee identifies a number of missing consents under section 3.2 and 3.5 of the submission can you please review these and identify if these additional reasons need to be captured and provide additional assessment as appropriate.

BMHL Response:

These matters are dealt with in the order they were asked.

11.1 Esplanade Reserve

We agree additional consent is required under E38.4.1 by (A9) and (A10). This application and the associated assessment are included in Attachment 5 from Shearer Consulting Limited.

11.2 Retaining Structures in the inundation areas and CMA

We agree additional consent is required under E36.4.1 by (A9). This application and the associated assessment are included in Attachment 5 from Shearer Consulting Limited.

11.3 Extent of Place

We agree additional consent (Historic Heritage Overlay) is required under D17.4.1 (A17).

We also agree that, with respect to the new wastewater pump and storage tanks, earthworks consent is required under E12.4.2 (A33) and E26.6.3.1 (A117). These applications and associated assessment are included in Attachment 5 from Shearer Consulting Limited.

11.4 Piling

It is a fair question to enquire about the implications of larger piles than assessed when the piling consent was granted for pile replacement. The earlier consent was for underwater noise associated with piling using a number of techniques. The noise consultants who undertook the assessment at that time, Marshall Day, have commented on the noise associated with the piling associated with the gantries. This commentary is attached as Attachment 6, and shows the noise will not be increased so no new resource consent is needed.

11.5 Exclusive Occupation of the CMA

It is agreed that consent would be needed if the application wished to have exclusive occupation of the new gantries and gangways, however we do not consider this is necessary as the existing consent allows for public access to these areas except for reasons of safety, at night, stormy conditions etc. Generally, we can still achieve these restrictions via the existing consented areas.

Therefore, we do not wish to apply for exclusive occupation for the gantry and gangways where they differ from the existing consent.

11.6 Coastal structures and exclusive occupation rights

<u>Stormwater outfall structures:</u> There are three new outfall structures proposed (not seven as suggested by one submitter), and consent has been applied for these under Activity Table F2.19.10 (A121) Activity table (p34 AEE). The following table appears on drawing 400 Rev B of the Engineering Drawings, detailing the size of the outfalls.

STORMWATER OUTLET TABLE	
OUTLET	DETAILS
1	EX 300Ø TO BE RETAINED
2	EX 300Ø TO BE RETAINED
3	EX 300Ø TO BE REPLACED WITH NEW 750Ø
4	EX 300Ø TO BE REPLACED WITH NEW 600Ø
5	NEW 300Ø OUTLET
6	EX 225Ø TO BE RETAINED
7	EX 300Ø TO BE RETAINED

A brief assessment has been carried out in section 8.1.5 of the AEE. The two new outfalls, being replacement outfalls in the same location as those they replace. To the casual eye, they will look no different from those that currently exist. The third outfall is a 300mm outfall located at the northern end of the marina basin. Again, this will be visually unobtrusive and unlikely to be noticed amongst the rock rip-rap revetment. In terms of effects on amenity values, natural character, ecology and public access, these outfalls have been assessed as having no effect.

Firstly, the area is heavily modified, and it is difficult to imagine any natural character. The land is a reclamation. Surrounded by rip-rap. Overall amenity values will be improved as the outfalls facilitate in developing a greatly improved stormwater system which will enable quality treatment of all stormwater (currently untreated) thereby reducing contaminants entering the marina basin – this can only lead to wider environment ecology improvements. The outfalls will be just one part of a programme of an environment aimed at improved public access and facilities in the precinct.

<u>New gantries and gangways:</u> The new gantries and associated piling have previously been discussed in this correspondence. They will provide ample space at the top of the gantries for boaties to organise equipment before entering or after exiting the marina basin, and the gantry ramps will be a lesser grade than the existing gantries, making access easier for those carrying heavy loads of those being less mobile. The gantries will be unaffected by sea level rise as they rise and fall with the tide and seal level increases.

<u>Gabion basket retaining walls:</u>

The retaining wall is discussed above in 11.2.

12. Pier Access, Piling and Associated works

A number of submissions including the CC and BMBA query the works to the pier access points in terms of steepness and the lack of detail on this aspect of the interface with the marina in the future state. It would be helpful if BML could provide more detail on this matter so it is clear any extent of effect from the development on the access arrangements to the Marina.

The scope of the piling consent has been raised by the CC and differences between the consent i.e., in terms of pile size identified. I note the Marshall Day report for this consent appears to only assess 400mm piles. If BML can response on these matters.

BMHL Response:

Re steepness and detail, see response to Q 14 below ("Universal Access), and separate report – Attachment 7 from Airey Consultants dated 13.12.21 included with this response.

In respect of the Marshall Day report and underwater noise associated with piling, this matter is addressed in 11.4 above.

13. Live-aboards

A number of submissions raise concerns about potential amenity and reverse sensitivity matters on people living in boats within the marina. It is not clear the number of people actually living in the marina it would be helpful to have that confirmed? A submission[5] identifies 60-80 people. The submissions raise concerns about supporting facilities for the live-aboards both during and post construction. They raise concerns about lack of consistency in service provision in the development. It would be helpful if BML can confirm on the extent of live-aboards and provide additional assessment on the matters raised by the submitters.

BMHL Response:

As at 1 December 2021, there were 60 persons (excluding children) registered with the marina manager as living aboard their vessels. For the 2021 calendar year, the average number of liveaboards on the 1st of the month was 66, and the range was 57 to 70.

The current Southern ablution block contains a laundry (2.1m x 2.7m = 5.7m²) and two shower rooms (2.0m x 3.9m = 7.8m² each). There are some extra rooms, leading to an existing footprint of 34m².

The new South Apartment building has a provision of 99m² for marina facilities. This can easily accommodate laundry and shower facilities for berth holders.

The North Apartments design provides for 22.8m² for toilets which can be set aside for the general public, and an adjoining area of 53.4m² of which 34m² can be used to provide a berth holder shower and toilet facility.

The existing Southern ablution block is 53m away from the D-Pier gate (being the closest), and the new south facility will be a similar distance away. The current Northern ablution block is 38m away from B-pier, and the new North apartment located ablution block will be further away, which we estimate to be 150m or so. Whilst further away from A & B piers, it only affects 80 of 418 berths – 19% - and the new facility will be closer for berth holders on C though to H piers.

Naturally, any new facility will be an improvement on the existing facilities which are over 20 years old.

During the construction phase, it is possible to lease temporary shower and toilet facilities to ensure adequate facilities for all berth holders (not just liveaboards) are maintained.

Reverse sensitivity issues would be managed with the appropriate building development controls measures. For example, no construction noise outside of 7am to 7pm. This will need to be considered in the Construction Management Plan which will need to be a living document.

14. Universal Access

Submission E079 raised concerns about universal access matters. It would be helpful if BML could outline how it seeks to manage these matters.

15. Fire Hydrant

The Fire and Emergency submission talks about distances to hydrants. If you can confirm if your content to amend to achieve this submission point.

16. Overland Flow Paths

Council has updated the Council GIS in since the lodgement of the resource consent, and there are now Flooding and OLFP shown through the site. Submissions have raised this discrepancy in the technical assessments. The Aireys report currently says there are none. Can this matter be reviewed and additional comments provided on this matter?

17. Climate Change

During the processing of the resource consent, the mapping of the coastal inundation control layer has been updated on the unitary plan viewer. Some of the submissions have cited this change, and we suggest the civil reporting is updated as required.

Additional consenting matters were also raised in the CC submission regarding coastal inundation if these can be considered at the same time.

Response:

See Attachment 7 from Airey Consultants dated 13.12.21, responding to the above four issues.

18. Ecological Matters

The submission from Forest and Bird[6] raises matters on potential impacts on:

- *Seabirds in particular from artificial lights and sedimentation.*
- *The SEA-M2 area adjacent in terms of increased run-off of sediments and pollutants.*

We have requested the Council Ecologist to review these matters, but would like your team to respond to these matters also.

BMHL Response:

See attached Ecology Assessment from 4Sight Consulting (Attachment 12) and Peer Review from Bluewattle Ecology (Attachment 13) for response.

19. NZ Coastal Policy Statement

Forest and Bird identifies that the proposal would be inconsistent with Policy 11 and 13. Having reviewed the AEE there is no reference to an assessment against policy 11. A number of other submissions raise concerns about inconsistencies in the assessment. You may wish to provide additional commentary on this matter.

BMHL Response:

Policy 13 of the NZCPS refers to natural character of the coastal environment. Natural character effects have been assessed in detail in the Landscape, Natural Character and Visual Assessment report prepared by Boffa Miskell and attached to the AEE.

Policy 11 deals with protecting indigenous biological diversity. The policy aims to by avoiding adverse effects of activities on: indigenous biological diversity in the coastal environment various taxa that are threatened or at risk, indigenous taxa that are listed as threatened or at risk; taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; areas containing nationally significant examples of indigenous community types; and areas set aside for full or partial protection of indigenous biological diversity under other legislation;

The policy also aims avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on: areas of predominantly indigenous vegetation in the coastal environment; habitats that are important during the vulnerable life stages of indigenous species; indigenous ecosystems and habitats only found in the coastal environment and are particularly vulnerable to modification, including estuaries, coastal wetlands, intertidal zones, rocky reef systems; habitats that are important for recreational, commercial, traditional or cultural purposes; habitats, important to migratory species; and ecological corridors.

The assessment by 4Sight Consulting is that the potential ecological effects on avifauna to be low, the ecological effects on the terrestrial environment to be negligible, and the overall effects on marine area is also considered to be negligible. In summary, the proposal is not assessed as being contrary to Policy 13 of the NZCPS.

20. RPS/ AUP

A number of matters are raised in the BMBA and CC submissions on the RPS/ AUP which you may wish to provide additional commentary on.

BMHL Response:

Bayswater Community Committee: Many of the BCC issues raised have been addressed in this report and/or the accompanying documents, including:

- Primary focus activities and consistency with the objective and policies
- Boat ramp access, parking, safety
- Further consents needed
- Various esplanade strip issues
- Integrated and comprehensive planning

Berth holders:

- Many of the answers to their submission are found in the application documentation. This includes the conflict between marina and residential activities; provision for marine services; compliance with the RPS; facilities for berth holders and liveaboards; reverse sensitivity; water quality effects;
- Traffic and parking complies with the AUP
- Boat ramp and associated issues – considered in this report and attached documents
- Roading layout – adjusted in some locations – see Transport report (Stantec)

B. Original s92 Requested information

Q5. *"More information is required on the management and storage of the transplanted trees. Where will they be stored and how will they be looked after. Also, what is the contingency if the relocation of a tree is not successful"*

Further clarification is needed on the following:

They will need to clarify what they mean by large grade trees. Ideally this should be the container size and approximate height of the tree at planting.

"any Pohutukawa depicted on the landscape plan will either be planted with new large grade trees or obtained from the stock of transplanted specimens."

BMHL Response:

The first part of this question – "more information is required……. successful" was responded to by Peers Brown Miller as part of the previous S92 process – see Memo from Peers Brown Miller dated 20 August 2021 (attached to the 23 August S92 response letter from Shearer Consulting Limited).

"Large grade trees": Chis Scott-Dye from Peers Brown Miller responds as follows:

- *Large grade tree in the report refers to a minimum grade size of 160L, with a preference for anything larger than this size (200L, 400L, 1000L etc.). Minimum tree height would be 2m at the time of planting, but more likely to be 3 or 4m.*

- *If the relocation of a tree is not successful (it declines within the first two years), then it is to be replaced with a large grade tree.*

Q13. Attachment 6.3 LVEA Graphics – Figures 4 and 5 (Viewpoint A)

….. comments from John Steinberg and Peter below. Additional review of this matters has highlighted that there are still comments on the axis with the development needing to be more centrally position on the yachting club building and not onto a group of palms heading of at a divergent angle. Snippet below, but inserted into an attached work document so you can see the image more clearly.

BMHL Response:

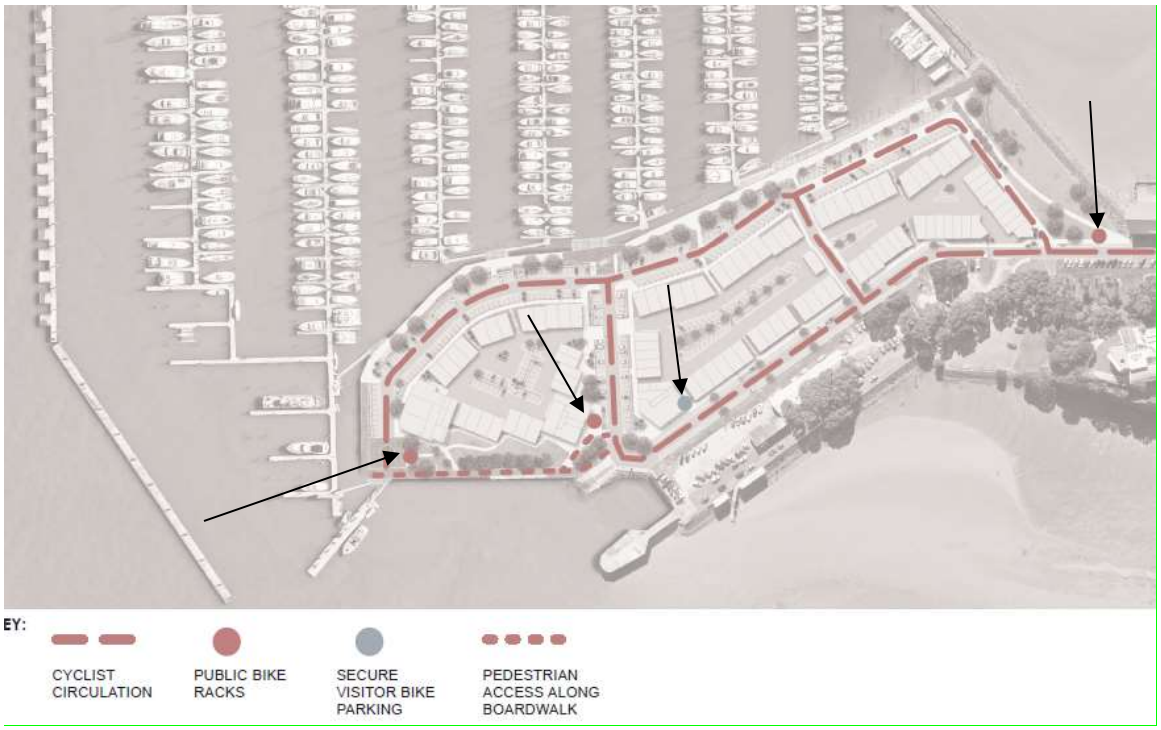
Boffa Miskell have corresponded directly with Peter Kensington over the matter of the view point. They responded to the last s92 with an updated vis sim that addressed his comments – this has been confirmed this by phone with Peter Kensington. The comment in the table we suspect is based on the old, original viewpoint (Peter confirms this).

Q 16. Accessible parking spaces for berth holders
Q 20. Road Layout
Q 21. Traffic calming and cyclists
Q23. Provisions for pedestrians and cyclists
Q26. Trip Generation, Modelling and Modal Split
Q27. Rubbish collection
Q29. Ferry terminal

Q31. Bike parking, for visitors.

BMHL Response: (on Q31)

As set out in the Stantec response to the S92 questions, public bike racks and secure visitor parking are delineated on the Cycle Movement Strategy Plan within the Landscape Concept Package, June 2021.The Cycle Movement Strategy Plan (see below) shows the location of three areas for public bike racks, and one for secure visitor bicycle parking, available to visitors of all 27 units of the apartment buildings.



Q33. Cycle facilities/Routes
Q34. Road cross-sections.

BMHL Response (all except Q31):

See Attachment 2 - Response from Stantec.

Q42. Design committee issues.
Q43. Maritime environment.
Q46. Projections into esplanade strip (balconies etc)
Q47. Overhanging balconies - what are the benefits/ adverse effects of balconies over the public footpath

BMHL Response:

Please see Attachment 8 - Urban Design Response Memo, Graeme McIndoe 21.12.21, for response to the above four Questions. NOTE. Minor changes have also been made to the Design Manual – these are explained in Attachment 8. A new version of the Design Manual, version 5, 21 December 2021, with the changes incorporated, is also attached, but as Attachment 7.2, as it is to replace version 4 in the Application Documentation.

Q48. boat trailer parking

BMHL Response:

Dealt with above

Q65. Primary focus and economic evidence (response to Greg Akehurst)

BMHL Response:

Referred to in section A1 above - See Attachment 1, Property Economics.

Q66. Reasons for Consent under Zone and Overlays

Activity Subdivision – creation of esplanade strip will require consent under (A9) of Table E38.4.1 as a DA.

BMHL Response:

See response above to Q11 and Attachment 5, Additional Consents.

Q 66. Activity Development
OS-SARZ – New Buildings (A39) that do not comply with Standards, the max height (8m), GFA, impervious is not included only retaining – DA, but page 85 of AEE identified non-compliance so probably just an error not included in table on page 34. Confirm with Craig.

BMHL Response:

Agree, minor mis-communication. The activity table (p34) should really have only said "Construct a building" in the left-hand column, and left all the standards assessment to p88, where all standards are assessed and the reasons for non-compliance set out.

Q79. Apartments Drawings

Having viewed the S92 response there are two issues where further information is sought. a) Is there any proposal to address the blank wall on the direct eyeline when walking east on the central – east-west road? b) Is there screening on the north western balconies to manage privacy between future residential terrace and apartment balconies 5-6m away?

Condition screening. Check with John on response. Can be post notification

BMHL Response:

This was responded to at the time of the 31 August S92 response as follows:

Thanks for these questions. I think the renders that are now available may assist John with question a). In respect of question b), screening is a good idea, but final agreement as to such a design detail will need to be finalised at the Building Consent stage.

BMHL is happy to have a consent condition related to screening.

NON-S92 MATTERS.

Q4 I'm also not entirely convinced that the applicant has fully grasped the importance of the preliminary issues that I (and John Stenberg) have previously highlighted, namely:
- providing a strong sense of place that reflects a strong maritime character;
- integrating Te Aranga Design Principles, through collaborative design with mana whenua; and
- providing public opportunities to access the water, particularly at the proposed north park.

Post notification and prior to technical memo being completed, BHHL to comment

BMHL Response:

The issue of maritime character has previously been reported through the S92 process. However, BMHL will address this matter in more detail through the hearings process as well as addressing Te Aranga Design Principles at that stage.

Q5. Trailer parking.
Q7. Access points to residential precincts

BMHL Response:

See response previously provided above by Stantec.

Q14. buildings visually appropriate for a maritime environment and are designed to reflect the maritime location.

BMHL Response:

This Question is identical to Q43 – see response to that question in Urban Design Memo, Graeme McIndoe, Attachment 8.

Q17. Graeme, Rachel. South Park design issues.

I (John Stenberg I think) appreciate the changes made with the introduction of seating in the sheltered setbacks along the eastern frontage. However, this space is sized to meet the open space needs of the whole site, and support a range of activities that would be associated with lookouts in costal locations. I consider seating and the odd table be intercluded to allow the less ambulant (49% of new Zealanders over 60 have mobility problems) to be able to sit and eat their lunch or morning tea in this park environment. Such facilities could also assist food and beverage tenancies as over spill options for customers and places for those employed on site to eat and relax away. It

is suggested that the following locations could be useful, however the landscape architect should develop their own rational for their location.

Final design can be conditioned, or applicant could choose to amend post notification. Position to be confirmed prior to specialist memo post notification/ submissions.

BMHL Response:

BMHL agrees that final design can be conditioned if necessary.

Please contact the undersigned if you have any queries regarding this response.

Your sincerely

Craig Shearer

From:	Tom Hemi
To:	Brady Nixon; Simon Herbert; David Hollingsworth
Cc:	Rachel de Lambert; van der Westhuizen, Gerhard; McKenzie, Don; Kitt Littlejohn (littlejohn@quaychambers.co.nz); Craig Shearer; Graeme McIndoe
Subject:	Bayswater Marina Masterplan
Date:	Wednesday, 19 January 2022 4:43:23 pm
Attachments:	A15265A_Masterplan_AT_Land_Included.pdf

Hi all,

Please find the updated BWM masterplan with the concept for the AT land adjacent.

Thanks,
Tom

Tom Hemi | Landscape Architect
E: tom.hemi@boffamiskell.co.nz | D: +64 9 359 5267 | LEVEL 3 | 82 WYNDHAM STREET | AUCKLAND 1010 | NEW ZEALAND

PROPERTY ECONOMICS

BAYSWATER MARINA

ECONOMIC RESPONSE TO S92 RFI

Client:	Bayswater Marina Holdings Ltd
Project No:	51989
Date:	January 2022

1. INTRODUCTION

Property Economics Limited (PEL) has been engaged by Bayswater Marina Holdings Limited (BMHL) to consider and respond to a s92 request for further information (RFI) dated 15 April 2021 (updated 1 August 2021) and a subsequent request of 3 December 2021 for a response to concerns raised in submissions on the BHML resource consent application (RCA).

Specifically, the s92 RFI sought a response to a Memo prepared by Mr Akehurst of Market Economics (ME) dated 21 July 2021 reviewing the *"Bayswater Marine Precinct Resource Consent Application Economic Assessment*" by Property Economics for the subject Bayswater Marine Precinct RCA. In this Memo, ME concludes that the development proposed by the RCA will likely give rise to economic effects, identified as "inefficient land use" and a reduction in "amenity and utility for North Shore residents". ME's conclusions are based on an analysis of demand for marine activities on Auckland's North Shore – particularly "trailer boat storage".

The more recent 3 December request for comment notes that submissions on the RCA raised concerns with "the lack of land-based storage, marine recreational activities and a marine support service alongside the loss of the existing boat storage and trailer park servicing" and that consequently, the primary focus of the Bayswater Marina Precinct would not be achieved.

This response does not provide an exhaustive rebuttal of every economic matter raised in the ME Memo that PEL disagrees with, as many of the Memo's contentions are speculative or irrelevant to a consideration of the economic effects of the RCA. Rather, this response focusses on the primary economic concern, that in omitting land-based storage and servicing facilities for boats from the RCA, North Shore trailer boat owners will be disadvantaged in their ability to conveniently obtain those services, leading to inefficiencies, and adverse amenity and utility effects.

This response does not address the opinions of submitters as to whether the activities proposed by the RCA achieve the objectives of the AUP. These are planning issues that are better assessed by planning experts taking into account the relevant technical evidence. In this regard, the overall

conclusion of the analysis of economic matters undertaken by PEL, is that there is low demand for trailer boat storage and boat servicing at Bayswater, with those services provided in other more convenient (i.e., accessible) locations for North Shore residents. Consequently, making provision for them at Bayswater would be an inefficient use of this land, taking into account its location and attributes that make it ideally suited for a balanced mix of marina, maritime recreational and residential activities.

RESPONSE TO ME MEMO

On page 4 of the ME Memo, it is asserted that[1] Bayswater Marina is, *"... an ideal location for some much needed Dry Stack boat storage.,"* and the author, Mr Akehurst, quotes evidence he gave to the IHP in 2016, stating that, *"... planning provisions should look to preserve 100sqm for marine related retailing at Bayswater and stipulate that hard stand accommodation for 120 (9m or less) boats should be provided for."* Ultimately, the IHP adopted the first recommendation referred to by Mr Akehurst into the Bayswater Marina Precinct provisions, but not the second. Its reasons for doing so are set out in its recommendation to the Auckland Council.

Importantly, both then and now, this contention that land at Bayswater should be required to be set aside for the storage of 120 boats, fails to consider the market realities of demand as they relate to commercial feasibility of boat storage and does not appear to have acknowledged that the level of marine activity proposed within the Bayswater Marina Precinct RCA meets Unitary Plan requirements.

For example, if it is the case that there was sufficient demand for a 120-unit boat stack in 2016, and, *"... there is more than enough latent demand in the community to support boat storage.,"* as ME contends on page 4 of the Memo, Bayswater should have experienced significant increase in dry-stack demand in recent years. However, the reality is that there has been no additional surge in boat storage demand sufficient to justify the commercially feasible development of a dry stack facility at Bayswater. Nor is one even planned. This represents clear economic evidence that ME's assumptions surrounding demand for boat storage are not ground truthed and have a theoretical, rather than 'real world', genesis.

Rather, ME attributes a lack of investment in boat storage at Bayswater to uncertainty surrounding the tenure of the land holdings at the marina. However, no evidence is provided to support this speculation, particularly given the current landowner has held the property since well before 2016. Nor has any consideration been given to the commercial competition for dry boat storage or boat stacks. ME's assessment also fails to acknowledge that the IHP process involved a detailed analysis of dry stack facilities with the Panel commissioners concluding in their recommendation that the economic hurdles to dry stack boat storage meant that it was unlikely to be of high demand[2].

[1] *Note, footnote 1 of the ME Memo appears to reference a 2020 report prepared for Clampett Investments Limited for an unrelated proposal. It is assumed this is an incorrect citation.*

[2] *IHP Report to AC Changes to RUB, rezoning and precincts Annexure 4 Precincts North 2016-07-22, page 14*

Despite the outcome for Bayswater land from the IHP process, ME appears to maintain the opinions that were rejected and in its Memo now advocates for a 'control economy' approach, insisting that dry boat storage or boat stacks are what make a marina and are thus an activity that should be provided by the marina owner, regardless of whether they are commercially viable. While it is true that dry boat storage and boat stacks are marine activities that sometimes occur in the Coastal – Marina Zone (and many other non-marina locations), they are not a pre-requisite for the zone to function as a marina.

The market realities around the location of marine activities and boat storage are discussed in more detail in the following section, as is the economics of boat storage.

Overall, PEL agrees with the conclusion in Mr Akehurst's 2016 evidence,[3] where he identifies that it would be economically inefficient to protect Bayswater Marina for marine activities given its isolated location and close proximity (3-minute boat trip across the Waitemata harbour), to one of the southern hemisphere's largest marine sales and service precincts.

At page 5 of the ME Memo it is suggested that there is no lack of residential land in Auckland. It is asserted that: *"The Unitary Plan provided Plan enabled capacity for over 1 million additional dwellings to be built."* While it may be true that there is theoretical capacity of circa 1 million additional dwellings enabled by the AUP (noting the latest Housing Assessment for Auckland Region July 2021 shows only around 909,100 dwellings of total net redevelopment capacity in urban areas), the more important consideration of the market realities of what is economically feasible falls well short of this figure. Referring to the AUP gross residential capacity, without acknowledging the net reality is concerning.

The July 2021 Housing Assessment for Auckland Region found that only around 101,600 residential dwellings of net infill capacity existed across the region and not all of these would be economically feasible. We also note that an extremely limited subset of this capacity would be geospatially similar (and otherwise characteristically similar) to those that the BMHL RCA would enable. ME places too much emphasis on the theoretical capacity figure to argue that Auckland has 192 years' worth of residential capacity and that "*Auckland does not have a capacity constraint on residential development*". This theoretical timeframe is irrelevant and simply bears no resemblance to the real-world feasible capacity.

ME's theoretical 'infill capacity' for Auckland relies heavily upon the presumption that existing property with existing buildings or houses upon them will be readily redeveloped if they are 'up-zoned'. Zoning land for redevelopment may imply opportunity for new housing, but feasibility and landowner motivation to develop is sporadic. Theoretical capacity also fails to consider infrastructure capacity constraints. As such, reliance on a theoretical approach to capacity is misplaced and significantly overstates the level of realisable capacity.

An obvious shortcoming in ME's calculation of demand (page 5) assumes that demand for housing will remain constant at around 5,200 net additional households per annum. This likely understates

[3] *Paragraph 5.4. Statement of Evidence of Gregory Michael Akehurst on behalf of Auckland Council. 26 January 2016.*

demand for dwellings substantially. For example, recent building consent data shows that the Auckland Region has had new residential building consent applications growing year-on-year from 3,500 annual consents in 2009 to 16,700 annual consents in 2020.

The ME Memo details some of the economic costs highlighted in the PEL report, including the loss of productive land, but then states that the report had, *"no listing of costs associated with the loss of opportunity to store boats."* A loss of Marina zoned land is an opportunity cost (which could include loss of land for boat storage) and was stated quite explicitly in PEL Economic Assessment. ME is mistaken in either the reading or understanding of the PEL report on this point.

The peer review conducted by ME lacks any market or economic evidence to support its criticisms and appears to be an attempt to relitigate a point that was rejected by the IHP when it recommended the final provisions for the Bayswater Marina Precinct. The core arguments made within the PEL report stand and remain valid.

MARINE ACTIVITY LOCATIONS – THEORY VS REALITY

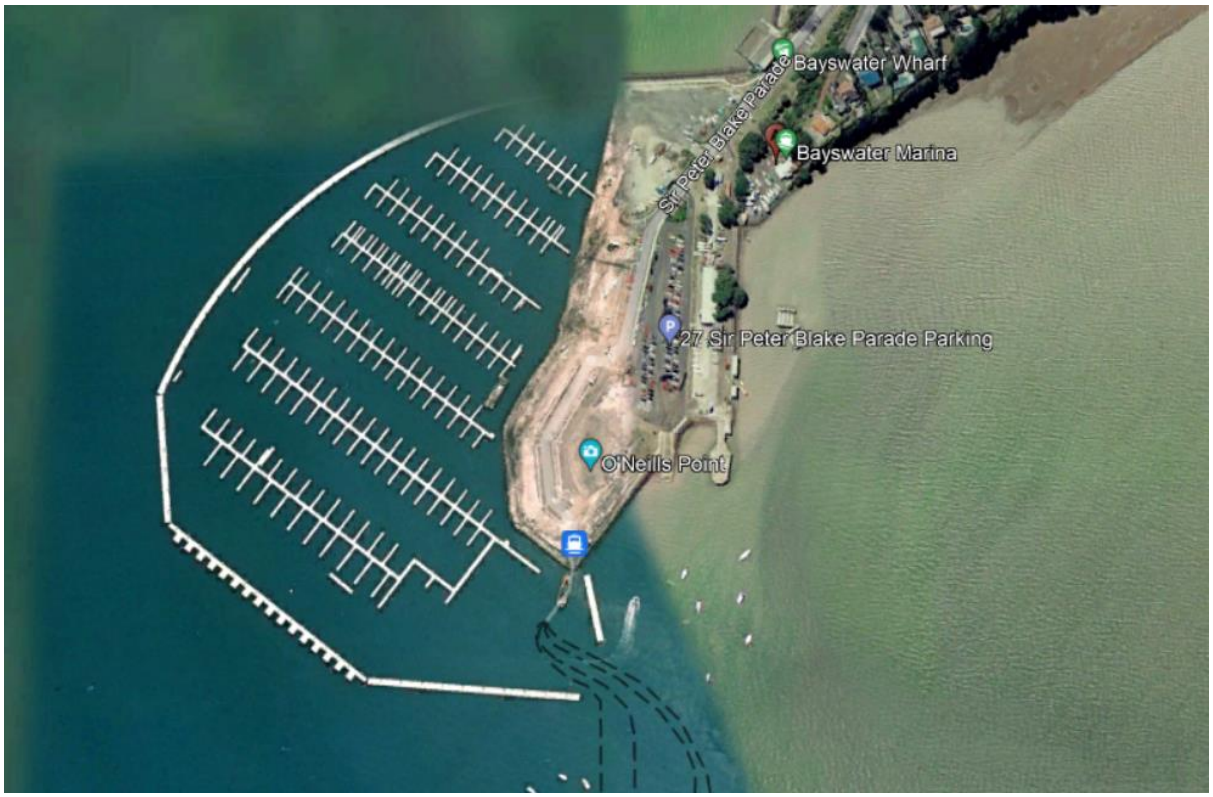
The primary zoning for Bayswater Marina is 'Coastal - Marina Zone'. The zoning acknowledges and provides for the ongoing primary use as an operating 'marina' (not a general marine or minor port zone). Substantiating activities associated with a marina should not be confused with a list of wider marine activities (such as repairs, boat building, maintenance, etc).

The following sequence of figures show the construction and uses of the Bayswater Marina using Google Earth satellite imagery. The three images show a visual history of the marina: the marina under construction (2000), the marina once completed and operational (2006) and the latest image from December 2019.

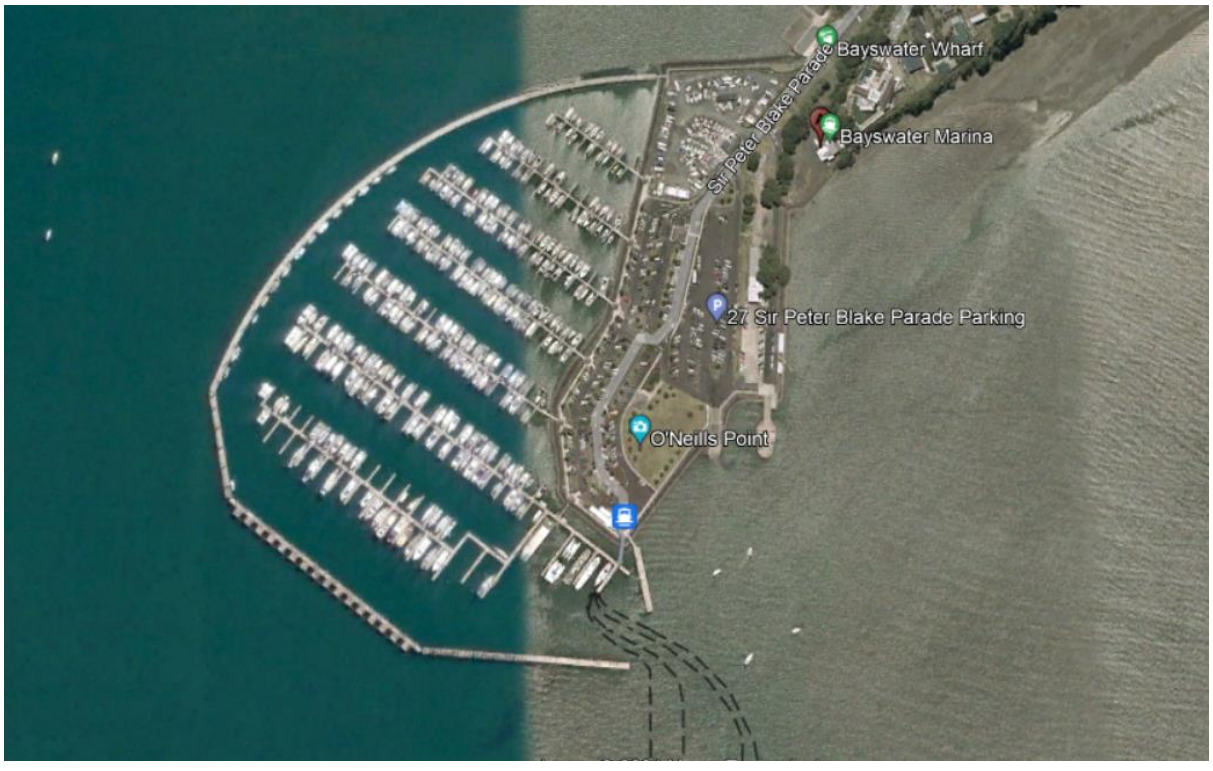
The northern most area is the location of the current land-based marina zone activity which includes five business activities, four of which are under one company with the head lease as PEL understands.

FIGURE 1: BAYSWATER MARINA HISTORY

Under Construction in 2000 (completed around 2002)



Bayswater Marina 2006



Bayswater Marina 2019

Source: Google Earth

As can be seen in the Figure 1 images there has been virtually no change in Bayswater Marina's marine activity since 2006, despite significant growth in North Shore's population. The northern most land of the marina peninsula has remained an area for some minor scale marine activity with only a couple of small ancillary buildings since the marina was completed in 2002.

This shows that for nearly two decades there has been no demand for a commercially viable dry stack facility at Bayswater Marina. It also demonstrates that growth in population and (presumably) the marine market does not automatically translate to additional demand for such activities at marinas. This supports Mr Akehurst's findings and the IHP's conclusion on the Bayswater Marina Precinct that, *"there is unlikely to be demand for significant areas for marine-related activities in the future*[4]*"*.

Demand for marine activity on the North Shore is predominantly satisfied in other 'non-marine' and 'non-marina' locations, including inland industrial areas such as Wairau Valley and North Harbour Industrial Estate.

Figure 2 displays the location of marine activity on the North Shore that supplies marine related sales and services for demand generated on the North Shore and boat storage facilities. Many marine

[4] *IHP Report to AC Changes to RUB, rezoning and precincts Annexure 4 Precincts North 2016-07-22, page 14*

services increasingly look, operate and function like trade industrial activity and seamlessly '*fit*' into these industrial areas. Some examples of this industrial-style marine activity include boat repairs, boat painters, boat storage, marine engineering, marine electrical, outboard servicing, etc.

These non-marina locations are more central to the North Shore market and are therefore better positioned to service the market more efficiently. Marine Services includes Engineering, Electrical, Boat Builders, Boat Repairs, Marine Surveyors, Marine Brokers, etc.

Note: boat storage refers to specialty boat storage – boat yards, dry stacks, hard stands, etc. and not general storage, though many general storage providers can and do store boats / boat trailers dependent on storage size offered and access capability, i.e., ability to drive into the storage area. These more general storage locations are not shown on the map as they are not classified as a marine activity,

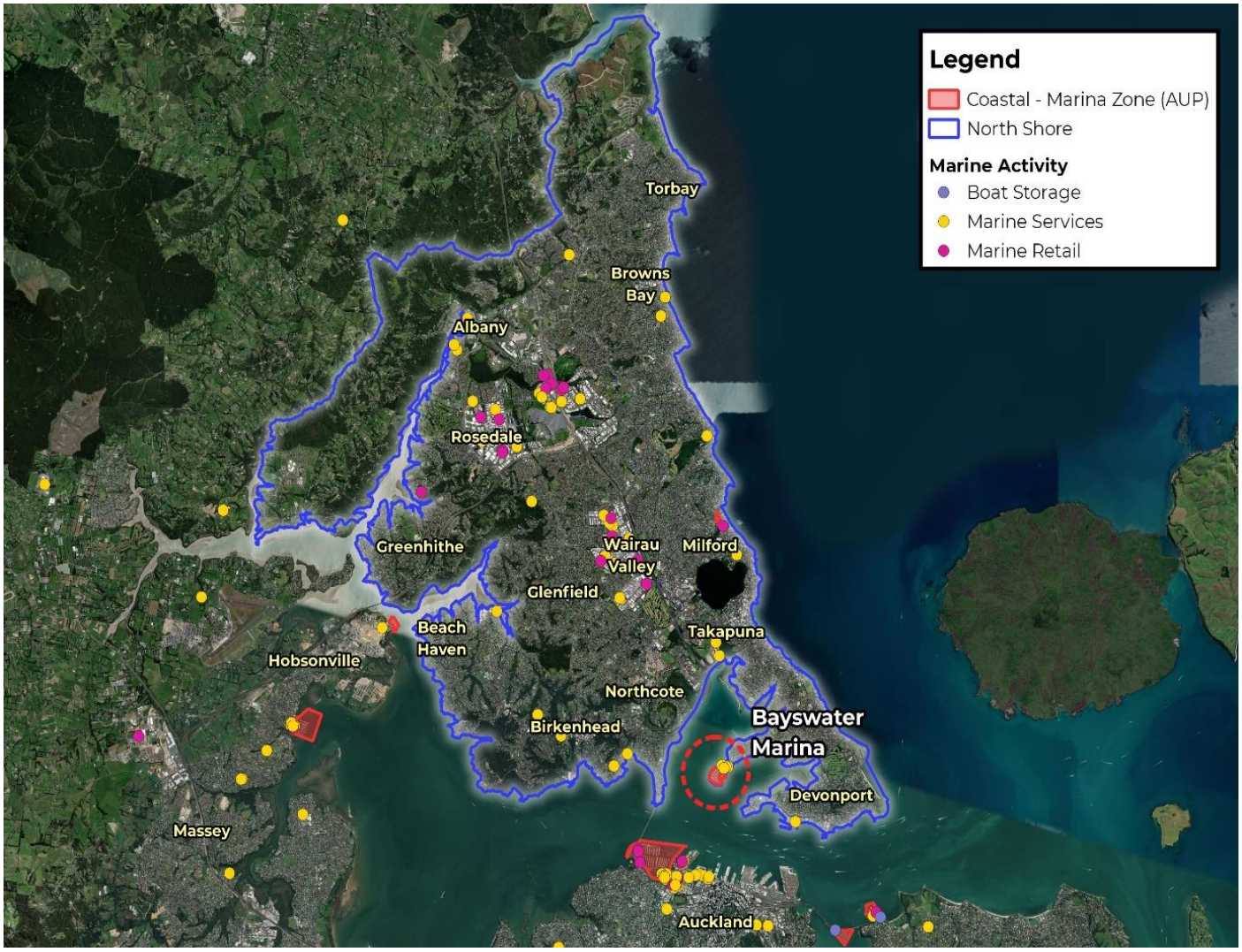
Only a small proportion of marine activities would be incapable of operating outside a marina environment and these tend to be associated with a particular marina, such as Marina Management Offices or Boat Clubs.

Figure 2 highlights the dominance of non-marina locations and ground truths the reality that Bayswater Marina is not a location of choice for the vast majority of marine related activities on the North Shore. The figure shows that the ME posited demand for such services at Bayswater Marina is notional demand at best and not 'played out' in reality. This is due to its relatively isolated location and the strong competition from Westhaven marina and Wynyard marine precinct, approximately a 3-minute boat trip away from Bayswater.

Figure 2 also confirms that inland-based industrial location options on the North Shore are more important for marine activities than Bayswater or other marina locations on the North Shore, as they are positioned closer to where customers reside and to major arterial routes and motorways.

Outside of the North Shore it is Westhaven Marina that provides the largest amount of marine activity within, or close to, a marina zone (some marine activity is in an adjacent precinct of the City Centre Zone).

FIGURE 2: GEOSPATIAL DISTRIBUTION OF NORTH SHORE MARINE ACTIVITY



Source: Property Economics, Bing Maps.

The following table shows a business count of the marine activities present on the North Shore (pictured above) by broad marine activity type.

Bayswater Marina has only eight marine activities out of a North Shore total of 69, or just 12% of total marine activity on the North Shore. Of these, only five businesses are likely to be displaced[5] as Bayswater Marina Management will stay and the existing charter businesses[6] are able to operate outside of the marina. They just require access to moorings in the marina. The charter businesses can also secure office space within the 140sqm GFA proposed if they desire.

[5] *The Marine Group (encompassing Outboard & Stern, American Boats Direct, Motor and Marine Services, Bayswater Trailer and Boat Storage); and a separate business Wooden Boat Restoration and Repair*

[6], *Charterlink, Riko Boat Charters,*

TABLE 1: NORTH SHORE MARINE ACTIVITY COUNT

Marine Activity	Activity Count
Marine Storage	2
Marine Services	45
Marine Retail	22
Total	**69**

Source: Property Economics, StatsNZ.

Table 1 shows 88% of all marine activity on the North Shore chooses to locate in areas other than Bayswater. This is important when considering future marine activity demand at Bayswater, as applying the same 'real world' proportion suggests nearly 9 out of every 10 future North Shore marine businesses would not choose Bayswater as their preferred location. This is aside from existing businesses also having the ability to service growth in marine demand. Marine businesses predominantly service boats at the place of berthage and are thus mobile, meaning they do not need to locate in every marina to service every marina.

Furthermore, non-marine locations are increasingly important for marine activity to attract the broader market, with many marine businesses increasingly having a trade retail function. This makes Bayswater Marina a less viable location to service such demand from a commercial perspective. An example of this is Burnsco Marine which can be found in locations such as Mt Wellington Highway in Mt Wellington, Tawa Drive in Albany and the Northwest hub beside Westgate – all non-marina locations.

Many other marine activities such as boat building, repairs, and painting are required to be carried out in a permanent structure (warehouse for example) to provide protection from the weather elements or conversely to provide protection to the environment (noise, dust, pollutants, etc).

BOAT STACKS / HARD STANDS / BOAT STORAGE

Owners of small boats (usually under 9m), that do not keep their boat moored, store their boats either in a boat stack, a hard stand, a garage, boat shed, in a boat yard (or boat trailer yard), but predominantly on their property (garage / yard). These activities do not require a marina zone in order to be performed. Instead, boat storage for small boats is capable of being carried out in virtually any zone. Therefore, the use of Bayswater Marina's land for other activities does not reduce more desirable location options available for marine activities.

The figures in Appendix 1, highlight some examples of small boat storage options around the North Shore and Auckland. Other than the dry stack (Pier 21), all the examples shown occur outside marinas and marina zoned land. Pier 21 is on City Centre Zone land within the Wynyard Sub-Precinct C but is included as part of Westhaven Marina.

These figures demonstrate that there is an abundance of boat storage options available to boat owners that do not require a dedicated hardstand at Bayswater Marina. These alternative options are

one of the key reasons why there has been insufficient demand to lead to the development of a commercially viable dry stack facility at Bayswater Marina.

Additionally, it demonstrates that a large number of boat storage options do not occur near the water / boat ramps as often presumed and occur in areas practical for boat owners (e.g., boat owners' property), and where land is likely offered at lower premiums (relative to marinas) to boat owners – e.g., cheaper industrial land where dry stack development is more commercially viable and storage rates offered are likely more competitive.

This goes someway in explaining why, after almost 20 years (2002 – 2021) no dedicated dry stack facility has been constructed at Bayswater Marina. Instead, boat stacks / hardstands are provided in some of the larger and more central and easily accessible marinas such as Westhaven and Orakei.

The most recently developed commercially viable dry stack boat storage facility in Auckland was at the Tamaki Marine Park next to the Tamaki River – refer image in Appendix 2. This is part of a wider marine precinct cluster. This is located on Light Industrial Zone land and is part of the wider Mt Wellington industrial area.

The matter of whether land should be held aside for boat dry stacking was well considered by the IHP Panel who concluded that economic hurdles were a barrier to dry stack development, leading to the quite specific wording for activities that should be provided for at Bayswater. They did not include 'dry stack' or 'boat and trailer storage' but rather focussed upon the marina itself and the basic facilities that were realistic for that more isolated location.

GENERAL DRY STACK VIABILITY

Costs for boat racks are well known and available online. Boats when parked on grade average $100-200 per month but quickly jump to $550-$800 per month depending on whether the rack is outdoor or indoor. It is unlikely that all boat owners have the inclination or disposable income to afford the luxury of racked boat storage and the associated service.

Additionally, PEL understands the capital outlay for a modest boat rack facility would be in excess of $2.5 million taking into account:

(a) racking;

(b) a specialist forklift with a negative lift capacity;

(c) a reinforced concrete pad to cater for the weight of a forklift and boat;

(d) a specialist wharf;

(e) security;

(f) staff facilities;

(g) car parking; and

(h) any building.

In his evidence before the IHP in 2016 Mr David Hollingsworth (for BMHL) estimated that the cost of a travel lift would exceed $3m if it were to cater for boats up to 100 tonnes. These costs would be expended day one and a profitable return required shortly thereafter. Anecdotally, this may be one reason why Auckland typically develops a boat stacking facility at 10-15 year intervals (and in very carefully placed locations).

Mr Hollingsworth also exampled the hard stand located at Hobsonville. It has a travel lift and can store 50 boats at one time. It uses two travel lift machines at a cost of $3m and employs five staff. Based on that business Mr Hollingsworth estimated that a Bayswater based business would achieve at best a 5.3% gross return on capital and during the years of establishment 2-3%.

Location is also an important consideration. It is well established that travel time to Bayswater is longer than to Westhaven from many suburbs of the North Shore. Competitive and established facilities in Westhaven offer a more convenient location for servicing dry stack needs for much of Auckland.

It is PEL's understanding that the existing boat and trailer parking at Bayswater is intending to relocate and has enjoyed a soft rental that was offered by the land owner to avoid land vacancy.

SUMMARY

It is clear from the foregoing analysis that marine activity is not exclusive to marinas (or Coastal - Marina Zone land), and there is an obvious distinction to be made between theoretical marine activity locational demand and the actual locational demand from marine activities themselves in the North Shore market.

There is little, if any, commercially feasible demand for dry stack boat storage at Bayswater due to its isolated location and sufficiently close proximity to Westhaven Marina and Wynyard Marine Precinct which has a significant competitive advantage of agglomeration benefits, economies of scale and locational benefits.

These contributing facts underpin why Bayswater Marina (as a location) has not experienced growth in marine activities over the 20 years since it was first developed.

Mr Akehurst's 2016 finding of there being a low level of demand for marine activities at Bayswater Marina remains the case. PEL agrees with it and the evidence presented above further supports it. It is unlikely that the proposed development site would be commercially feasible for intensified marine dry stack development in the short- or medium-term. There is also nothing PEL is aware of that has driven, or will drive, wholesale change in the marine market or marine activity demand that would cause Mr Akehurst's 2016 conclusions to become invalid over that same timeframe.

APPENDIX 1: EXAMPLE OF DRY STORAGE OPTIONS FOR NORTH SHORE BOAT OWNERS

FIGURE 3: NATIONAL MINI STORAGE ALBANY 1 (6 MIRO PLACE, ALBANY, AUCKLAND 0632)

Source: Google.

FIGURE 4: HOLIDAY OUTBOARDS & BOAT STORAGE (209 BUSH ROAD, ALBANY, AUCKLAND 0632)

Source: Google.

FIGURE 5: PIER 21 MARINE CENTRE (15 WESTHAVEN DRIVE, ST MARYS BAY, AUCKLAND 1010)

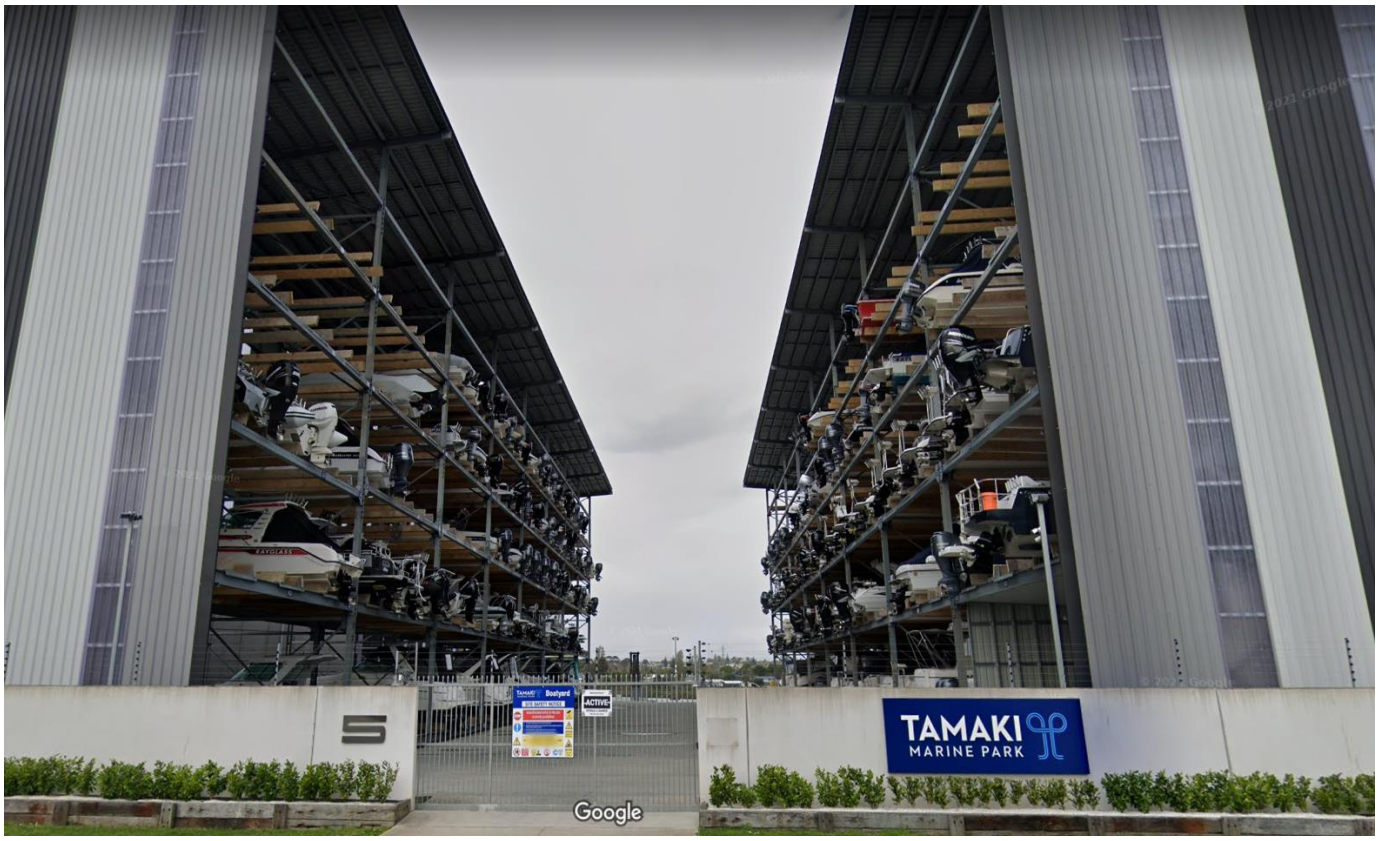
Source: Google.

FIGURE 6: AT HOME EXAMPLE, 8 FRANCES PLACE, MILLWATER, AUCKLAND

Source: Tim Heath

APPENDIX 2: TAMAKI MARINE PARK DRY STACK

FIGURE 7: TAMAKI MARINE PARK DRY STACK

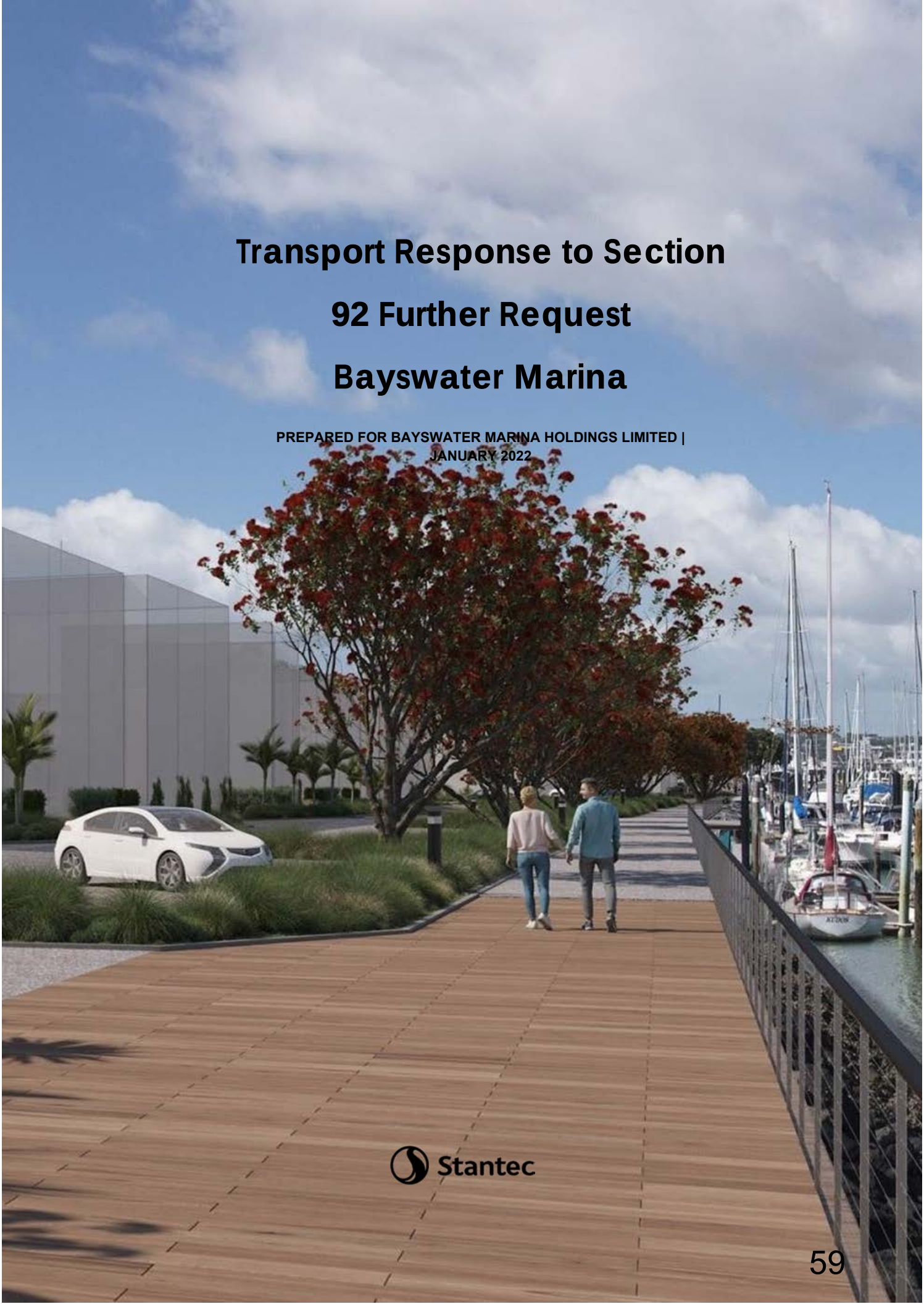


Source: Google Maps

Transport Response to Section 92 Further Request

Bayswater Marina

PREPARED FOR BAYSWATER MARINA HOLDINGS LIMITED |
JANUARY 2022



Stantec

Revision Schedule

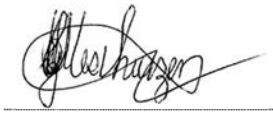
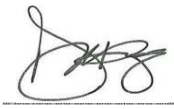
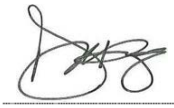
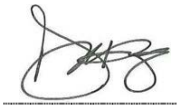
Rev No	Date	Description				
			Prepared by	**Checked by**	**Reviewed by**	**Approved by**
V1	26/08/2021	Draft to client	GVDW	DJM	DJM	DJM
V2	30/8/2021	Final	GVDW	DJM	DJM	DJM
V3	18/2/22	Final	GVDW	DJM	DJM	DJM
V4	21/01/2022	Final	GVDW	DJM	DJM	DJM

Quality Statement

This document has been prepared for the benefit of Bayswater Marina Holdings Limited. No liability is accepted by this company or any employee or sub-consultant of this company with respect to its use by any other person.

This disclaimer shall apply notwithstanding that the report may be made available to Auckland Council and other persons for an application for permission or approval to fulfil a legal requirement.

PROJECT MANAGER	PROJECT TECHNICAL LEAD
Don McKenzie	**Saulius Vingrys**

PREPARED BY Gerhard van der Westhuizen		25 / 08 / 2021
CHECKED BY Don McKenzie		26 / 08 / 2021
REVIEWED BY Don McKenzie		21 / 01 / 2022
APPROVED FOR ISSUE BY Don McKenzie		21 / 01 / 2022

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Contents

1 Transport Response to Section 92 Request

Following submission of the resource consent application (BUN60373319 dated 15 April 2021) by Bayswater Marina Holdings Limited ("**BMHL**") for the above development, Auckland Council has issued an additional request for further information under Section 92 of the Resource Management Act 1991 ("**further s92 request**").

The following responses address the transport-related matters within the further s92 request. These queries are cited in italics for ease of reference and responded to below.

1.1 Item 16: Accessible Parking Spaces

"Previous Request:

Please clarify how many accessible parking spaces will be provided and where these will be located.

Council Review 1:

Stantec have provided for two mobility parks based on 32 visitor parks at the marina. Please clarify how berth holders will access a mobility park if required i.e. should a proportion of the berth holder car parks be allocated as mobility parks?"

Response 1:

There are 285 berth holder spaces provided. A total number of seven accessible spaces are required. The allocation of berth-holder parking is provided in the response from the Applicant.

Council Review 2:

Stantec have provided for two mobility parks based on 32 visitor parks at the marina. Please clarify how berth holders will access a mobility park if required i.e. should a proportion of the berth holder car parks be allocated as mobility parks?"

Response 2:

There is only a requirement to provide accessible spaces for visitors. As such, two accessible spaces are provided. Berth holders can make use of the visitor accessible spaces / or accessible spaces provided within the AT Park and Ride facility.

1.2 Item 20: Road Layout

"Previous Request:

Please provide a visibility assessment for vehicles travelling around the bend of Sir Peter Blake Parade and Cross Street. The vehicle tracking shows the rubbish truck has to cross the centreline on the bend. Please demonstrate on a plan that adequate sight lines are available to ensure oncoming traffic will have adequate space to stop to prevent either vehicle having to reverse within the roadway."

Council Review:

The bend in the road at the intersection of Cross St and Sir Peter Blake Parade is not considered acceptable in its current design for the reasons given below. Please reconsider the design given the location of the bus turning area and the boat ramp. Suggest a roundabout may be an option with the bus access forming a leg of the roundabout. Use of the boat ramp will need to be designed into the intersection.

The truncated snip of the tracking plan provided shows the truck's swept path crossing the centreline after the bend which provides a major safety issue for a vehicle travelling southbound around the bend. Although the plan shows there is adequate visibility along Sir Peter Blake Parade, a southbound vehicle entering the bend will be at risk of a collision. In addition to this, the tracking provided for the southbound vehicle does not imitate usual driving behaviour.

The s92 response has provided new information on the location of the bus access, where buses are expected to exit the ferry terminal area at the southern end of Sir Peter Blake Parade. It is proposed that buses turn right out of the ferry terminal area on a tight bend in the road where visibility will be restricted.

We have concerns on how vehicles with a trailer will safely manoeuvre onto the boat ramp, given its location on a tight bend in the road with restricted visibility.

The restricted visibility that comes with the current design does not lend itself to an important intersection that has to cater for heavy vehicles, bus turning area and vehicles and trailers negotiating the boat ramp."

Response 1

It is understood that BMHL is not required by the Bayswater Precinct Provisions to provide specific bus turning facilities[1] within its land and development within sub-precincts A and B.

As noted in the letter provided by Kitt Littlejohn Barrister (**legal opinion**) supporting this s92 response, Stantec understands that there is no obligation to incorporate public transport elements (such as bus routes and/or ferry facilities) within its proposed development of the Bayswater Marina. The public transport outcomes sought by the Council and Auckland Transport as part of the BMHL land are therefore beyond the specific requirements and expectations of the Bayswater Marina Precinct provisions but more specifically are directed to be applied over Precinct 'D' (the adjoining Auckland Council land holding). Notwithstanding, the current ferry terminal and pedestrian access to that pier will remain insitu.

An accompanying legal opinion to the further s92 response will address this matter further.

In addition to the legal opinion, the following points are noted from a transportation perspective (noting that there is no specific requirement to do so):

- Ultimately the Auckland Council land parcel adjoining the subject site (as Precinct 'D') will be developed into a public transport interchange with the ferry shifting to the existing wharf. However, and to more succinctly answer the above questions, if BMHL were to contribute more land to the overall public transport node by catering for bus movements exclusively on the BMHL land, then consequentially a significant area would be required to accommodate the full turning head (and/or the full spatial needs of the u-turn of the AT Metro buses). Catering for those public transport desires in a temporary and limited manner would result in significant changes to the Sir Peter Blake Parade extension and most probably near the existing boat ramp where a range of conflicts would occur. Because the public transport objectives are directed to Precinct 'D' there would be negative consequences to the proposed development of the BMHL land and it may be difficult to safely cater for all possible vehicle movements.
- It is also noted that such a solution (full turn head) will not resolve concerns raised about the boat ramp (and vehicles reversing). In fact, it creates a wider manoeuvring area which may create further adverse effects on pedestrian safety.
- A roundabout concept at the location of the boat ramp (as suggested by Council/AT) was considered in preliminary detail, however it has been assessed as providing limited separation between vehicle movements and ongoing conflict may still occur at the roundabout point (especially during reversing manoeuvres associated with the boat ramp). A round about would additionally exacerbate pedestrian movements.

It is further noted that the safety concern in terms of the bend in Sir Peter Blake Parade will be addressed in subsequent detailed design processes.

Appendix D provides a conceptual solution which creates sufficient separation between movements via a proposed flush median along the centreline of the curve extending from Sir Peter Blake Parade Extension into Cross Street. The flush median provides additional manoeuvring area for reversing vehicles associated with the boat launching ramp, and separates the directions of travel through this area. This would also assist with the facilitation of the AT bus turning right out of the AT site.

Raised zebra crossings are also proposed on either side of the boat ramp access. The purpose of the addition of raised pedestrian crossings is to:

1. Redirect pedestrians away from safety hazards such as the boat ramp;
2. Direct pedestrians passed at grade retail and marina activities;
3. Slow down traffic movements on Sir Peter Blake Parade and Cross St as they approach the boat ramp;

These crossings significantly improve safety for pedestrians, particularly when the boat ramp is being used.

Appendix D is considered conceptual and subject to further refinement. A detailed design of this layout can be provided at detailed design stage.

[1] Refers to a facility that provides space for an AT Metro bus to make a full turnaround manoeuvre without reversing

Council Review 2:

The bend in the road at the intersection of Cross St and Sir Peter Blake Parade is not considered acceptable in its current design for the reasons given below. Please reconsider the design given the location of the bus turning area and the boat ramp. Suggest a roundabout may be an option with the bus access stage (rather than detailed design) as it will determine if the conceptual design is feasible.

a) *Please clarify how vehicles with boat trailers reverse onto the boat ramp safely. It is stated in the response that the widened flush median will facilitate these movements. Please provide vehicle tracking of an AT standard car and boat trailer reverse manoeuvring safely onto the boat ramp.*

b) *The separation of the opposing traffic flows by line marking will assist with trucks crossing the centreline as they track around the bend. The original tracking provided by Stantec shows a rubbish truck entering the opposing lane by a significant margin. Please provide vehicle tracking showing a rubbish truck tracking around the bend with a car in the opposite direction to demonstrate both vehicles do not need to cross the centreline.*

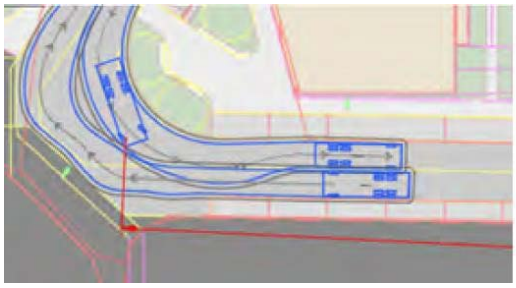

***Figure 1** Original vehicle tracking provided by Stantec of rubbish truck and car passing on bend.*

Please provide a visibility assessment for the two proposed pedestrian crossings on the bend to ensure safe sight lines are achieved. This is critical for pedestrian crossing points.

Response 2:

This section of SPBP has been updated in the latest design layout as indicated in Appendix A. The bus will exit and enter at the same location, as illustrated in the bus tracking assessment in Appendix B -Sheet 3 (refer to agreement and direction from AT by email, dated 17 December 2021). It is noted that the design layout presented for the AT land is indicative only at this stage pending further design and assessment work to be undertaken by AT and others.

The updated layout for this section of the road now includes holding bays immediately north of the boat ramp on the eastern side of SPBP which can accommodate two car and boat trailers. The purpose of these 'holding bays' is to provide safe temporary parking for boat ramp users to prepare boats for launching or wait in turn to use the ramp.

There are no existing New-Zealand design standards for car and boat trailer parking spaces that dictate the layout or dimensions of such spaces. As illustrated in Appendix B, a typical car and boat trailer will manoeuvre from these holding bays and reverse into the boat ramp area (no different from what currently occurs at the existing boat ramp). The reversing manoeuvre is similar to that experienced at Takapuna boat ramp and would be familiar to North Shore boat ramp users. Compared to angled parking (where a driver manoeuvres forward when arriving and has to reverse out of the spaces when departing), these parallel spaces will operate in a no more or less difficult arrangement than angled parking, or for the reversing manoeuvre onto the boat ramp itself. Visibility towards oncoming traffic when parallel parking is considered more effective than that associated with angled parking.

The two raised zebra crossings (one on each side of the boat ramp) will help to deliver a safe, slow speed traffic environment for all road users, including for pedestrians. This design treatment will serve predominantly to ensure that approaching traffic has time to identify boat ramp users (including those undertaking reverse manoeuvres onto the boat ramp) and respond accordingly by waiting or manoeuvring around the boat ramp user. As shown in the tracking assessment, cars and boat trailers will not be required to reverse over the pedestrian crossing facilities (albeit there is a requirement to reverse onto the boat ramp from a position across the zebra crossing). Pedestrians will be well placed when seeking to cross at the crossing points to observe the intent of the manoeuvring driver and can make the appropriate response, pausing at the roadside as required until the manoeuvre is completed).

Surveying currently being carried out by BMHL (and which will continue until the hearing) is assessing the carpark and boat trailer use four times per day. To date that data shows that the boat ramp is used infrequently with more than 80% of use on weekends or public holidays (off peak) coinciding with fine weather and higher tides. Peak boat ramp use will be quantified in evidence presented at the hearing. Current data indicates that ramp usage appears to be less than three boat ramp movements per hour.

It is additionally noted that:

1. The operational characteristics of SPBP can be described as a "local destination road". Many local streets along the Bayswater peninsula provide similar trip movement characteristics and would be appreciated as quiet, local access streets. As such trip movements along Sir Peter Blake Parade will be limited;

2. Most of the boat ramp activity will occur during the off-peak periods of Sir Peter Blake Parade (e.g., during weekends and public holidays);
3. On the basis of a 16 hour day (6am to 10pm) where trips are expected to be generated by the residential and associated activity within the BMHL development, a total of up to 730 trips generated by the full development on a daily basis translates to approximately 46 vehicle movements in any given hour (on average). It is unlikely that all trip movements to and from the proposed development and berth holder parking will occur past the boat ramp because the proposed development includes several vehicle exits to the north as a result of the one way and circulating traffic movements. However, it is conservatively assumed that most inbound trips will occur past the boat ramp. As such, the total number of trips expected past the boat ramp area is approximately 23 inbound trips and 8 outbound trips, totalling 31 movements in any given hour between 6am and 10pm, or up to one movement every 2 minutes on average. Such frequency of movements (and even with some occasional periods where there might be somewhat greater intensity of movement), is not expected to have more than modest effects on either the safety or effectiveness of the operation of the boat ramp and nearby pedestrian crossings.
4. As such, the reversing manoeuvre onto the boat ramp is not expected to be adversely affected by the trip movements in this location. Such a manoeuvre will most likely occur when there is little or no other traffic in the area (i.e. evenings, weekends and public holidays).
5. The current boat ramp usage is already established and is not likely to be altered by any element of the proposed BMHL development.

The slow speed environment, available visibility to other traffic and pedestrians, nature of manoeuvres required to access the boat ramp and the limited frequency of oncoming traffic at the boat ramp area, are all an indication of a safe operational area for all road users. These features along with the calculated trip movements presents similarities to vehicle movements and boat ramp use at other boat ramps around Auckland. For example, the Half Moon Bay Marina where the boat ramp is located adjoining commuter parking and pick up/drop off parking for ferry users.

Appendix B, Sheet 1 to 2 illustrates a car and boat trailer passing a refuse truck around the L-shape bend. As can be seen, the manoeuvres can be accommodated simultaneously.

1.3 Item 21: Traffic Calming

"Previous Request:

The internal road network should have a design speed of 30km/h to ensure a safe environment for pedestrians and cyclists. Please show traffic calming measures to ensure traffic speeds will be reduced to 30km/h."

Council Review 1:

Stantec has recommended two zebra crossings and three sets of traffic calming. Please show the following on a plan:

• The location of the pedestrian crossings and the required visibility assessments for a pedestrian crossing. It is also recommended that the pedestrian crossings are raised platforms to ensure slower speeds. The raised platforms could be designed as Swedish tables where the crossing is on a bus route i.e. Sir Peter Blake Parade.

• The type and location of the traffic calming measures should also be shown on a plan."

Response 1:

The detailed design of traffic calming measures will be considered at detail design stage.

The location of the traffic calming measures is indicated in Appendices D and F.

Council Review 2:

Auckland Transport's Transport Design Manual (https://at.govt.nz/media/1982230/engineering-design-code-traffic-calming_compressed.pdf) recommends appropriate spacing of traffic calming measures to achieve a 30 km/h environment. Given cyclists are sharing the road with traffic, it is important to achieve a design speed of 30km/h. The proposed traffic calming shown in Appendices D and F have a spacing of around 175m. Please space the traffic calming at a recommended distances to achieve a low speed environment.

In addition to this, Appendix F proposes a zebra pedestrian crossing at the northern end of Sir Peter Blake Parade where here is no footpath on the eastern side of the road. Please clarify if this will be a desire line and if so, will a footpath be provided on the eastern side of the road.

Response 2:

The arrangement, positioning and form of specific speed management measures will be considered at detailed design stage to ensure a 30km/h speed environment. In addition to the raised zebra crossings provided near the boat ramp area, other measures such as speed tables, judder bars, localised narrowing or raised intersection/vehicle crossing sections will be considered and can be incorporated if required. Spacing of 60m between traffic calming measures in accordance with the Engineering Design Code is anticipated.

It is furthermore considered that SPBP within the site will operate with a lower speed in reality, because the urban design elements of the development will significantly change driver behaviour as a vehicle reaches the BMHL development, which is considered a destination road, and not a through route. The on-street parking and various access points off/onto SPBP will create some friction which will also promote a slow speed environment.

1.4 Item 23: Provision for Pedestrians and Cyclists

"Previous Request:

The Precinct Plan states the requirement for "public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities." Please demonstrate how the development is providing for cycle access and public/ berth holders bike facilities through the site."

Council Review 1:

The Precinct Plan states the requirement for "public vehicle, pedestrian and cycling routes within the precinct to allow easy access to the coastal margins and parking facilities." Please demonstrate how the development is providing for cycle access through the site."

Response 1:

Cyclists will share the roadway with the general traffic at a low-speed, shared traffic environment as indicated by the brown dotted line in the Boffa Cycle Strategy Plan. This represents the cycle circulation route through the wider development as well as where bike parking facilities will be provided. As such there are no dedicated internal cycle lanes (as would be expected of other forms of development of say a precinct major through-traffic routes). The low-speed traffic environment of the BMHL development having effectively no through-traffic or cycle movement component means that cyclists can safely share the carriageways with other road users within the precinct in a safe and convenient manner).

The provision for pedestrians and cyclist meets the Unitary Plan objectives.

Council Review 2:

Reliant on the location of traffic calming in item 21 above.

Response 2:

As per Item 21.

1.5 Item 26: Trip Generation, Modelling and Modal Split

"Previous Request:

The existing level of service for the intersection of Bayswater Avenue & Lake Road appears to be flowing quite freely during the AM /PM weekday peak periods.

- *Please clarify how the assumption /assessment that the intersection of Bayswater Avenue & Lake Road has a Level of Service of B and C during the AM /PM weekday peak periods was determined.*
- *Please provide confirmation that the modelling reflects the current level of service through the intersection by completing trip /queue surveys.*
- *We believe that the Level of Service is underestimated in the modelling and it is important the modelling accurately reflects the existing level of service of the intersection prior to the effects of the additional trip generation arising from the proposal being considered and assessed.*
- *Please comment or provide further assessment of the use of the streets surrounding the Bayswater Avenue /Lake Road intersection as 'traffic rat-runs' particularly to the north - west of the intersection and the effect that this may be having on the current Level of Service of the intersection and whether it may get worse due to increased vehicle trips generated by the development.*

Note: This is a similar query to that raised by Council's Transport Specialist under item 14 above.

Council Review 1:

We have reviewed the analysis of the trip generation and modelling and the response does not adequately address /clarify the points raised as part of the s92.

- *The use of google maps layers is unconventional and is not accepted as a standard technique to calibrate modelling and may not accurately show the Level of Service for the intersection of Bayswater Avenue & Lake Road with the development.*
- *Please verify using traffic counts or on-site observation to calibrate the model to show both the current level of service and proposed level of service through the intersection.*
- *The SIRDA shows a cycle time of 120s. Please clarify if this is the current cycle time being used at the intersection and if not please adjust the model for a maximum of 120s cycle time.*
- *It is not clear how the additional traffic resulting from the development will not result in rat-running especially through Egrement Street. Please clarify how this assumption was determined."*

Response 1:

Stantec is currently in discussion with Kate Brill (the Council's consultant transport adviser). These matters will be addressed in due course once the Covid Level-4 lockdown situation allows further traffic and queuing surveys to be undertaken and further traffic modelling analyses to be completed.

Council Review 2:

Given Covid19 post not

Response 2:

As per response 1. Kate Brill agreed that traffic counts will be helpful for the hearing but not an essential to address the s92 matters. Counts at this time of year (January) would be inappropriate. She suggests earliest would be after schools are back and after Waitangi weekend. Stantec agrees with this approach.

1.6 Item 27: Rubbish Collection

"Previous Request:

It is not clear from the plan or the transportation assessment what the arrangement will be for rubbish collection.

Please clarify /detail what the arrangements will be for the rubbish collection, including whether the collection will be private, the frequency of collection and whether there will be a central point for collection (rubbish /recycling) for the proposed residential dwellings.

Please provide plans that show the location of the bins and please provide tracking diagrams confirming that a 10.3m rubbish truck can safely enter /leave the site and track through the site (including the residential precincts).

Note: This is a similar query to that raised by Council's Transport Specialist under item 19 above.

Council Review 1:

The manoeuvring for an 8.3m rubbish truck is very tight, particularly if the parking bays are occupied. The proposed time restrictions on the parking bays and removal of the wheel stops from the parking spaces where the rubbish truck would manoeuvre over is not considered to be a suitable solution.

We don't support this and would prefer that the two parking bays were removed (traffic flow would need to be signed and marked as one way). This measure /suggestion should be discussed with Abley (AC's Traffic Consultant)."

Response 1:

It is accepted that the vehicle tracking for the waste removal for the site is limited in certain locations around the development; but is nonetheless workable and considered acceptable for this situation. Further refinement of the vehicle tracking will be provided in subsequent detailed design phases of the project in advance of the hearing. It is however concluded that there are suitable design responses to this minor concern. There are no significant transportation effects arising.

It is undesirable for any residential parking spaces to be removed at resource consent stage. The parking provisions are further discussed under Section 1.9 Item 28 below.

Council Review 2:

-

Response 2:

As per response 1.

1.7 Item 29: Ferry Terminal

"Previous Request:

The AEE and the landscape concept plans show the existing ferry terminal and the AEE notes that this facility will not be retained after 2031 when AT's lease expires. However, the proposed plans and AEE do not discuss the retention of the existing passenger facilities by the ferry rather the Infrastructure report section 3.2.1 identifies that the buildings associated with the ferry terminal will be removed at the beginning of Stage 1.

Please clarify what passenger facilities are to be provided during the next 10 years until the AT lease expires. Please provide updated /revised master plan sheets showing the existing ferry terminal and the location of the associated facilities are to be retained until the AT lease expires.

The ferry terminal facility needs to be maintained in the existing location or similar until AT's lease expires and the Bayswater Precinct Plan under the AUP requires that there is sufficient space provided for the publicly managed transport facilities.

Council Review 1:

The discussion between AT and the applicant /developer about the possible location of public facilities can continue throughout the consenting process."

Response 1:

This will be predominantly addressed by other members of the BMHL team. However, it is our understanding that the pier (currently licensed to Auckland Transport) and pedestrian access to that will remain in situ. During the short civil construction period pedestrian access may change but will ultimately reside over the esplanade strip and in similar locations to where it is current. We understand that there is no formal lease in place for the use of carparking, bus routes or the weather shelter (owned by BMHL). These will of course be removed to make way for the proposed development. We note that the Precinct Provisions for the Bayswater peninsula direct that future public transport activities are to be developed on the adjoining Auckland Council land holding (Precinct 'D'). Therefore the current arrangement (license for the pier and access by commuters over the BMHL land) is temporary (whether for the full nine years to 2031 or a shorter duration. Thus the location of the ferry at it's berth and access to that berth via a gangway and BMHL land will not change.

Council Review 2:

-

Response 2:

As per response 1.

1.8 Item 31: Bike Parking

"Previous Request:

Please show /detail on the plans the resident and visitor bike parking spaces for the proposed apartments and confirm that the number of spaces complies with the AUP requirements. Please show on the plans where the proposed 'bike' parking spaces will be located for the commercial activities on site and please confirm that the number of spaces complies with the AUP requirements.

Council Review 1:

There appears to be a discrepancy between the number of bike parks noted in the s92 response under Item 31 as it is not clear on the plans where the visitor bike parking spaces will be for two of the apartment buildings or where the bike parking will be for the commercial activities.

Please provide updated /revised plans clarifying the above."

Response 1:

Attachment 2 – Apartment Architecture, of the application material (see s92 re-issued version) shows bike racks for occupants of those apartments in all three apartment basements.

Public bike racks and secure visitor parking are delineated on the Cycle Movement Strategy Plan within Landscape Concept Package June 2021.

For commercial activities, 1 visitor bicycle parking space and 3 secure bicycle parking spaces will be provided. These bike parking space will be provided on-site within the commercial area to meet the requirement. The Boffa Miskell plans indicate the location of these spaces. Additional bike parking may be accommodated around the proposed development if required.

1.9 Item 33: Cycle Facilities / Routes

"Previous Request:

From the plans /information provided, it is not clear where the cycle routes are throughout the development /site.

The Precinct Plan under the AUP requires that there are cycle routes within the Precinct.

Please provide plans that show /detail cycle routes within the Precinct (and it is anticipated the cycle routes would provide access to the ferry terminal, commercial activities and coastal areas.

Note: It would be helpful that the plan is provided by way of a have a dedicated sheet within the landscape concept plan to the cycle movement strategy with any subsequent plans updated once the strategy is confirmed.

Council Review 1:

The response shows the cycle movement strategy and notes that the environment will be a low-speed traffic environment.

We noted that the cycle strategy uses Sir Peter Blake Drive extension, and this has the potential for conflict between buses, cars / boat trailers and cyclists /pedestrians.

As noted in Auckland Council's Traffic Consultant's response details of the traffic calming have been requested and the traffic calming measures should ensure that the roads are designed to achieve a 30 km/h speed. Please provide details of the traffic calming proposed and confirmation that this will achieve a 30 km/h speed."

Response 1:

Refer to Section 1.5: Item 21.

Council Review 2:

-The cycle routes are along the streets and lanes that will be created within the proposed development. With a lower speed limit it is envisaged that much of the roading will be suitable and safe for cyclists and it is not necessary to provide for separate bike paths or locations.

Response 2:

As per response 1.

1.10 Item 34: Road Cross Sections

"Previous Request:

Please provide a typical cross section showing the proposed South Street, Cross Street, North Lane and Sir Peter Blake Drive Extension including

- footpaths;

- carriageway;

- landscaped berm/ area;

- angled /parallel parking..

Council Review 1:

Please clarify if the 6m carriageway shown for the Sir Peter Blake Drive will be wide enough to accommodate a bus and vehicle with a boat trailer in the opposite direction."

Response 1:

A tracking assessment of Sir Peter Blake Drive is provided within Appendix F.

Council Review 2:

-

Response 2:

Refer to Appendix B for updated tracking assessment.

1.11 Item 5: Trailer Parking

"Previous Request:

The I504 Bayswater Marina Precinct Plan in the AUPOP has a requirement for the provision of 20 car and boat trailer parking spaces. The application proposes to have the parking spaces dispersed throughout the site, in relatively ambiguous locations. The majority of the car and trailer parking requires the driver to perform a parallel park manoeuvre to access the park which can be a difficult manoeuvre for some drivers towing a trailer. The proposed location of the trailer parking spaces is not supported for the following reasons:

a. The car and boat trailer parking should be provided in a location that is accessible and obvious to the user, preferably near the berths / boat ramp. The current arrangement will involve drivers towing a trailer circling the site trying to find a vacant parking space. This may result in an unnecessary risk to pedestrian safety.

b. Circulating the site looking for trailer parking and negotiating parallel parking on the roadside will potentially lead to delays for other vehicles.

c. Several of the car and trailer parking spaces are located inside the residential precincts. Wayfinding is unlikely to be obvious to members of the public to enter what will appear as private property in order to access a marina car park. Once inside the shared space environment, complicated reverse manoeuvring will be required in a space that encourages pedestrians, children playing etc.

d. The vehicle crossings and the shared spaces inside the residential precincts are excessively wide to allow for the trailer parking inside the precincts. Both the shared space and vehicle crossings widths could potentially be narrowed down significantly to promote slower traffic speeds and a more efficient use of land.

Please consider relocating the car and boat trailer parking to reflect the following:

i. All car and boat trailer parking provided in one legible location for improved wayfinding and a reduced need for circulating through the site and residential precincts.

ii. The car and boat trailer parking spaces to be provided in a diagonal arrangement to ensure easier manoeuvring into and out of the parking space.

iii. Preferably located close to the berths / boat ramps and outside of the residential precincts.

Council Review 1:

We maintain our position that the location of the trailer parking is a poor outcome for the marina for the reasons provided originally. A search of historical aerial photography shows the boat ramp is well used and the provision for 20 car and trailer parks will be in demand (aerial imagery 2010/2011 provided in Figure 2). The draft Construction Management Plan which accompanied this application also highlights the boat ramp as popular. Wayfinding signage will go some way in assisting drivers to find the trailer parking, however this does not address the other issues presented.

Abley have sketched two possible locations for trailer parking and undertaken vehicle tracking for car and boat trailer, as shown in Figure 3. The suggested option in the residential precinct allows the car and trailer to enter and exit the parking space in a forward direction. The option on the western side of the marina utilises some of the proposed public space/reserve. If this is not an option, then the removal of the car parking opposite the trailer parks could be investigated.

."

Response 1:

The legal opinion provided to BHML by Kitt Littlejohn confirms that there is no requirement to assess the convenience of the car and trailer parking because I504 is silent on how and where boat trailer parking is to be provided within Precinct 'B' – leaving that decision to the land owner to conclude within a suite of choices that they must make when determining the most efficient layout for all activities on the site.

It is appreciated that there are a number of ways and means by which the boat and trailer parking can be provided, however, the proposed boat and trailer parking is considered to operate effectively (as per tracking assessment provided within Stantec's ITA) and without adverse effects on the broader public road users and is therefore considered acceptable.

It is critical that the consenting authority place emphasis upon precinct provisions that clearly direct that Precinct 'D' is where boat trailer parking, manoeuvring and access is to be provided. Precinct 'D' covers the land owned by Auckland Council. The direction infers that responsibility for providing access to a boat ramp and associated uses (parking) sits ultimately with Auckland Council. This is consistent with how boat ramps and parking are provided for throughout the Auckland region (within a public realm and not over or on private land holdings. It is anticipated that in the future Auckland Transport will design the adjoining site to accommodate these facets along with public open space and public transport objectives. It is possible that the current boat ramp is realigned or that it is relocated to another coastal location off the Auckland Council land holding (noting that there are currently no plans for the site).

As such, boat trailer parking in Precinct 'B' should be considered 'ancilliary' and 'surplus' to parking that will be provided for by Auckland Council in the future. We expect that users will occupy boat trailer parks that they prefer across both land holdings. However, we also anticipate that the total volume of possible boat trailer parks across the two titles (and potentially up Sir Peter Blake Parade) would far exceed the reasonable expected use. Boat ramp users may be over supplied with boat and trailer parking in this location in the medium to long term.

It is considered that the overall transport environment of the BMHL environment is one involving low speed and local traffic movements, where all users will be appreciative and aware of the needs of the marina and boat-based activity. The current boat ramp and boat and trailer parking can continue to be safely and easily used by boat ramp users despite the proposed development and this will only improve as Auckland Council develop their land in the future.

It is also noted that the suggested and alternative boat and trailer parking is drawn by Abley in Precinct 'A' when the clear requirement is for their location to be in Precinct 'B'. the location is significantly more constrained.

> *Council Review 2:*
>
> *Transport Specialist retains non-support for the trailer parking it is recommended that this is further considered prior to completion of the specialist memo.*
>
> *We acknowledge the Applicant's legal opinion in regard to assessing the location of the trailer parking on the basis of 'convenience'. However, the lack of accessibility of the trailer parks is likely to result in a poorer outcome for pedestrians and road users in terms of delay and safety, including the following examples:*
>
> *Vehicles using Sir Peter Blake Parade (including buses, cars and cyclists) will either need to wait for the car and trailer to perform a potentially timely reverse manoeuvre into a parallel parking space; or pass the reversing vehicle by crossing onto the opposite side of the road. This may be an issue for buses and cyclists in particular.*
>
> *Parallel parking a trailer can be a difficult manoeuvre which may result in the vehicle alighting the footpath, impacting on pedestrian safety.*
>
> *Car and trailers circulating the site looking for a parking space may result in delay to other road users and impacts on pedestrian safety with higher number of (circulating) vehicles traversing the footpath to access residential precincts.*

Response 2:

Car and boat trailer parking spaces can be accessed as illustrated through the vehicle tracking assessment as provided in Appendix B. The vehicle assessment itself assumes the use of the 85th Percentile driver. Nevertheless, reversing a trailer into these spaces is no different than reversing into a driveway at a private property. It is most probable that when lots of parking is available users may opt to drive forwards into these parking spaces.

Drivers who regularly tow their boats (as is expected in this instance) have the necessary skill to undertake the manoeuvring of their trailers into and out of the spaces noting that the majority of boat and trailer owners will be accustomed to reversing boats into their driveways and or a parking space on the roadside outside their homes. It is also noted that when the parallel parking manoeuvre would occur, there will be no boat on the trailer and would be easier to manoeuvre into the space than a trailer and boat because visibility is increased.

Parking on roadsides for boat users is a common occurrence around the Auckland region because most of the boat ramps either do not have adequate parking to accommodate peak car and trailer parking requirements or in some cases have no parking available at all, but rather rely on boat ramp users parking on the side of the road. For example, along the North Shore many of boat access points require boats to be backed into the sea by driving onto a beach (Mairangi Bay, Browns Bay, etc) and boat and trailer parking is often occurring on grass verges and the like, but the majority of parking is in the surrounding local streets. The majority of Auckland boat ramps are located directly off public roads and with total reliance upon parking in the street. Beyond Bayswater, only Gulf Harbour, Pine Harbour, Hobsonville, Takapuna, Half Moon Bay, Westhaven, Okahu Bay and Kawakawa Bay have dedicated off-street parking spaces and all of these are provided for by Auckland Council.

1.12 Item 7: Access Points to Residential Precincts

"Previous Request:

The vehicle access points for the residential precincts are shown as one-way accesses in the Landscaping Plans (Attachment 6.1), however the Transport Assessment (TA) assesses the width of the access points under E27 as two-way vehicle crossings which allows for a greater width. Please narrow down the vehicle crossings to cater for one-way traffic. The tracking provided does not warrant the width currently proposed. The wide aisle widths in the shared space may also benefit from being narrowed down to ensure the large open shared space areas do not invite illegal / informal parking.

Please redesign the residential shared spaces and vehicle crossings allowing for one-way traffic flows, assuming that vehicle tracking for boat trailer parking will not need to be accommodated within the residential precincts (See item 15 above). Please also provide detail on how the one-way systems will be designed / sign posted to ensure compliance.

Council Review 1:

Memo identified this item was not addressed as part of the response."

Response 1:

This is the width is required to allow for the required tracking of a rubbish truck. Refer to Appendix B Sheet 2 of 7 of the ITA.

Council Review 2:

The access points are excessively wide at 7.5m for either one-way or two-way. Please confirm if the accesses are proposed to be one-way (as per the original Landscape Plans) or two-way as queried in the original s92 RFI. The tracking of the rubbish truck does not warrant the excessive width as shown in Appendix B Sheet 2 of 7 of the original ITA. The rubbish truck can take up the entire width of the crossing to enter and exit. Please consider narrowing the access points down to a maximum width of 6m.

Response 2:

As assessed in the ITA, the wider vehicle crossing can operate as two-way crossing. Further refinements (and narrowing's) of vehicle crossings can be considered at detail design stage.

2 Response to Process Planner

2.1 Item A: Bayswater Precinct Objectives 1 and 2 and Primary Focus

"Submission:

A wide range of submitters raised concerns about the balance of uses being sought and whether the 'primary focus' of Objective 1 is being achieved.

A number of submitters raise concerns about the extent of residential development being sought impacting on the ability to achieve the primary focus of Objective 1 of the Precinct. In particular, submissions on the proposed ramp/ trailer parking design identify that this will impact on the ability for these marine facilities to be used post development. It would be helpful if the applicant provides a response to these submission points and confirms the applicant position on any design changes.

Submissions raise concerns that the lack of land-based storage, marine recreational activities and a marine support service alongside the loss of the existing boat storage and trailer park servicing1 demonstrate that this focus is not being achieved. The economic assessment was peer reviewed Greg Akehurst who raised a number of queries which have not yet been responded to. It is recommended that the response from Property Economics address these submission matters as well."

Response:

The planning response prepared by Mr Craig Shearer on behalf of BHML has addressed these matters in full. In terms of transportation matters arising, it is concluded that the proposed ramp, access provisions and associated parking will be both safe and accessible for user of the ramp and other road users (per the responses provided above). We are not aware of any traffic safety, operational or parking accessibility issues or limitations with what is proposed by BHML that would impact upon the useability of the boat ramp or any future development of sub-precinct D (the AT land)."

2.2 Item B: Boat Ramp

"Submission:

The importance of the existing ramp in terms of usability as a full length ramp, and being an all weather and all tide ramp is raised in a number of submissions. There is a lack of detail in the application materials about the mechanics of how the ramp currently operates and how that will compare to the proposal in particular the type of users of the ramp in terms of craft types, sizes and how the proposed design of the adjacent road/ block layout caters for these users. The key points raised in submissions are outlined below:

Impact of the proposal on the adjacent Takapuna Rowing Club in terms of accessing the ramp, impacts of retaining walls, construction impacts in terms of access. The AEE states that the rowing facilities are not impacted2 however there are a number of submissions from the Rowing Club, Club Members, Auckland Rowing Association and Rowing NZ raising concerns about the impact of the proposal on the rowers. It would be helpful if you could respond to these comments.

Submissions have identified safety concerns about the interface between the open space, the steps into the water, and the boat ramp nearby. The AEE does identify that the steps from the southern park will provide access into the water3. If you could please respond to these safety concerns.

Submissions4 talk about the need for staging areas for the preparation of boats/ craft prior to them being launched and following haul out. Can you explain how this is catered for in the current design and what the traffic implications from this would be?

A number of submitters identify themselves as regular boat ramp/ trailer users and have identified that turning around to reverse into the ramp on the new intersection/ road layout would be extremely difficult, raise safety issues for boat users, pedestrians and other vehicles. There is a lack of assessment around the practicalities of using the ramp post development in the transport assessments and how the design caters for the range of ramp users.

A number of submitters have identified queuing as an issue in terms of the road layout to the ramp and the preparation for launching and haul out requirements. What considerations have been given to this matter, particularly in light of heavy use of the ramp based on the submissions.

112771, 13169, EP069

2 Page 61, AEE

3 Page 63, AEE

4 12600, 12599 12573, EP069"

Response:

We understand that the boat ramp is not an "all-tide" ramp due to lower tide access issues. Survey data is showing that the boat ramp use is intermittent and associated with weekend and public holiday use combined with good weather and only at higher tide levels. This will be provided to the hearings panel and will continue to be surveyed four times per day until then.

The need for a staging area for boats is now addressed and provided for with space for up to two boats at a time to pull over, wait in queue or prepare boats to be backed down into the water.

The boat ramp is proposed to be widened at the top allowing for more generous manoeuvring.

There will be no requirement for 'turning around' to back onto the boat ramp. The movement is the same that is required at Takapuna boat ramp, however we note that predominantly all boat ramps require that the user conduct a circular movement to set up for reversing.

The Takapuna Rowing Club can continue to use the boat ramp once development is complete. The staging area and access from the Auckland Council site will provide a safer transition for that user. BMHL is committed to working with the Takapuna Rowing Club as a stake holder in preparation of a Construction Management Plan.

The steps into the water are provided to facilitate connection for the public between the park and the water. We understand that the lowest step does not extend below MHWS and will adjoin the existing rock riprap. This location is not in line with the orientation of boats accessing the boat ramp and any boat in this location should be travelling at very low speed (5 knots or less, up to 200m from land). There are no safety issues in respect of the relationship between the steps and the boat ramp. The existing footpath to the ferry is in this location with similar considerations in terms of the interface of the boat ramp and the public.

We have addressed the issue of queuing/preparation by now providing for holding bays immediately north of the boat ramp on the eastern side of SPBP which can accommodate two car and boat trailers.

2.3 Item C: Trailer Parking

"Submission:

The location, usability and practicalities of the trailer parking is raised in a significant number of submissions. The submissions highlight that the existing trailer parks are well used with some references to over 50+ cars and trailers being regularly used during peak times.

A variety of trailer sizes and combined vehicle lengths are identified in the submissions ranging from 10.5m to 17m with submitters identifying that 50% of car and trailers will be 15m.

Response: The proposed boat and trailer spaces are designed for the 85th percentile[2] boat and trailer combination (i.e. most boat and trailers are not 15-17m long but more moderate in size). However, boats are not on trailers when these are parked in the spaces and a reduction in length is thus reasonable. It is also anticipated that Auckland Transport will develop boat and trailer parking on its land holding (Sub-precinct 'D') that will be able to cater for additional and larger boat and trailer parking demands. We have prepared an indicative plan for this Sub-precinct showing how that may be accommodated (Refer to Appendix A).

Submitter 12639 raises a number of queries regarding the reliability of the survey information from 2017 for users of the ramp. It is not clear if this survey identified types/ sizes of vehicles and boats/

[2] The length exceeded by only 15% of the total population of boats and trailers – a common traffic engineering approach to the selection of design levels.

other craft using the ramp or if any more recent survey information has been identified? It is considered that this issue will be at the forefront of the hearing and that additional surveys occurring at 'peak times' from now until the hearing is recommended.

Response: BMHL has been conducting a survey of the use of the carpark and the boat ramp four times per day and for a significant period of time. This will continue up until the hearings as requested by Council. Initial data shows that use of the boat ramp is consistent with 2017 survey data and intermittent (weekends and public holidays where good weather and higher tides combine).

A number of submitters identify that it will be impossible to reverse a trailer into a parallel park once others are occupied and manoeuvring into spaces would not be practical nor best practice. They state that the existing angled spaces are the best way to achieve this and are best practice approach to parking, and they identify a number of inconsistencies in the assessments by Stantec. It is recommended that additional assessment on this is provided, are there any existing formal trailer parking areas at other ramp locations that have similar parallel parking approach to that proposed here?

Response: Boat and Trailer users are expected to be well-accustomed to reverse maneuvering their boats and trailers into their residential or other storage driveways and onto boat ramps. A parallel parking space is not considered to be overly difficult for a driver used to towing and reversing a boat and trailer combination to back an empty trailer into. The proposed new configuration of parking will also mean that in most instances users of these spces will be able to drive straight into a parallel park.

A number of submissions identify that a number of users of the ramp would now be excluded by the new roading arrangement around the ramp and the size of the trailer park given craft types and sizes. Are there any comments that want to be made on this point?"

Response: There is no evidence to support this view. The boat and trailer parking proposed for this location can operate with larger boats and trailers. It has never been suitable for launching boats that require truck haulage which occurs in other locations. As noted above the boat ramp will continue to operate as a tidal facility and will therefore be subject to periods through the course of each day, week and across the whole year when the boat ramp will not be accessible due to the tidal level. In this regard, the use (and trip generation) of the ramp will be much reduced from a full-time, all-tide facility.

Further response to boat and trailer parking:

The masterplan has been adjusted to extend the area available for boat trailer parking along Sir Peter Blake Parade. Up to 19 parking spaces are now located along Sir Peter Blake Parade. In total boat and trailer parking provision is 28 parking spaces, although to achieve this number of parks some users would need to reverse into parks.

A feature of the new layout is the ability for boat ramp users to drive into the parallel parking spaces in a forward movement. If this were to occur the total number of spaces that could be occupied would be approximately 15 spaces (although noting that there would continue to remain space that can be reverse manoeuvred into). Additional tracking curves to verify the manner in which these parking spaces would work will be provided in due course (within evidence to be presented at the hearing).

In 2021 Council suggested that BMHL consider diagonal boat trailer parking. A sketch tabled by Council showed wheel stops and those diagonal carparks would be required to be reversed out of. In our assessment and opinion, a diagonal boat and trailer park is not as safe to operate in as a parallel park. A parallel park requires a reverse manoeuvre to enter the carpark but can be exited driving forward and with excellent visibility. A diagonal parking space is easy to enter but still requires a reverse manoeuvre to exit. An additional complexity with a diagonal park is the lack of visibility associated with reversing from between other vehicles (noting the depth of the parking space). Comparatively, a parallel carpark maintains excellent visibility for both the entry and exit manoeuvre. On this basis we are of the opine that a parallel carpark is to be preferred over a diagonal offset carpark for boat and trailer parking. Additionally, parallel boat and trailer parking can be efficiently used by a variety of vehicles at different times whereas a diagonal parking space is less efficient (a diagonal boat and trailer space can only accommodate one parking space, whereas a parallel parking space can accommodate two cars). In that sense the parallel parking space is a more efficient use of the land resource.

We additionally note that the predominant parking scenario for Auckland's regional boat ramps is to access them from a road and to park parallel along the side of the road. Examples of this on the North Shore include Murrays Bay, Browns Bay, Mairangi Bay and in locations such as Bucklands Beach where there are no dedicated boat and trailer parks – thus boaties are required to park roadside. Boaties are no doubt used to parking in this manner and would competently carry out the manoeuvre without difficulty.

The layout of the boat and trailer parking along the side of Sir Peter Blake Parade is an efficient use of the land resource. The proposal for these parking spaces is to permit multiple parking uses including (1) boat and trailer parking, (2) visitor parking, and (3) commuter parking. It is recommended that priority for boat and trailer parking be applied at times that are aligned with the use of the boat ramp (survey evidence to date provides that this is typically on weekends and public holidays). This scenario is commonplace and an example is Half Moon Bay.

2.4 Item C: Traffic

> *"Submission:*
>
> *Submissions have raised points on the extent of provision of public car parking, residential visitors and trades people has been raised in terms of access to the marine facilities in Bayswater and servicing the future residents, and the safety of the roading layout in terms of cars and trailers and for other users has been. You may wish to provide additional commentary in response.*

Response:

Construction parking will be dealt with in the construction management plan. However, construction traffic occurs all over the Auckland region and in tight inner-city locations without major issues. The civil works will be managed in a staged process allowing for all parking (berth holder, visitor and construction) to be accommodated on site.

Visitor parking is doubled up onto boat and trailer parking with a priority given to boat and trailer parking on weekends and public holidays. This arrangement is consistent with boat and trailer parking at Half Moon Bay where commuter parking is the use Monday to Friday but prioritising to boat and trailer parking weekends and public holidays. Dual use parking is an efficient use of the land resource.

Stantec New Zealand


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Hamilton
Helensville
4 - 16 JANUARY
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Appendices

Appendix A Updated Site Layout

DO NOT SCALE - IF IN DOUBT, ASK

200 mm 150 100 90 80 70 60 50 40 30 20 10 0

ORIGINAL SIZE **A1**

20/11/2018 4:43 p.m.

NOT FOR CONSTRUCTION

REV	REVISIONS	DRN	CHK	APP	DATE
C	UPDATED BASE : A16265A-BASE-OPTION-1-20210117 (17.01.2022)	ML	GVW	-	17.01.22
B	UPDATED BASE : A15265A-BASE-AT LAND OPT2 (17.12.2021)	CTM	GVW	-	20.12.21
A	FOR REVIEW	SP	GVW	-	01.11.21

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DESIGNED		
DRAWN	SIU PULETIUATOA	01.11.21
CAD REVIEW		
APPROVED		
PROF REGISTRATION:		

Stantec

Client: AT

BAYSWATER MARINA
AUCKLAND TRANSPORT PARK AND RIDE FACILITY

SITE LAYOUT
APPENDIX A

Status Stamp: **FINAL**

Date Stamp: **20.01.2022**

Scales: NTS

Drawing No.: 310200192-01-001-SK018-A

Rev.: D

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Appendix B Updated Site Layout Tracking Assessment

DO NOT SCALE - IF IN DOUBT, ASK

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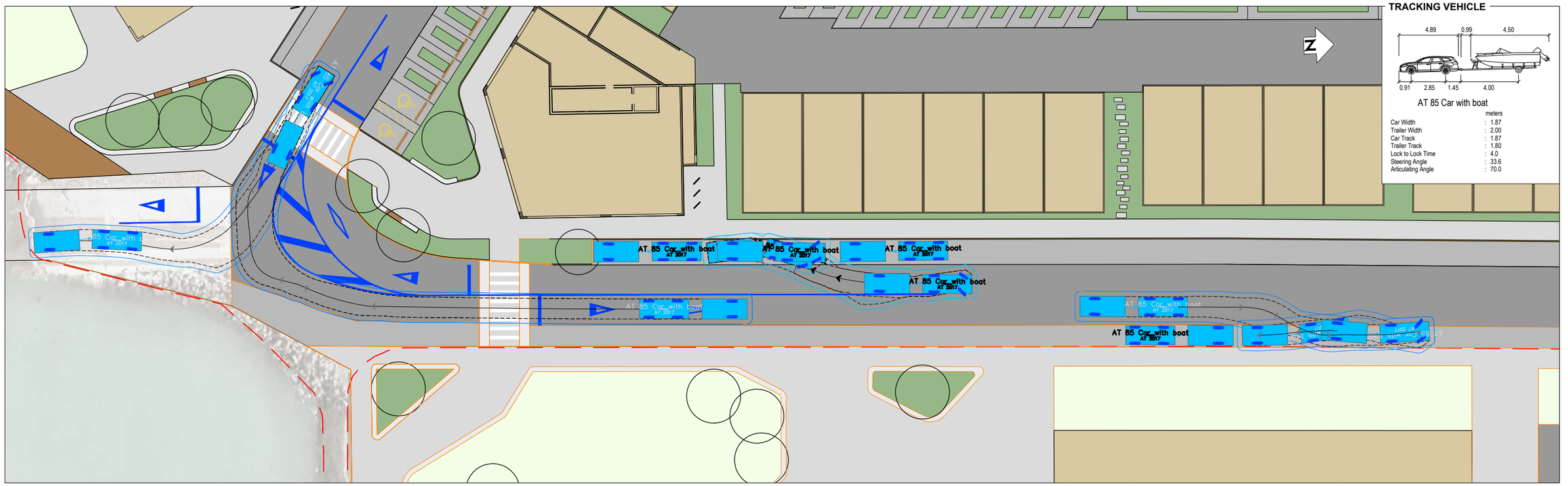

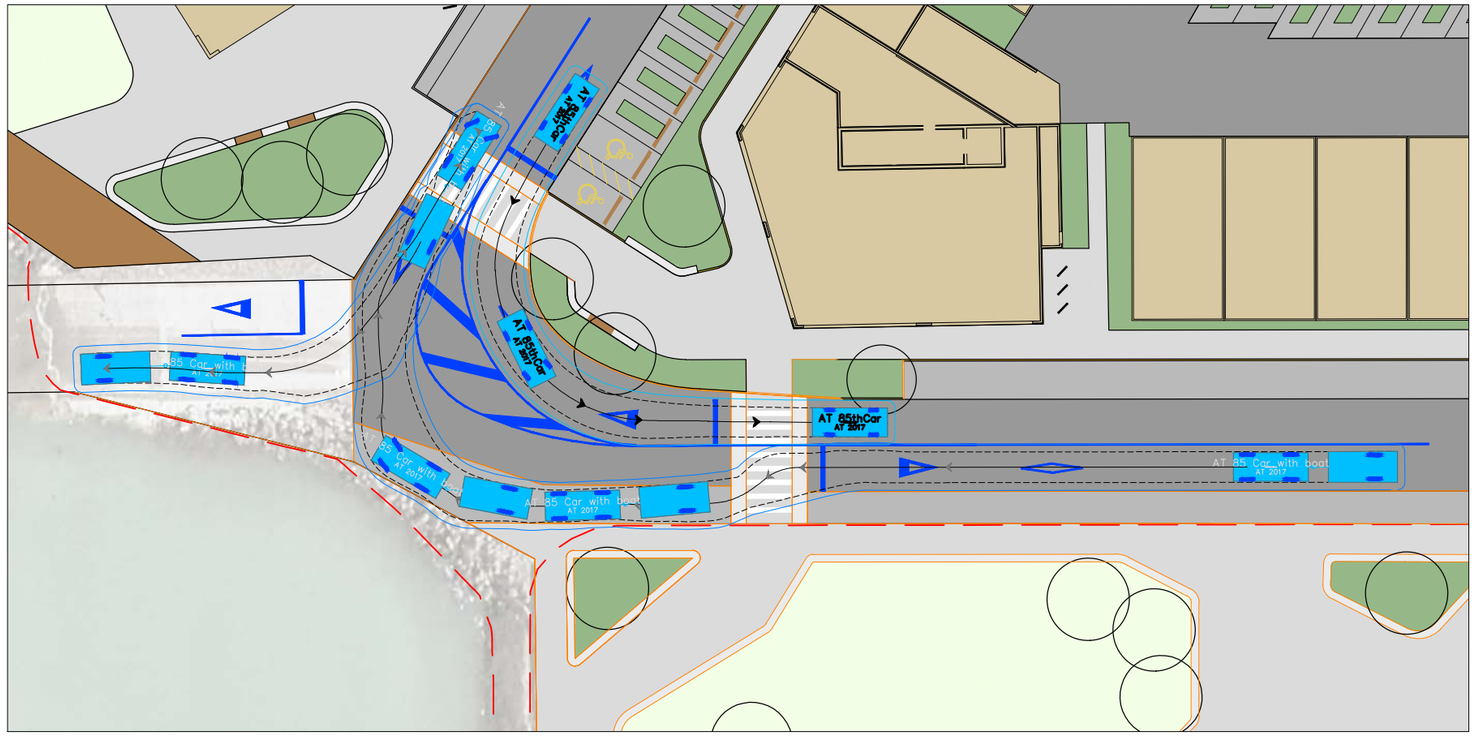

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SCALE 1:200

TRACKING VEHICLE

AT 85 Car with boat

	meters
Car Width	: 1.87
Trailer Width	: 2.00
Car Track	: 1.87
Trailer Track	: 1.80
Lock to Lock Time	: 4.0
Steering Angle	: 33.6
Articulating Angle	: 70.0

NOT FOR CONSTRUCTION

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CAD REVIEW		
APPROVED		
PROF REGISTRATION:		

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CAR AND BOAT TRACKING
APPENDIX B - SHEET 1 OF 3

Status Stamp: **FINAL**

Date Stamp: **20.01.2022**

Scales: AS SHOWN

Drawing No.: 310200192-01-001-SK018-1

Rev.: D

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DO NOT SCALE - IF IN DOUBT, ASK

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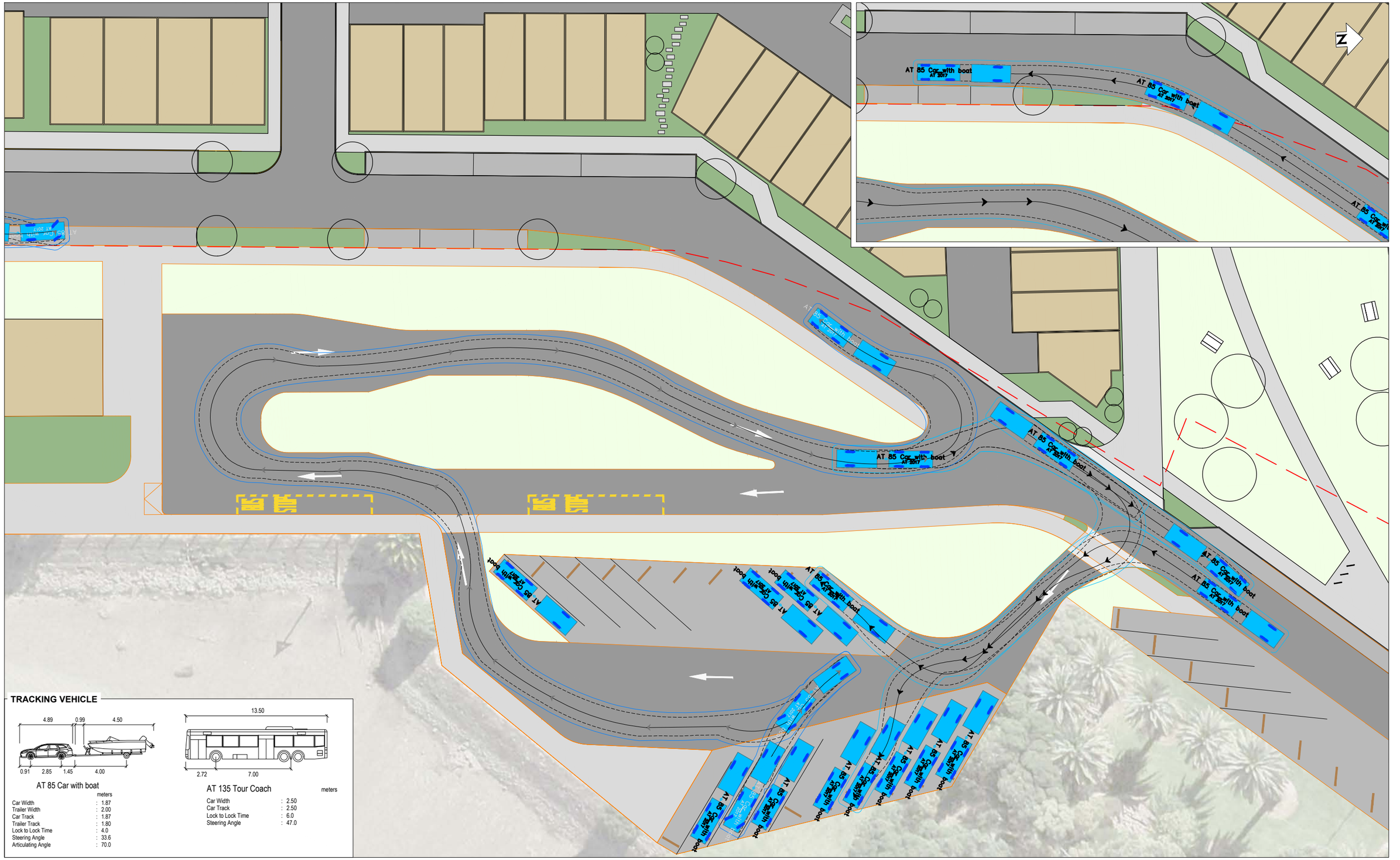

TRACKING VEHICLE

AT 85 Car with boat

	meters
Car Width	: 1.87
Trailer Width	: 2.00
Car Track	: 1.87
Trailer Track	: 1.80
Lock to Lock Time	: 4.0
Steering Angle	: 33.6
Articulating Angle	: 70.0

AT 135 Tour Coach

	meters
Car Width	: 2.50
Car Track	: 2.50
Lock to Lock Time	: 6.0
Steering Angle	: 47.0

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SCALE 1:200

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CAD REVIEW		
APPROVED		
PROF REGISTRATION:		

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Client: AT

BAYSWATER MARINA
AUCKLAND TRANSPORT PARK AND RIDE FACILITY

CAR AND BOAT TRACKING
APPENDIX B - SHEET 2 OF 3

Status Stamp: **FINAL**
Date Stamp: **20.01.2022**
Scales: AS SHOWN
Drawing No.: 310200192-01-001-SK018-2
Rev.: D

20/11/2018 4:43 p.m.

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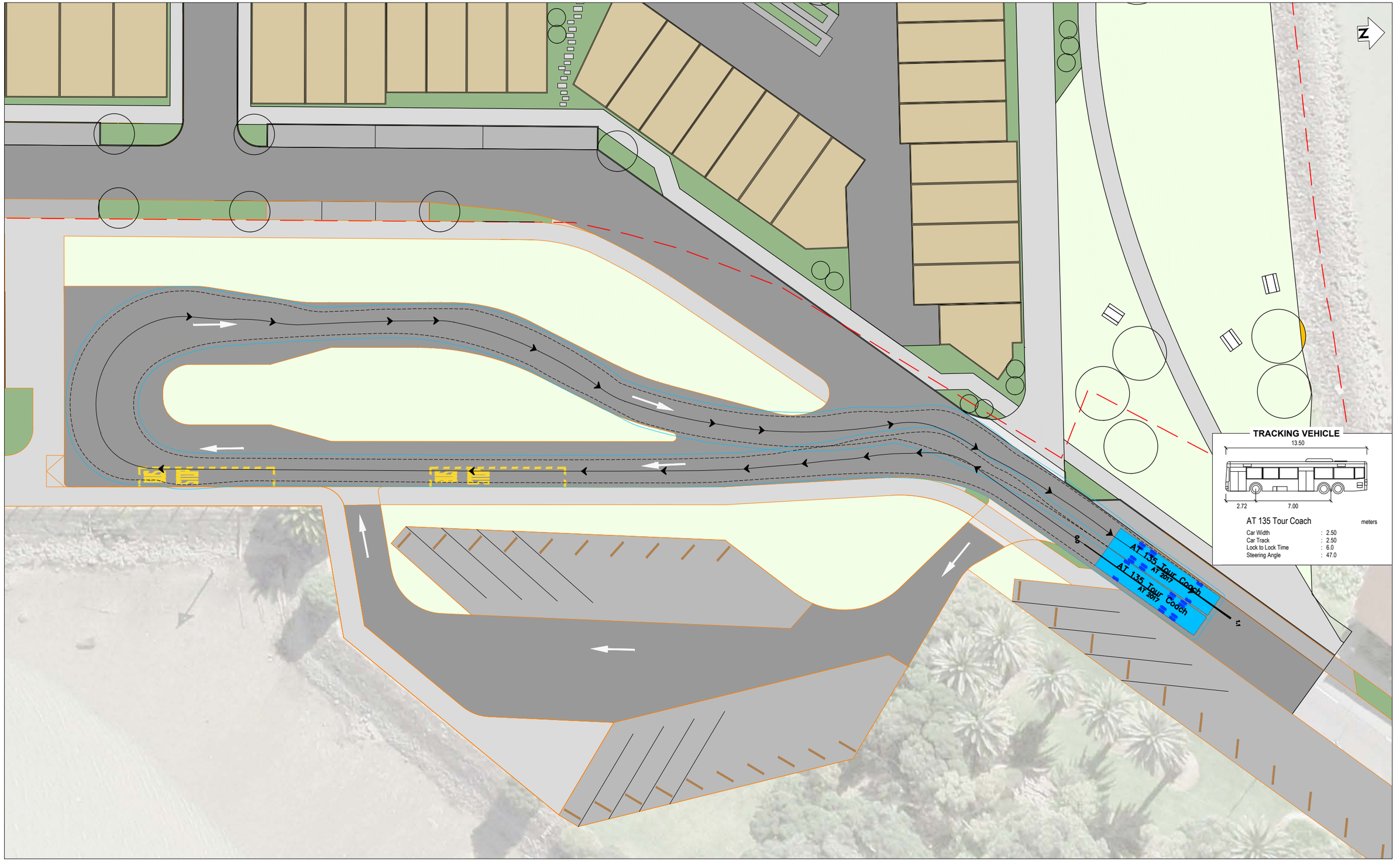

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CAD REVIEW		
APPROVED		
PROF REGISTRATION:		

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Client: AT

BAYSWATER MARINA
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BUS TRACKING
APPENDIX B - SHEET 3 OF 3

Status Stamp: **FINAL**

Date Stamp: **20.01.2022**

Scales: AS SHOWN

Drawing No.: 310200192-01-001-SK018-4

Rev.: D

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CONSTRUCTION MANAGEMENT PLAN

FOR THE PROPOSED BAYSWATER MARITIME PRECINCT DEVELOPMENT

21 SIR PETER BLAKE PARADE, BAYSWATER

FOR BAYSWATER MARINA HOLDINGS LTD

12582-01
December 2021

Document Control Record

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Quality Assurance Statement	
Bayswater Marina Holdings Ltd **Bayswater Maritime Precinct** 21 Sir Peter Blake Parade, Bayswater	**Prepared by:** Ashley Watson
	Reviewed by: Michael Lee
Project Manager: Michael Lee	**Approved for issue by:** Michael Lee

Revision Schedule					
Rev. No.	Date	Description	Prepared by	Reviewed by	Approved by
A	19/02/20	Draft Issue for RC/discussion	AW	ML	ML
B	24/05/21	S92 Issue	AW	ML	ML
C	17/12/21	Updated for s42A report	AW	ML	ML

Table of Contents

1 INTRODUCTION

Bayswater Maritime Precinct is a proposed development of Bayswater Marina, located in Bayswater, Auckland. The site is an operational marina and marina operations and services will be maintained for the duration of the construction works. Maintaining safe access to the marina piers is therefore a critical part of the overall project. An added complication is the fact that under the current marina berth leasehold licenses, 310 carparks are required to be provided for use by berth holders. This means that throughout the construction period, these carparks must be provided at all times.

This Construction Management Plan has been prepared in order to develop a high-level construction methodology for the project. It is intended that this document will be a live document that will continue to be developed as the design phases of the project progress; and will ultimately serve as the document that sets out the construction contractor's methodology.

The project involves a substantial scope of civil and structural engineering works which will need to be undertaken at the subdivision stage (prior to the release of titles), including:

- Demolition
- Bulk earthworks
- Stormwater, wastewater and water supply construction
- Utilities construction
- Pavement construction
- Hard and soft landscaping
- Piling for foundations
- Construction of retaining walls

The timeframe for the civil works construction (including the apartment buildings and the perimeter pathway) is 2 – 3 years. Construction of individual dwellings is anticipated to continue for several years after the completion of civil works. It should be noted that the effects of the house construction will be substantially less than the civil works construction (less personnel, smaller machinery, no bulk earthworks).

2 DEMOLITION

The key consideration during the demolition phase of the development is maintaining not only safe access to the marina berths, but also maintaining utility services to the berths as well as temporary carparking. A proposed demolition methodology has been prepared and is summarised below.

2.1 Demolition Methodology

i. The existing boat storage yard and buildings located in the northern part of the site will be removed. Additional metal will be spread over the yard area which will then be surfaced with chip-seal. Temporary signage will be installed to form a temporary carpark with 240 car spaces. The service connections to the buildings in the yard will be decommissioned.

ii. The existing services that serve the marina berths will be relocated to suit the layout of the development. Provision will be made for providing temporary power and water supply while the relocation works are being undertaken. The existing public toilets and liveaboard marina facilities will also be removed. Provision will be made for providing temporary public toilets for the duration of the works. The marina offices (which are portable buildings) will be relocated prior to the commencement of works.

iii. An area of the existing carpark will be provided with signage to create a temporary carpark with 70 car spaces. Boat ramp access will be maintained for the duration of the construction works.

iv. A site compound will be constructed near the existing boat ramp and the temporary carpark. Signage and safety fencing will be installed to provide safe vehicle access to the two temporary carparks and pedestrian access from the carparks to the marina berths. Security fencing will be installed around the perimeter of the site (while maintaining public access to the perimeter footpath).

v. Comprehensive demolition work will begin in the south precinct. This will involve removal of most trees (apart from the six existing Pohutukawas located southwest of the boatramp which will be retained, and the remaining Pohutukawas which will be temporarily relocated and stored within the site during the construction work, then replanted within the site), street lights and other surface features, as well as excavation of the existing pavement layers. Excavated granular material from the existing pavements will be stockpiled for use as fill material under building foundations. Excavated topsoil from landscaping areas will be stockpiled for reuse in the proposed landscape areas. Sediment controls will be established prior to the excavation of topsoil.

vi. Bulk earthworks construction will then proceed as described in Section 3.

3 BULK EARTHWORKS & CIVIL WORKS

Bulk earthworks will be undertaken in three main cut to fill phases, with a final stage involving cut from stockpile. Some excavated material will be disposed of off-site, primarily in Stage 2. It is expected that no imported material will be required for bulk earthworks, however granular material will be required to be imported for the construction of pavement layers, building foundations, and pipe bedding and backfill.

Civil works will generally be undertaken once earthworks have been completed in a precinct, so the programme of works will be as follows:

- Stage 1 – earthworks and civil works in South Precinct and Sir Peter Blake Parade
- Stage 2 – earthworks and civil works in Central Precinct
- Stage 3 – earthworks and civil works in North Precinct.

The proposed construction phases are documented on the construction management plans attached in Appendix A. The site compound and temporary carparks will progressively be relocated as works progress, as shown on the staging plans.

3.1 Earthworks Methodology

The proposed bulk earthworks methodology is generally the same for all phases as follows:

i. Silt fences will be erected around the perimeter of the earthworks area first.

ii. Excavation to form a sediment retention pond will be undertaken, with excavated material placed as fill.

iii. Cut to fill earthworks will proceed with the cut and fill areas being selected in order to keep the majority of the earth-worked area falling towards the sediment retention pond at all times. Excess cut material will either be disposed of off-site or stockpiled for future phases as shown on the staging plans.

iv. The bulk earthworks for each precinct will not include the area on top of the reclamation bund or the existing footpath in this area. These will be retained during the main earthworks phases. A temporary batter will be formed down from the finished earthworks level to the existing surface.

v. Upon completion of earthworks in a phase the earth-worked area will be stabilised, and civil works and structural works will commence.

3.2 Civil Works Methodology

The proposed civil works methodology is generally the same for all phases. Materials and plant will be stored in the site compound which will be progressively relocated as the works progress.

i. Structural works associated with the perimeter pathway and retaining wall construction will begin concurrently with the commencement of civil works.

ii. Construction of stormwater and wastewater drainage and utilities services will be undertaken first. This will include construction of stormwater treatment devices and outlets. Existing service pit covers and valves/hydrants etc will also be raised to suit the new proposed finished surface levels.

iii. Construction of pavements will be generally be undertaken after the completion of services construction.

iv. After the completion of pavement sealing the completed marina berth carparks will be opened up in order to facilitate removal of some of the temporary carparks.

v. Final completion of the hard and soft landscaping (including pavements) near the structural works will be deferred until after the completion of the structural works. This is to avoid damage being caused to the landscaping by the construction plant for the buildings.

4 STRUCTURAL WORKS

The structural works involved in the project at the subdivision stage include:

- The perimeter retaining walls (refer to Section 6)
- Apartment buildings
- Temporary retaining walls to retain the terrace house excavations
- Minor landscaping retaining walls and other hard landscape features

The piling works for the apartment buildings will be undertaken by piling rigs (50 tonnes or more in weight). Excavations and piling for the retaining walls will be able to be undertaken by excavators fitted with auger attachments (15 – 25 tonnes in weight).

4.1 Structural Methodology

i. Retaining wall construction for the perimeter pathway will commence immediately after the completion of the construction establishment phase. The construction operations will start from the South Park and will proceed in a clockwise direction around the perimeter of the site.

ii. Structural works for buildings will not commence until bulk earthworks have been completed in a precinct.

iii. The apartment basements will be excavated at the bulk earthworks stage and safe batters provided. Piling operations and construction of under-slab services will then commence from within the basement excavation. Dewatering of the basements will likely be required.

iv. The terrace house foundations will also be excavated at the bulk earthworks stage and temporary timber pole retaining walls provided to support these excavations. Piling for these retaining walls will be undertaken from the finished earthworks level either by excavators with augur attachments, or by medium sized piling rigs (25 – 45 tonnes in weight).

v. Construction of the multi-storey apartment buildings will be undertaken by mobile cranes or potentially tower cranes. If mobile cranes are used it is anticipated that the newly constructed pavements will be suitable for supporting the cranes, although they will likely need to be repaired after being used as crane pads. If tower cranes are utilised to construct the apartment buildings it is likely that piled crane bases will need to be constructed. This will be confirmed by the crane contractor and geotechnical engineer during construction.

5 GEOTECHNICAL CONSIDERATIONS

Reference should be made to the Geotechnical Investigation Report prepared by KGA Geotechnical Group Ltd (ref K200265-1, dated 01/10/2020). The key geotechnical considerations from a construction point of view are discussed below.

5.1 Groundwater

KGA's groundwater investigations determined that the average groundwater level within the site is approximately RL1.0. However, near the existing reclamation bunds the groundwater level is expected to fluctuate with tidal variations. It should also be noted that the groundwater is anticipated to be saline and therefore structures and services constructed below RL1.0 should be designed to accommodate salinity equivalent to sea water in accordance with the relevant durability standards. The three apartment buildings have basement floor levels that are near to or below the groundwater level. In addition, some services trenches will be constructed below the groundwater level. Dewatering of these excavations will be required and it is recommended that the service trenches be backfilled during low tide when the groundwater level is at its lowest.

5.2 Differential Settlement

The underlying material present on the site has been subject to a substantial amount of historical consolidation/settlement. KGA undertook consolidation modelling and determined that the development may experience future consolidation of up to 65mm (assuming 1m fill depth). The site has also been designated as Moderately Reactive (Class M) in accordance with NZS3604 (SLS 500 year design characteristic surface movement of 44mm). If this consolidation were to occur it would be confined to the pavements and the landscaped areas, as the buildings will all be supported on pipes founded in bedrock. Therefore differential settlement between these features would be likely to occur. In order to reduce the impacts of differential settlement it is suggested that transition slabs (connected to the piled buildings and allowed to flex) are constructed, and that flexible joints are provided at all interfaces between inground pipes and pipes suspended beneath structural slabs.

5.3 Stabilised Upper Layer

The upper 1.5 – 2.0m of material present on the site is noticeably stiffer than the deeper fill material; and was most likely lime stabilised during the original reclamation works to form the marina and carpark. This material is anticipated to be suitable for use as engineered fill.

5.4 Low Strength Underlying Materials

The low strength material underlying the stiff layer is anticipated to not be suitable for use as engineered fill and will need to be stabilised with lime and/or cement, or disposed of off-site. It should also be noted that the low strength material is unlikely to be suitable to support piling rigs or

other large construction plant. A working platform will need to be constructed consisting of the following:

- A biaxial or triaxial polyester geogrid laid on the low strength material
- A non-woven geotextile separator cloth laid over the geogrid
- Approximately 800 – 1000mm thickness of granular material (GAP40 or GAP65) laid over the geotextile and compacted in layers not exceeding 250mm thick

6 CONSIDERATIONS FOR BERTH-HOLDERS

One of the key considerations for the construction of the project is the existing marina berths and the associated carparks and facilities. There are 419 marina berths and 310 carparks allocated for berth-holder use. Access to the berths is required to be maintained at all times as is access to the carparks. Temporary carparks will be required to be provided until the new berth-holder carparks have been constructed.

6.1 Parking and Berth Access

The temporary carparks will be formed prior to the commencement of construction works, however due to the layout of the site and the proposed development, the temporary carparks will need to be relocated several times as the site development works progress. Safe pedestrian access from the temporary carparks to the marina piers will be retained at all times (with the exception of short disruptions to facilitate boardwalk construction, as described in Section 6.2). The preliminary methodology for the staging of the temporary carparks is detailed below.

6.1.1 Stage 1 – South Precinct

- The trailer boat yard will be cleared and metal spread over the area to form a stabilised area suitable for carparking for 240 cars.
- An additional 70 carparking spaces will be provided in the western part of the site, near Piers B and C. This area is currently an asphalt carpark and therefore minimal work will be required to prepare this for use as a temporary carpark.
- Access to the trailer boat yard and the other temporary carparks will be along Sir Peter Blake Parade and will be largely unchanged from existing conditions.

6.1.2 Stage 2 – Central Precinct

- By the time work commences in the bulk of the central precinct the earthworks and civil works in the south precinct will have been completed.
- A total of 140 carparks for berth holders will have been provided in the south precinct by this time.
- As works commence in the rest of the central precinct, the site compound will be relocated to the eastern corner of the trailer boat yard, as the number of carparks required there has decreased by 70.
- Access to the trailer boat yard carparks will be along Sir Peter Blake Parade.
- Access to the newly constructed carparks will also be along Sir Peter Blake Parade via the existing western entrance to the carparks.
- Traffic controls and signage will be provided to ensure the safety of berth-holders, as construction plant will be crossing Sir Peter Blake Parade from the central precinct works area to the site compound and material stockpile.

6.1.3 Stage 3 – North Precinct

- After earthworks and civil works are largely completed in the south and central precincts work will commence in the north precinct.
- By this point enough carparks will have been built that 240 carparks for berth-holders will be able to be located in the south and central precincts.
- The temporary carparks located in the trailer boat yard will be reduced to 70 and bulk earthworks and civil works will commence in the north precinct.
- The last temporary carpark will be removed upon completion of the carpark construction in the north precinct, following this the north park landscaping will be able to be completed to conclude the civil works construction.

6.2 Perimeter Pathway

A new public pathway will be constructed around most of the perimeter of the site, a total length of approximately 600m. The pathway will be supported by a gabion retaining wall with a maximum height of approximately 2.60m.

6.2.1 Pathway Construction Methodology

Due to the importance of the pathway in providing access to the marina piers, and maintaining public access around the perimeter of the site, it is proposed that construction of the pathway will begin immediately following site establishment and service relocation. Construction will commence from the southern end of the site, near the existing ferry terminal. This point is where the pathway starts to rise above existing levels; and is the start of the gabion retaining wall.

Bulk earthworks and civil works will be able to progress in the rest of the south precinct while the retaining wall construction is ongoing. The earth-worked surface will be raised up above the existing surface concurrently with the retaining wall construction.

In order to maintain access to the berths for berth-holders, efforts will be made to only close off short sections of the existing perimeter footpath at a time. Provisions for providing temporary gangways to some piers will be made as required.

6.3 Facilities

In addition to carparks, the other facilities provided for berth-holders include, toilets, showers and laundry facilities. There is also a marina office which will need to kept operational for safety and security reasons. The marina office is a portable building.

There are two existing toilet blocks on the site, these include shower and laundry facilities. The southern block is proposed to be demolished in Stage 1 of construction, while the northern block will be demolished in Stage 2. The marina office will be relocated in Stage 1 as well.

Prior to the demolition of the southern block marina office a temporary toilet, shower and laundry facility will be constructed in the northern part of the site, in the existing trailer-boat yard. The marina office will also be relocated to the trailer-boat yard. This facility will be retained for Stages 1 and 2 of the construction works. Both the berth-holder facilities and the marina office are proposed to be provided in the ground floor of the southern apartment building, and it is possible that this may be completed prior to the commencement of Stage 3. If this is not the case then provision will be made for relocating the temporary facilities from the trailer boat-yard to another location in the central or southern precinct until the new permanent facilities are completed.

6.4 Dust Management

We understand that dust and debris management is a key consideration for the marina berth holders. The construction contractor will be required to ensure that no dust or debris is blown or swept onto the surrounding properties, the marina pontoons and gangways, boats, or the harbour. It is anticipated that water carts will be utilised to keep exposed soil wet and prevent dust being created. All stockpiles of soil or metal will be covered with polythene to prevent dust being blown off the stockpiles. Wheel washes will be provided at all vehicle exit points from the site to prevent vehicles tracking dirt and dust onto the roads.

7 PUBLIC FACILITIES

Existing public facilities in the vicinity of the site include:

- Auckland Transport ferry terminal (within the site)
- Auckland Transport park and ride car parks (adjacent to the site)
- Auckland Transport bus stop (within the site)
- Boat Ramp (within the site)
- Walkway around the perimeter of the site

7.1 Ferry Terminal

The ferry terminal is located in temporary structures at the southern tip of the Bayswater Marina site. Ferry patronage is approximately 5000 passengers per day. Ferry passengers generally arrive by bus, private vehicle, or walking. In all cases the pedestrian route to the ferry is through the existing car park, past the boat ramp and along the path on the south eastern edge of the site.

Pedestrian access to the ferry terminal will be maintained for the duration of the construction works. The path on the south eastern edge of the site (refer Figure 1) will be redeveloped as part of Stage 1 the project, and a temporary diversion will be provided while these works are undertaken. A delineated pedestrian route separated from construction traffic will be provided for the duration of the construction works. The pedestrian route will be adjusted to suit each stage of construction works.

Figure 1 – Looking south to ferry terminal from the boat ramp

7.2 Park and Ride Car Parks

The existing park and ride car parks are located in the Auckland Council land immediately east of the site. Access to the car parks will be impacted by the Stage 1 construction works on Sir Peter Blake Parade. It is anticipated that the road will be reduced to a single lane with stop-go traffic control while these works are undertaken. Following the completion of the works on Sir Peter Blake Parade access to the car parks will be unimpdeded for the remainder of the construction period. Pedestrian access from the park and ride car parks to the ferry terminal is described in Section 7.1.

Figure 2 - Looking south at park and ride car parks from Sir Peter Blake Parade

7.3 Bus Stop

The existing bus stop is located north of the boat ramp, within the site. We understand that Auckland Transport is currently engaged with designing a new car park and bus stop facility that will be located on the Auckland Council land east of the site, however we are not aware of any firm timing for this work. Therefore it is proposed to retain the existing bus stop location for the duration of the construction works. The bus route through the site will generally be maintained for Stages 1 and 2-A of construction but will be adjusted for Stages 2-B and 3 to run further west along the newly constructed Link Street and east along the newly constructed Cross Street. As described in Section 7.1, safe pedestrian access from the bus stop to the ferry terminal will be maintained for the duration of the construction works. The existing pavement at the bus stop location will be removed and reconstructed during Stage 1 of construction, this work will be staged so as not to impede bus or pedestrian access. Temporary relocation of the bus stop by up to 30m is anticipated to facilitate this work.

Figure 3 - Looking northeast to bus stop with boat ramp in foreground.

7.4 Boat Ramp

The boat ramp is popular, particularly in the summer months, and is provided with a substantial number of trailer parks. The boat ramp is proposed to be retained as part of the development and the existing trailer parks and to be replaced with new parks. The existing trailer parks will be retained for Stages 1 and 2-A, although the pavement around the boat ramp will be reconstructed to suit the development. These works will be staged so as to maintain access to the boat ramp at all times. At the commencement of Stage 2-B, the existing trailer parks will be removed, but by this point new trailer parks will have been constructed along Sir Peter Blake Parade and these will be able to be utilised going forward.

7.5 Waterfront Path

The pathway around the perimeter of the site provides access to the marina berths, and also provides a route for the public to walk around the waterfront. The existing path is proposed to be replaced with a new, wider pathway as part of the development. In order to facilitate construction of the new pathway (which is situated at a higher elevation), temporary diversions of the existing path will be provided. It is anticipated that works on the pathway will be undertaken in all construction stages, beginning adjacent to the boat ramp and moving around the perimeter of the site in a clockwise direction.

8 TERRACE HOUSE CONSTRUCTION

The terrace houses are anticipated to be sold individually with strict time limits to ensure building commences in a timely manner. It is anticipated that some houses will commence construction before the civil works construction is complete. Provision shall be made for tradespeople involved with terrace house construction to be able to park in the main contractor site compounds while civil works construction is ongoing.

Following the completion of civil works construction parking for tradespeople will be limited to the new visitor car parks constructed on Sir Peter Blake Parade (within the site). If these car parks are fully occupied then tradespeople will be required to park in the public parking on Sir Peter Blake Parade (north of the site) adjacent to Marine Parade Reserve. It will be clearly noted in sales and purchase agreements that tradespeople are not permitted to use the park and ride and berth holder parking.

It should be noted that terrace house construction will continue for a number of years following the completion of the civil works construction. Terrace house construction will have substantially less impacts on the surrounding area as the scale of construction will be much smaller. The house build contractors will be required to prepare a construction management plan and construction traffic management plan prior to the commencement of each house build, these management plans will be reviewed and approved by the Design Review Panel prior to the commencement of construction. The construction management plans will at a minimum include:

- Parking & storage locations
- Programme of the works
- Measures to ensure the safety of members of the public and stability of surrounding land and structures
- Measures to ensure no dust and debris is swept or blown onto the surrounding land or boats
- Site security measures

9 RECOMMENDED CONSENT CONDITIONS

We recommend that a comprehensive construction management plan (CMP) is prepared by the contractor responsible for constructing the development, with this CMP provided to Auckland Council for approval prior to the commencement of construction. We have prepared suggested resource consent conditions to enforce this requirement.

1. Construction Management Plan – Civil Works

Prior to the commencement of any works on the site, the consent holder shall submit to and have approved by Council's Environmental Protection Officer a Construction Management Plan (CMP). The CMP shall include but not be limited to addressing the following matters:

a. Providing a construction timetable which shall be updated from time to time as necessary;
b. Dust management, including measures to ensure dust will not be blown onto boats at the marina;
c. How access to marina berths, the boat ramp, and the walkway around the perimeter of the site will be maintained;
d. The location of site sheds, toilets, plant and material storage;
e. Where staff will park, noting that parking in berth-holders carparks or boat trailer parks is not permitted;
f. Ensuring the safety of pedestrians, berth-holders and members of the public;
g. Any need for temporary road closures and/or other restrictions on the surrounding road network for the transportation of plant, machinery and materials or for other reasons relating to construction activities;
h. Site perimeter security;
i. The name and contact details of the contractor's site manager;
j. Advising adjoining land owners and occupiers of (i) the name and contact number of the person responsible for construction activities ("the Applicant's Engineer"); and (ii) the nature, timing and duration of planned construction activities;
k. The handling and addressing of complaints; and
l. Assessing any special measures for protection of buildings, infrastructure and amenity on or of adjacent sites.

All construction shall be carried out and managed at all times in accordance with the approved CMP.

2. Construction Traffic Management Plan – Civil Works

Prior to the commencement of any works on the site, the consent holder shall submit to and have approved by the Council (Team Leader Northern Monitoring, Auckland Council), a Construction Traffic Management Plan (CTMP)

The CTMP shall be prepared in accordance with the Council's requirements for traffic management plans or CTMPs (as applicable) and New Zealand Transport Authority's Code of Practice for Temporary Traffic Management and shall address the surrounding environment including pedestrian and school traffic.

The CTMP shall include traffic management measures to ensure that safe vehicular access to the boat ramp and marina berth parks (existing, temporary and new) is maintained at all times throughout the construction period.

No construction activity shall commence until the CTMP has been approved by the Council (Team Leader Northern Monitoring) and all construction traffic shall be managed at all times in accordance with the approved CTMP.

Advice note: it is the responsibility of the consent holder to seek pre-approval for the Construction Traffic Management Plan from Auckland Transport. Please contact Auckland Transport on (09) 355 3553 and review www.beforeudig.co.nz before you begin works.

3. *Health and Safety Plan*

A detailed Health and Safety Plan to the requirements of the Health and Safety at Work Act 2015, specifically addressing control of works on and adjacent to public land, and the protection of the public, shall be provided to the Consents Engineer prior to the commencement of any works on the site (refer s.109.1 of the "Standards for Engineering Design and Construction"). A copy of the Health and Safety Plan shall be kept on the site at all times. All measures for the protection of the public and other personnel set out in the Plan shall be maintained and complied with at all times until such time as the works are completed.

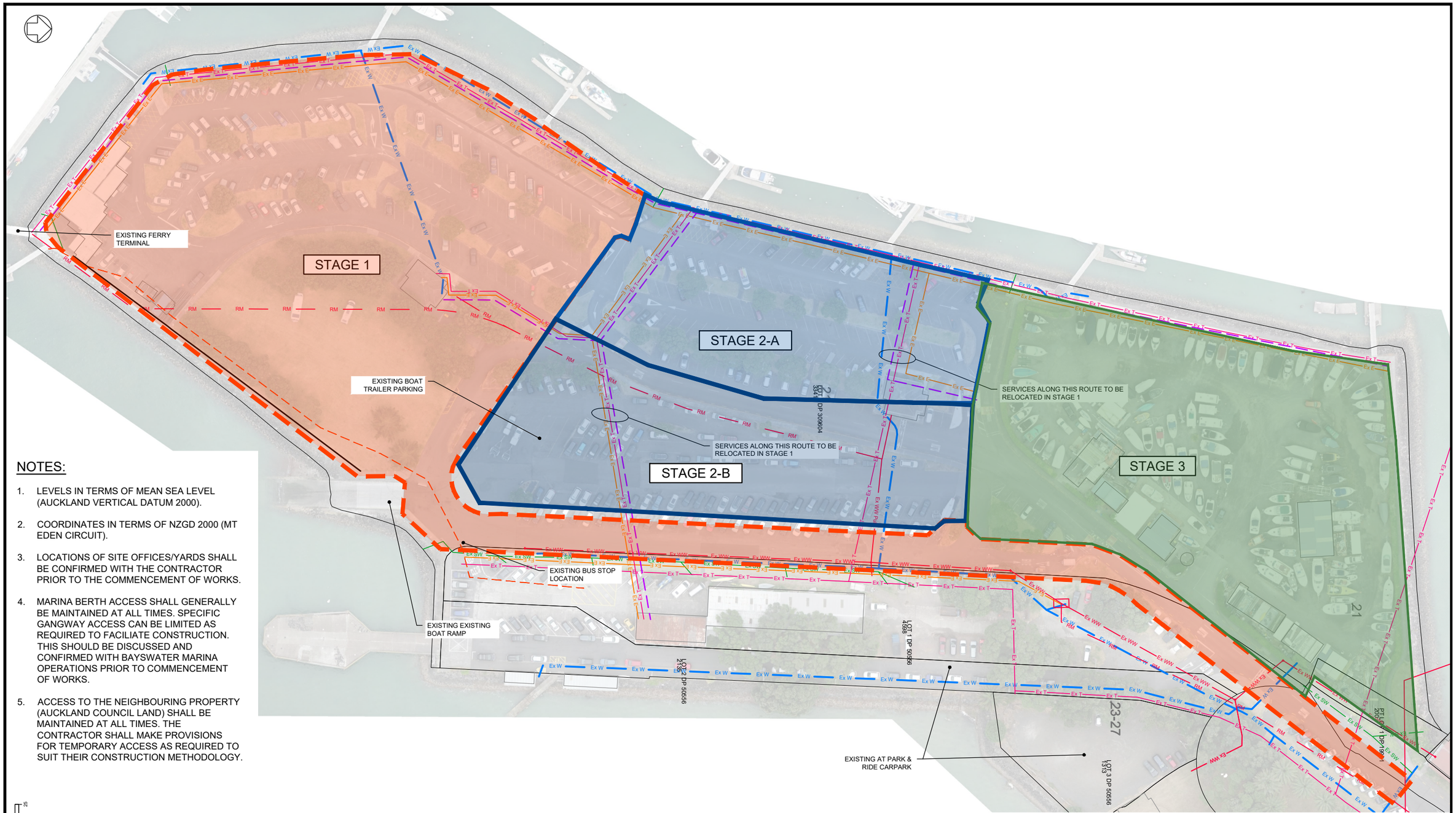
4. *Construction Management Plan – Building Construction*

Prior to the commencement of any works on the site, the consent holder shall submit to and have approved by the Design Review Panel a Construction Management Plan (CMP). The CMP shall include but not be limited to addressing the following matters:

a. *Providing a construction timetable which shall be updated from time to time as necessary;*
b. *Dust management, including measures to ensure dust will not be blown onto boats at the marina, or neighbouring dwellings;*
c. *The location of site facilities and plant storage;*
d. *Staff parking locations, noting that parking in berth-holders carparks or boat trailer parks is not permitted;*
e. *Ensuring the safety of pedestrians, berth-holders and members of the public;*
f. *Maintenance of land stability at the site boundaries;*
g. *The handling and addressing of complaints; and*
h. *Measures to ensure the stability of neighbouring sites and the common area.*

10 APPENDICES

- Preliminary Construction Staging Plan
- Preliminary Construction Traffic Management Plans



NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 2000).
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT).
3. LOCATIONS OF SITE OFFICES/YARDS SHALL BE CONFIRMED WITH THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS.
4. MARINA BERTH ACCESS SHALL GENERALLY BE MAINTAINED AT ALL TIMES. SPECIFIC GANGWAY ACCESS CAN BE LIMITED AS REQUIRED TO FACILIATE CONSTRUCTION. THIS SHOULD BE DISCUSSED AND CONFIRMED WITH BAYSWATER MARINA OPERATIONS PRIOR TO COMMENCEMENT OF WORKS.
5. ACCESS TO THE NEIGHBOURING PROPERTY (AUCKLAND COUNCIL LAND) SHALL BE MAINTAINED AT ALL TIMES. THE CONTRACTOR SHALL MAKE PROVISIONS FOR TEMPORARY ACCESS AS REQUIRED TO SUIT THEIR CONSTRUCTION METHODOLOGY.

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Original Size:
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1:1000 (A3)

No.	Revision Details (Current Revision Date : 24/05/2021)	Date
B	RC S92 ISSUE	20/05/21
A	ISSUED FOR RESOURCE CONSENT	19/02/21

Design AW
Survey
Drawn MK
Checked ML
Date 24/05/2021
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CAD Filename 12582-01-150.dwg

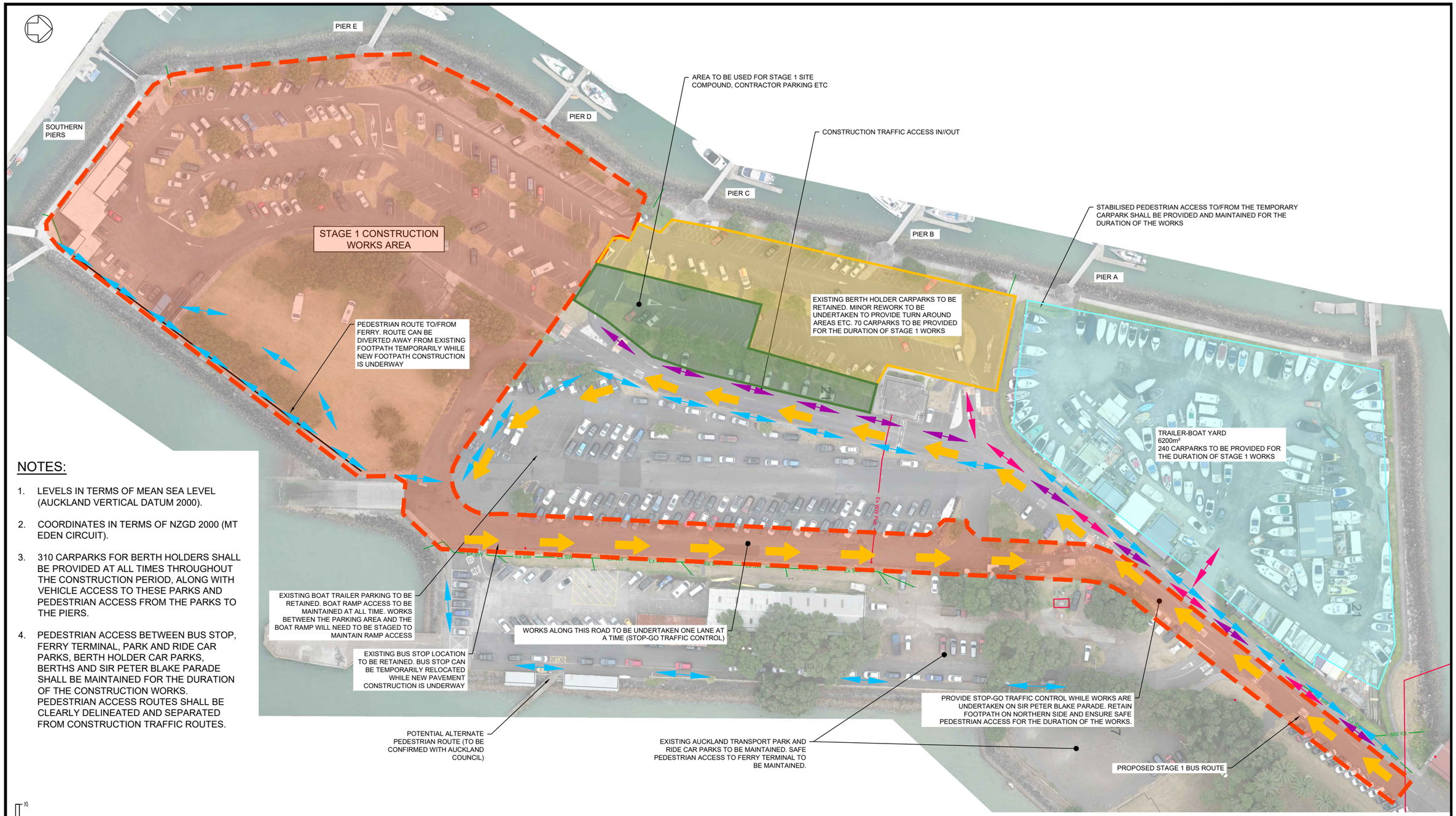
RC

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME PRECINCT
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
PROPOSED OVERALL STAGING PLAN

File No. 12582-01-150
Rev. B
Dwg. No. 113



NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 2000).
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT).
3. 310 CARPARKS FOR BERTH HOLDERS SHALL BE PROVIDED AT ALL TIMES THROUGHOUT THE CONSTRUCTION PERIOD, ALONG WITH VEHICLE ACCESS TO THESE PARKS AND PEDESTRIAN ACCESS FROM THE PARKS TO THE PIERS.
4. PEDESTRIAN ACCESS BETWEEN BUS STOP, FERRY TERMINAL, PARK AND RIDE CAR PARKS, BERTH HOLDER CAR PARKS, BERTHS AND SIR PETER BLAKE PARADE SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION WORKS. PEDESTRIAN ACCESS ROUTES SHALL BE CLEARLY DELINEATED AND SEPARATED FROM CONSTRUCTION TRAFFIC ROUTES.

LEGEND:

- BUS ROUTE
- PEDESTRIAN ROUTE
- CONSTRUCTION TRAFFIC ROUTE
- BERTH HOLDER VEHICLE ROUTE

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Original Size:
1:500
1:1000 (A3)

No.	Revision Details	Date
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A	RC S92 ISSUE	24/05/21

(Current Revision Date : 16/08/2021)

Design AW
Survey
Drawn MK
Checked ML
Date 16/08/2021
Scale 1:500 (A1) 1:1000 (A3)
CAD Filename 12582-01-150.dwg

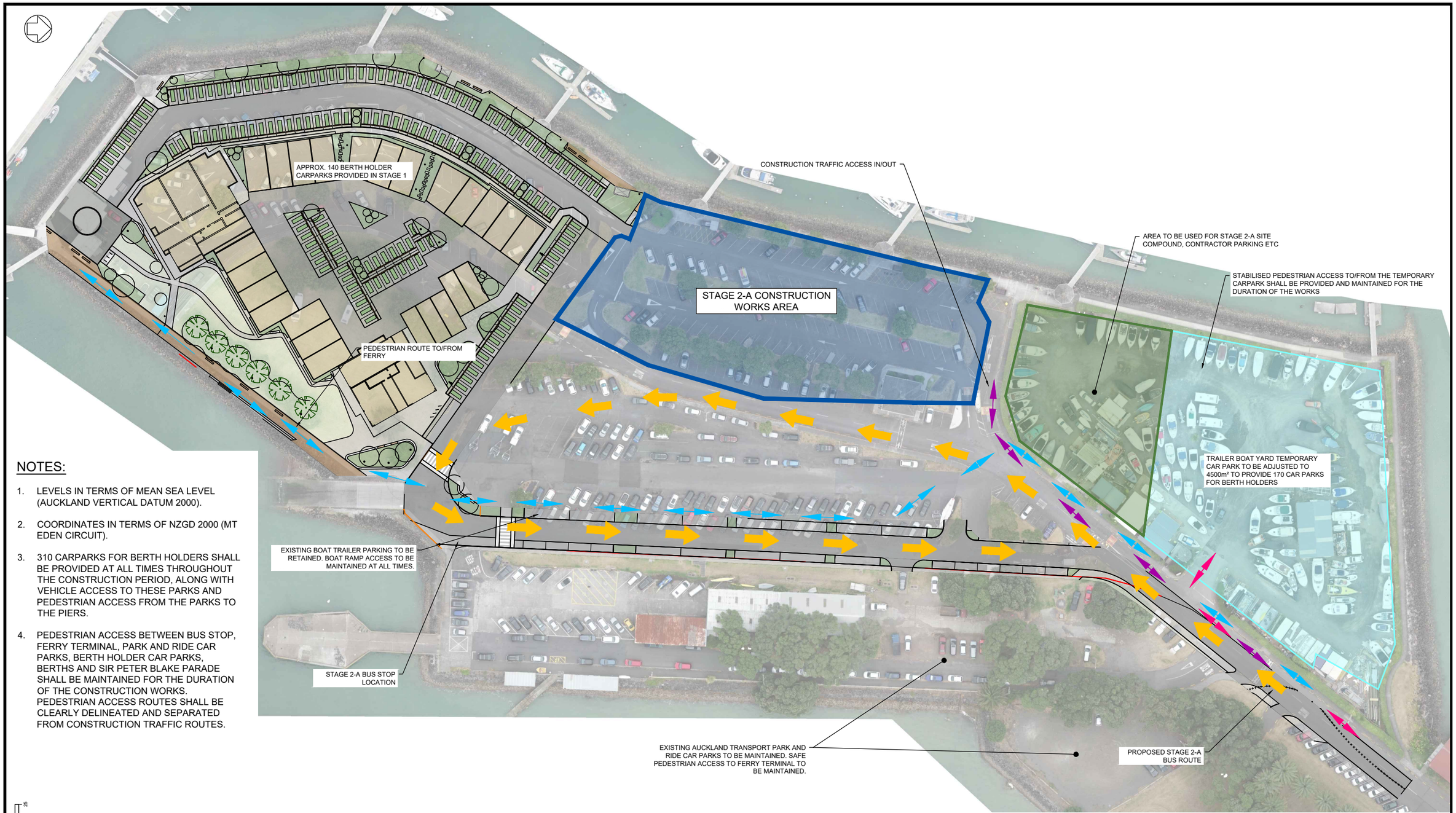
DRAFT

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME VILLAGE
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
PRELIMINARY STAGE 1 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

File No. 12582-01
Rev. A
Dwg. No. 151



NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 2000).
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT).
3. 310 CARPARKS FOR BERTH HOLDERS SHALL BE PROVIDED AT ALL TIMES THROUGHOUT THE CONSTRUCTION PERIOD, ALONG WITH VEHICLE ACCESS TO THESE PARKS AND PEDESTRIAN ACCESS FROM THE PARKS TO THE PIERS.
4. PEDESTRIAN ACCESS BETWEEN BUS STOP, FERRY TERMINAL, PARK AND RIDE CAR PARKS, BERTH HOLDER CAR PARKS, BERTHS AND SIR PETER BLAKE PARADE SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION WORKS. PEDESTRIAN ACCESS ROUTES SHALL BE CLEARLY DELINEATED AND SEPARATED FROM CONSTRUCTION TRAFFIC ROUTES.

LEGEND:

- BUS ROUTE
- PEDESTRIAN ROUTE
- CONSTRUCTION TRAFFIC ROUTE
- BERTH HOLDER VEHICLE ROUTE

Original Size: 1:500 1:1000 (A3)

No.	Revision Details (Current Revision Date : 16/08/2021)	Date
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A	RC S92 ISSUE	24/05/21

Design AW
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Date 16/08/2021
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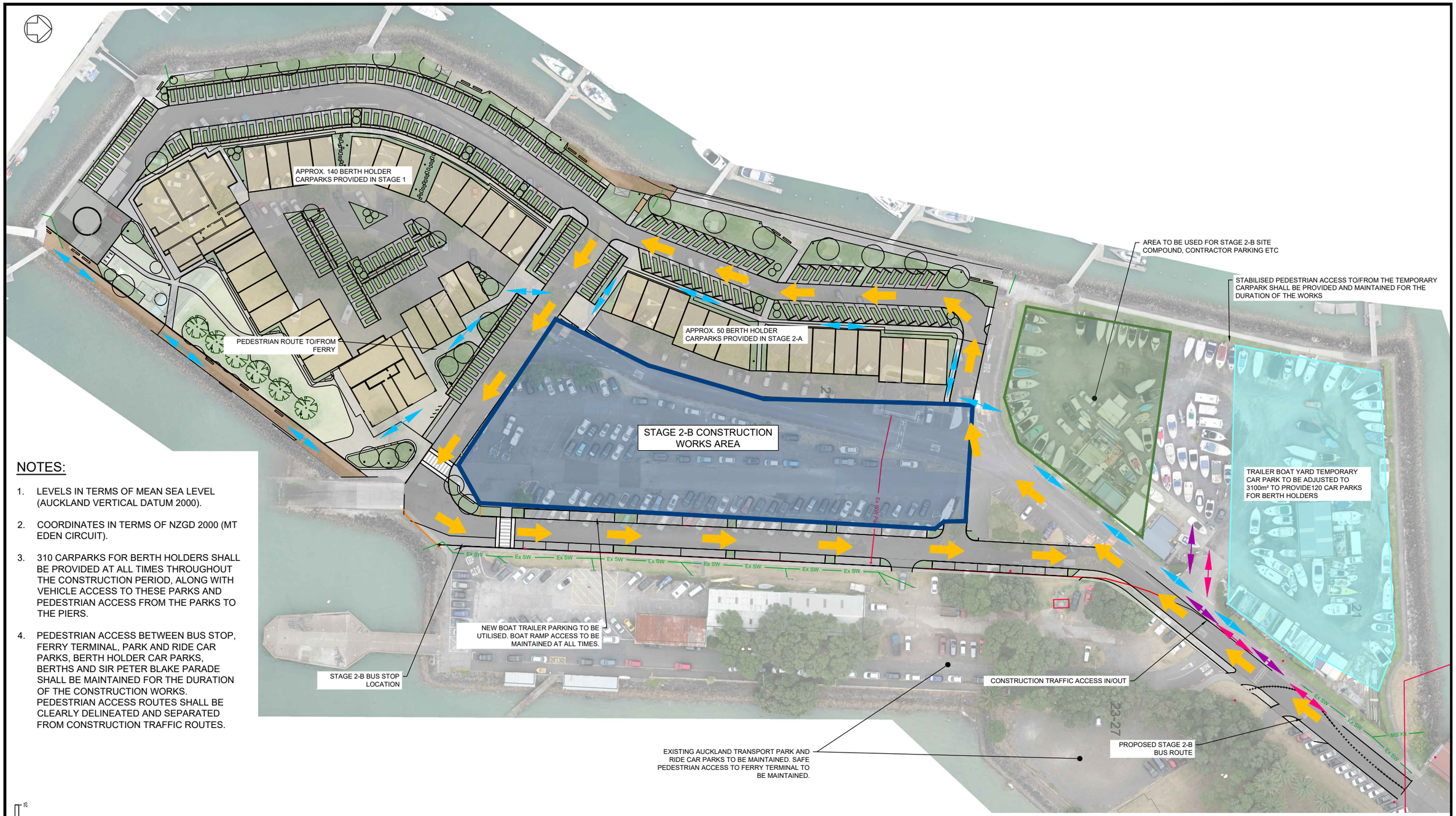
DRAFT

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME VILLAGE
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
PRELIMINARY STAGE 2-A CONSTRUCTION TRAFFIC MANAGEMENT PLAN

File No. 12582-01 | Rev. A | Dwg. No. 152



NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 2000).
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT).
3. 310 CARPARKS FOR BERTH HOLDERS SHALL BE PROVIDED AT ALL TIMES THROUGHOUT THE CONSTRUCTION PERIOD, ALONG WITH VEHICLE ACCESS TO THESE PARKS AND PEDESTRIAN ACCESS FROM THE PARKS TO THE PIERS.
4. PEDESTRIAN ACCESS BETWEEN BUS STOP, FERRY TERMINAL, PARK AND RIDE CAR PARKS, BERTH HOLDER CAR PARKS, BERTHS AND SIR PETER BLAKE PARADE SHALL BE MAINTAINED FOR THE DURATION OF THE CONSTRUCTION WORKS. PEDESTRIAN ACCESS ROUTES SHALL BE CLEARLY DELINEATED AND SEPARATED FROM CONSTRUCTION TRAFFIC ROUTES.

LEGEND:

- BUS ROUTE
- PEDESTRIAN ROUTE
- CONSTRUCTION TRAFFIC ROUTE
- BERTH HOLDER VEHICLE ROUTE

25 20 15 10 5 0 5

Original Size:
1:500
1:1000 (A3)

No.	Revision Details	Date
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A	RC S92 ISSUE	24/05/21

(Current Revision Date : 16/08/2021)

Design AW
Survey
Drawn MK
Checked ML
Date 16/08/2021
Scale 1:500 (A1) 1:1000 (A3)
CAD Filename 12582-01-150.dwg

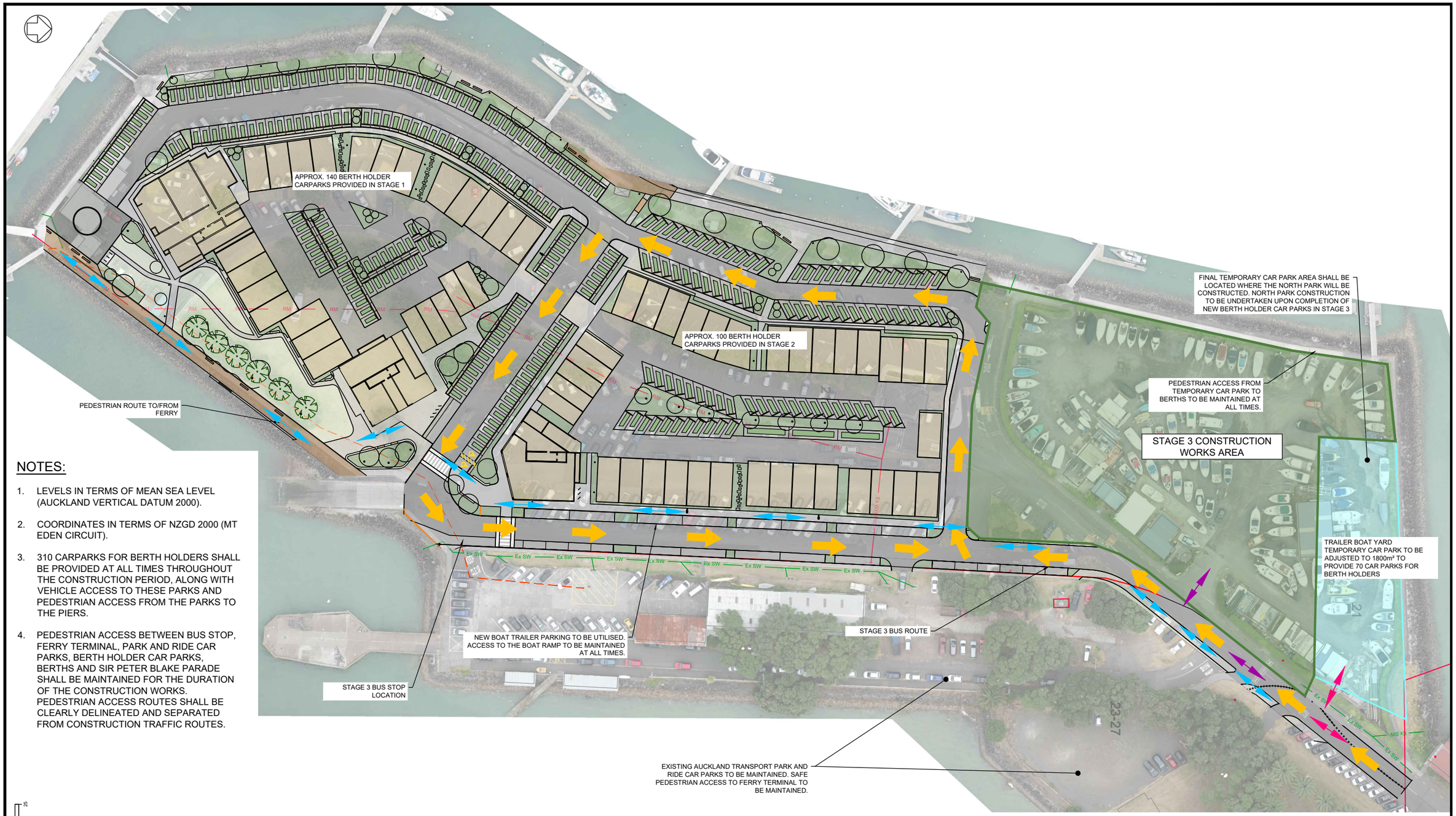
DRAFT

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME VILLAGE
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown,Christchurch, Orewa
ACENZ

Drawing Title.
PRELIMINARY STAGE 2-B CONSTRUCTION TRAFFIC MANAGEMENT PLAN

File No. 12582-01
Rev. A
Dwg. No. 153



NOTES:

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- BERTH HOLDER VEHICLE ROUTE

Original Size:
1:500
1:1000 (A3)

No.	Revision Details (Current Revision Date : 16/08/2021)	Date
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A	RC S92 ISSUE	24/05/21

Design AW
Survey
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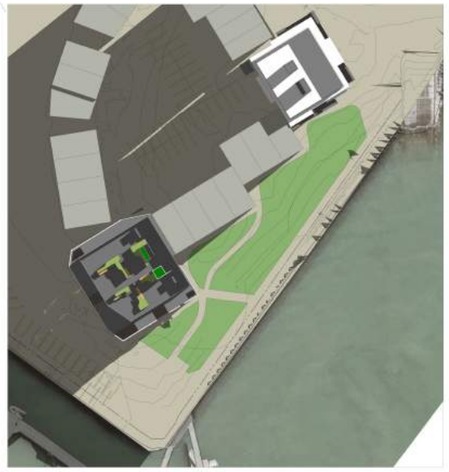
AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
PRELIMINARY STAGE 3 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

File No. 12582-01
Rev. A
Dwg. No. 1754



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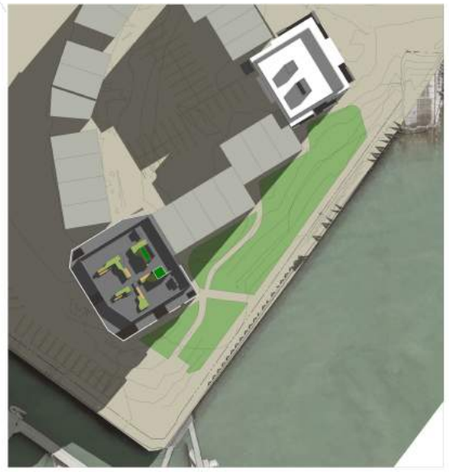

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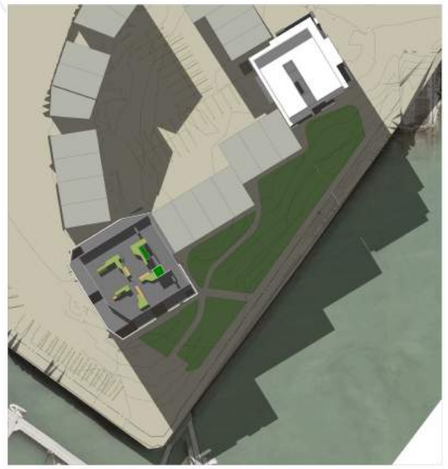

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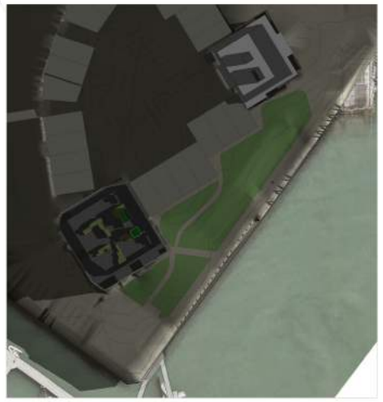

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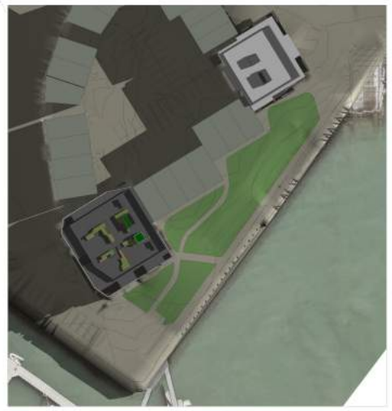

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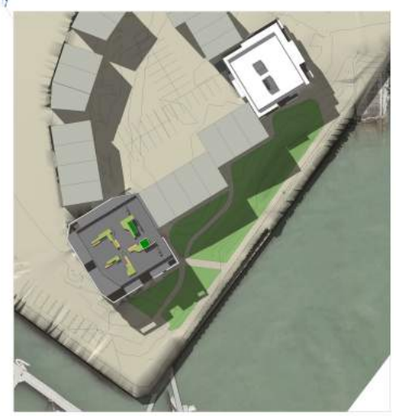

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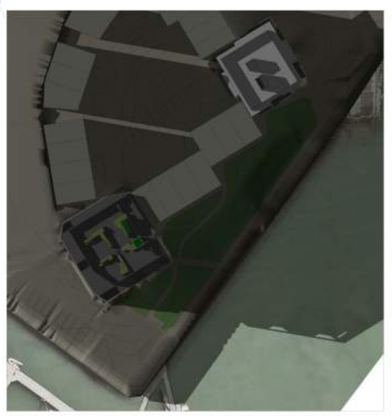

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DECEMBER 21 7.00am

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DECEMBER 21 3.00pm

DECEMBER 21 4.00pm

DECEMBER 21 5.00pm

shearer consulting

PO Box 60240
Titirangi Auckland
mob: 021 735 914
e: craig@craigshearer.co.nz

·· Strategy ·· Policy ·· Planning ··

17 January 2022

Ila Daniels
Consenting Planner
Auckland Council
ila@campbellbrown.co.nz

cc Masato Nakamura
Masato.nakamura@aucklandcouncil.govt.nz

Dear Ila

Bayswater Marina Holdings Limited – Application for additional resource consents and assessment of environmental effects

This letter formalises the application for additional consents required for activities associated with the redevelopment of part of the existing marina reclamation, raised by submitters.

BMHL agrees with Council's position that it is not uncommon that additional rule infringements are identified during the processing of a resource consent application. This is almost inevitable on complex applications which involve sites subject to Overlay, Auckland-wide, several underlying zones and bespoke precinct provisions, and BMHL's application is no exception in this regard. From an AUP perspective, it is a complex proposal with multiple provisions relating to it.

Council has stated that "it has the ability to grant all of the necessary resource consents that are relevant to the activity applied for, even if those reasons for consent have not been explicitly identified by an applicant"[1]. BMHL's legal advice is to the same effect: it is the activity as described in the application and AEE for which consent is sought that is relevant, with the various rule infringements arising under the AUP that provide the guidance for the assessment of the application. Accordingly, BMHL has considered Council's queries and the analysis of the application against the AUP by others and confirms that, for completeness, it seeks the additional consents described and assessed below. Despite this, BHML's position remains that these further rule infringements (for which consents are sought) do not comprise amendments to its application, as they relate to activities that have always been an integral part of the application.

1. Retaining Structures in the inundation areas and CMA

1.1 Reasons for consent

[1] 18 November 2021 Council letter to legal counsel for Bayswater Community Committee

E36 Natural Hazards and Flooding: Parts of the proposed gabion basket retaining walls will be within the coastal storm inundation 1% AEP probability area. The 1% AEP area is shown on the Council plan below. The 1% AEP coastal storm inundation level is RL 2.37 (based on Auckland Vertical Datum), and MHWS is RL1.6m. The height of the retaining wall is shown on the second plan below (Drawing 222 from Engineering Drawings Attachment 3.2 in the application documentation). The wall will be up to 2.5m high from MHWS. Therefore, consent is required under E36.4.1 by (A9), which reads:

All other buildings and structures on land in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area – RD.

Figure 1: Coastal Storm Inundation levels

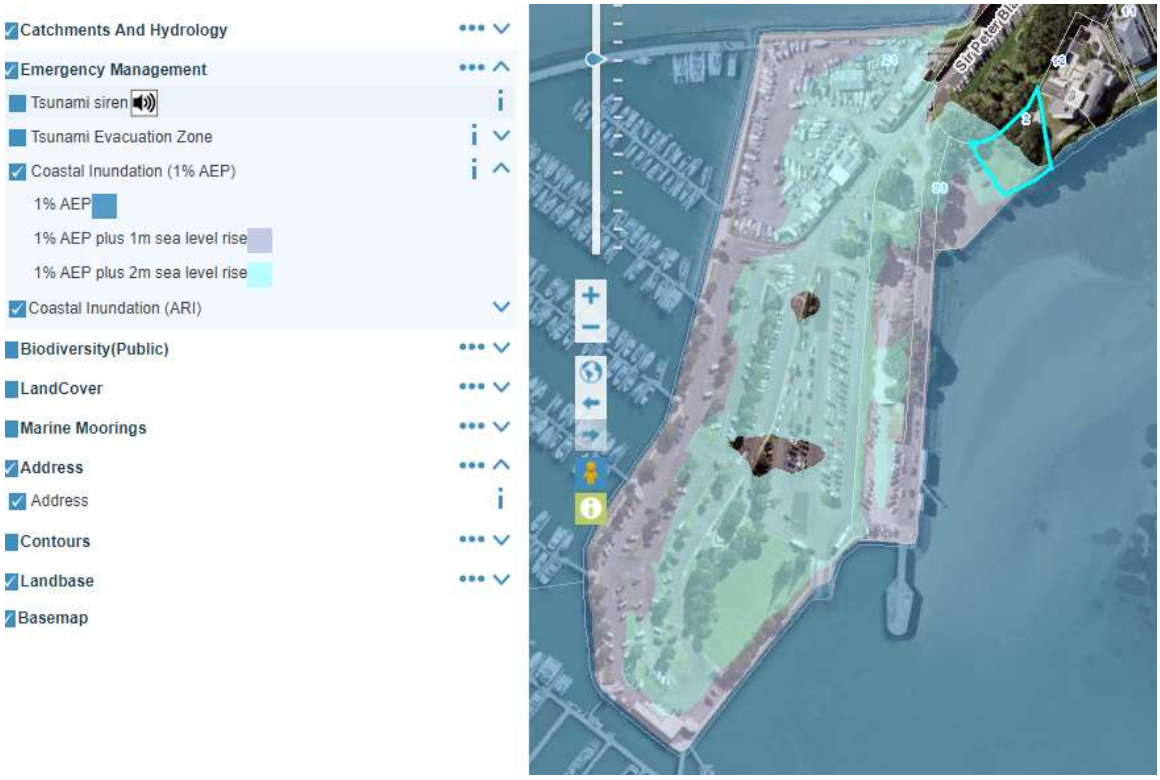
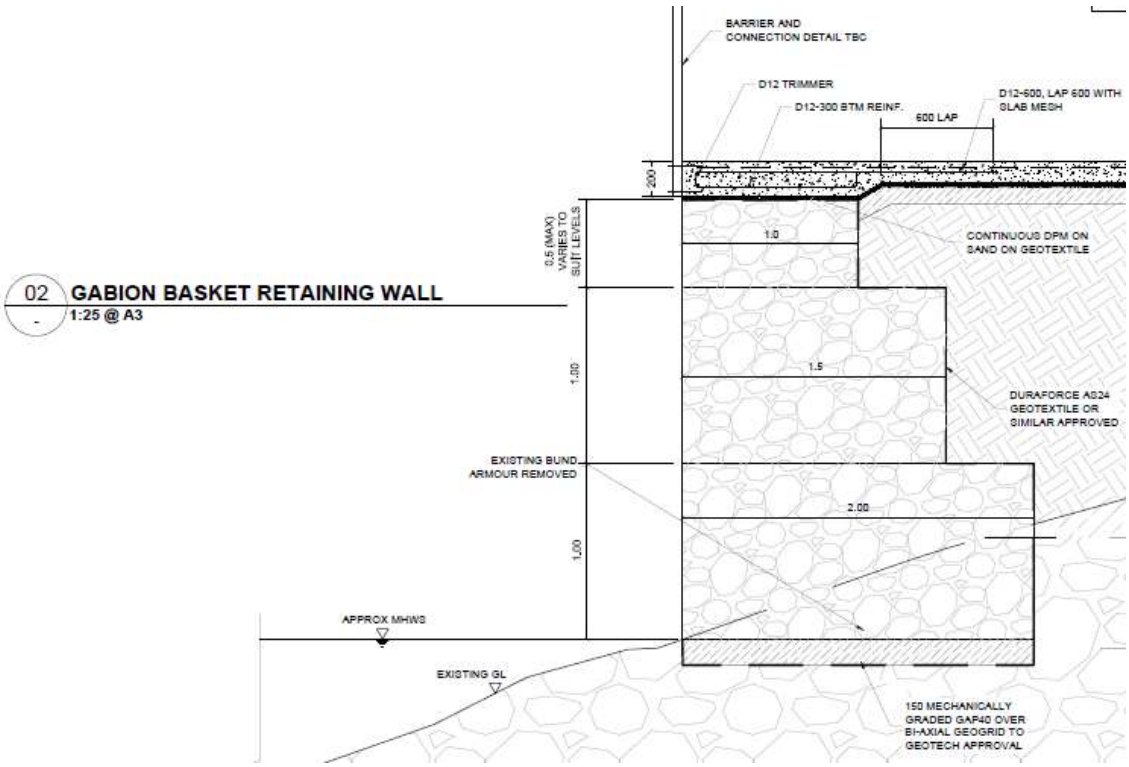


Figure 2: Gabion basket retaining wall details



1.2. Assessment

1.2.1 E36.8.2. Assessment criteria

Activities in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area

(2) for external alternations to existing buildings which increase the gross floor area of the building in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for all other buildings and structures in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area; for on-site septic tanks, wastewater treatment and disposal systems, effluent disposal fields, underground storage tanks, water tanks or stormwater pipes or soakage fields in the coastal storm inundation 1 per cent annual exceedance probability (AEP) area:

(a) the likelihood of a coastal storm inundation hazard event occurring, its magnitude and duration, the consequences of the event and its effects on public health, safety, property and the environment;

(b) the extent to which site-specific analysis, such as engineering, stability or flooding reports and its analysis have been undertaken and any other information the Council may have on the site and surrounding land;

(c) the extent to which public access, landscape and other environmental values are affected by any works proposed in association with the building or structure, by way of mitigation of the hazard;

(d) the extent to which any building or structure can be relocated in the event of severe coastal erosion or shoreline retreat, taking into account the likely long term effects of climate change.

Assessment: For (a), the proposed gabion retaining wall will facilitate the raising of the site which will ensure that the finished ground levels within the site are above the coastal inundation level of RL2.37. The majority of the site, including the egress and ingress points to all proposed buildings, will be located above the coastal inundation plus 1m of sea level rise elevation of RL3.37. Therefore, the extent of any damage to people, property or the environment is considered to be minimal during a storm event up to and including the 1% AEP storm (including allowance for climate change and sea level rise).

For (b), site specific analysis has been undertaken by Airey Consultants (coastal inundation) and KGA Geotechnical (geotechnical investigation and analysis) as discussed in the reports included with the resource consent application.

For (c), public access is currently provided around the perimeter of the site by way of a footpath located behind the rock revetment wall. Public access will be enhanced by the development as the proposed pathway located on the new retaining wall will be substantially wider than the existing footpath; and will create a safe surface for the public. The methodology for construction of the pathway has taken into account the fact that public access must be maintained while the construction is being undertaken (refer to the Construction Management Plan prepared by Airey Consultants), however it is recognised that some temporary disruption to public access will be required in order to construct the pathway. I consider this disruption to be acceptable in order to ultimately provide superior public access.

The wider coastal walkway and landscaping on it will provide an enhanced street and landscape - see Attachment 6.3, Landscape Concept Package for details.

For (d), I note that the proposed retaining wall structure is not designed to be able to be relocated. I consider this to be acceptable owing to the fact that the purpose of the structure is to facilitate the raising of the rest of the site, and ensures that the site is protected against the likely long term impacts of climate change. We also note that the gabion wall structure has been chosen for this specific application as any coastal processes in the long term in that location will not adversely affect the integrity of the structure.

1.2.2 E36.2 Relevant Objectives

(2) Subdivision, use and development, including redevelopment in urban areas, only occurs where the risks of adverse effects from natural hazards to people, buildings, infrastructure and the environment are not increased overall and where practicable are reduced, taking into account the likely long term effects of climate change.

Assessment: There will be no risk to people, buildings and infrastructure from coastal inundation as the site is in the inner Waitemata Harbour and any access on the gabion basket wall will be well above the 1% AEP plus 1m sea level.

(4) Where infrastructure has a functional or operational need to locate in a natural hazard area, the risk of adverse effects to other people, property, and the environment shall be assessed and significant adverse effects are sought first to be avoided or, if avoidance is not able to be totally achieved, the residual effects are otherwise mitigated to the extent practicable.

Assessment: A public walkway/cycleway will be located on top of the wall, but this will be well above flood levels and thus the hazard avoided.

(5) Subdivision, use and development including redevelopment, is managed to safely maintain the conveyance function of floodplains and overland flow paths.

Assessment: Overland flow paths/drainage networks are designed to be conveyed through the retaining wall.

(6) Where appropriate, natural features and buffers are used in preference to hard protection structures to manage natural hazards.

Assessment: The whole site is a reclamation and thus there are no natural features or buffers.

1.2.3 E36.3 Relevant Policies

General

(1) Identify land that may be subject to natural hazards, taking into account the likely effects of climate change, including all of the following:
(a) coastal hazards (including coastal erosion and coastal storm inundation, excluding tsunami);

Assessment: The gabion basket retaining wall has been identified as being subject to coastal storm inundation.

(3) Consider all of the following, as part of a risk assessment of proposals to subdivide, use or develop land that is subject to natural hazards:
(a) the type, frequency and scale of the natural hazard and whether adverse effects on the development will be temporary or permanent;
(b) the type of activity being undertaken and its vulnerability to natural hazard events;
(c) the consequences of a natural hazard event in relation to the proposed activity;
(d) the potential effects on public safety and other property;
(e) any exacerbation of an existing natural hazard risk or the emergence of natural hazard risks that previously were not present at the location;
(f) whether any building, structure or activity located on land subject to natural hazards near the coast can be relocated in the event of severe coastal erosion, inundation or shoreline retreat;

(g) the ability to use non-structural solutions, such as planting or the retention or enhancement of natural landform buffers to avoid, remedy or mitigate hazards, rather than hard protection structures;
(h) the design and construction of buildings and structures to mitigate the effects of natural hazards;
(i) the effect of structures used to mitigate hazards on landscape values and public access;
(j) site layout and management to avoid or mitigate the adverse effects of natural hazards, including access and exit during a natural hazard event;

Assessment: The gabion wall is designed to replace part of the existing rip-rap wall, the top of which sits about 1m above the 1% plus 1m coastal inundation level. There will be no adverse effects upon this structure; the activity (recreation) will not be vulnerable to natural hazard (inundation) events, being well above the inundation level; the structure cannot be relocated, but this will never be necessary as the structure is well above the maximum inundation level; non-structural solutions are not appropriate – the site is a reclamation and the existing protection structure a rip-rap wall; the wall will enable much improved and wider public access around the coastline, and will facilitate improved landscaping on the site; the height of the structure, above inundation levels, will ensure safe access and exit during inundation events;

(4) Control subdivision, use and development of land that is subject to natural hazards so that the proposed activity does not increase, and where practicable reduces, risk associated with all of the following adverse effects:
(a) accelerating or exacerbating the natural hazard and/or its potential impacts;
(b) exposing vulnerable activities to the adverse effects of natural hazards;
(c) creating a risk to human life; and
(d) increasing the natural hazard risk to neighbouring properties or infrastructure.

Assessment: The proposed retaining wall will provide an increased safety factor from coastal inundation, and therefore further reduce risk because of its greater height than the current rip-rap sea wall. There are no neighbouring properties at risk from the retaining wall.

Coastal hazards (including coastal erosion and coastal storm inundation)

(5) Ensure that subdivision, use and development on rural land for rural uses and in existing urban areas subject to coastal hazards avoids or mitigates adverse effects resulting from coastal storm inundation, coastal erosion and sea level rise of 1m through location, design and management.

Assessment: The existing rip rap wall and the gabion basket retaining wall above it mitigates against any threat from coastal storm inundation and sea level rise of 1m.

(8) Ensure that when locating any new infrastructure in areas potentially subject to coastal hazards consider, where appropriate, an adaptive management response taking account of a longer term rise in sea level.

Assessment: the sea wall is deigned to take into account and provides for protection against longer term sea level rise.

Defences against coastal hazards

(11) Consider hard protection works to protect development only where existing natural features will not provide protection from the natural hazard and enhancement of natural defences is not practicable.

Assessment: The site is a reclamation and so there is no natural feature providing protection.

(12) Require hard protection works involving the placement of any material, objects or structures in or on any area located above mean high water springs to be designed and located to avoid, remedy or mitigate adverse environmental effects including all of the following:

(a) location of structures as far landward as possible to retain as much natural beach buffer as possible;
(b) any likely increase in the coastal hazard, including increased rates of erosion, accretion, subsidence or slippage;
(c) undermining of the foundations at the base of the structure;
(d) erosion in front of, behind or around the ends or down-drift of the structure;
(e) settlement or loss of foundation material;
(f) movement or dislodgement of individual structural elements;
(g) offshore or long-shore loss of sediment from the immediate vicinity;
(h) long-term adverse visual effects on coastal landscape and amenity values; and
(i) effects on public access.

Assessment: there will be a reduction in coastal hazard, the base of the structure is firstly the existing rip-rap and reclamation, but also the retaining wall designed specifically to enhance geotechnical stability and the foundations; no erosion is anticipated as the wall is within the marina basin; the site has been a reclamation for over 25 years and no settlement is anticipated to occur from the existing site; coastal landscape and amenity values are not anticipated to be affected as the site of the wall is already a rock rip-rap wall, and is shielded from viewing audiences outside the marina basin by the vessels berthed in the marina. This is a working marina and rock protection structures are a standard technique for providing protection of adjacent reclamations.

The retaining wall will assist in providing improved public access and amenity as the 3.5m wide boardwalk/walkway will provide an improved accessway for pedestrians around the site. Further, the walkway will be closer (above) the water's edge than the existing 1m walkway providing improved amenity as and the existing view is heavily framed by the rip-rap protection wall. At MHWS and above pedestrian seaward views will be of water, and not of rock rip-rap. The new retaining wall will be under pedestrians.

1.2.4 E36.9. Special information requirements

(1) A hazard risk assessment must be undertaken when subdivision, use or development requiring resource consent is proposed to be undertaken on land which may be subject to any one or more of the following:

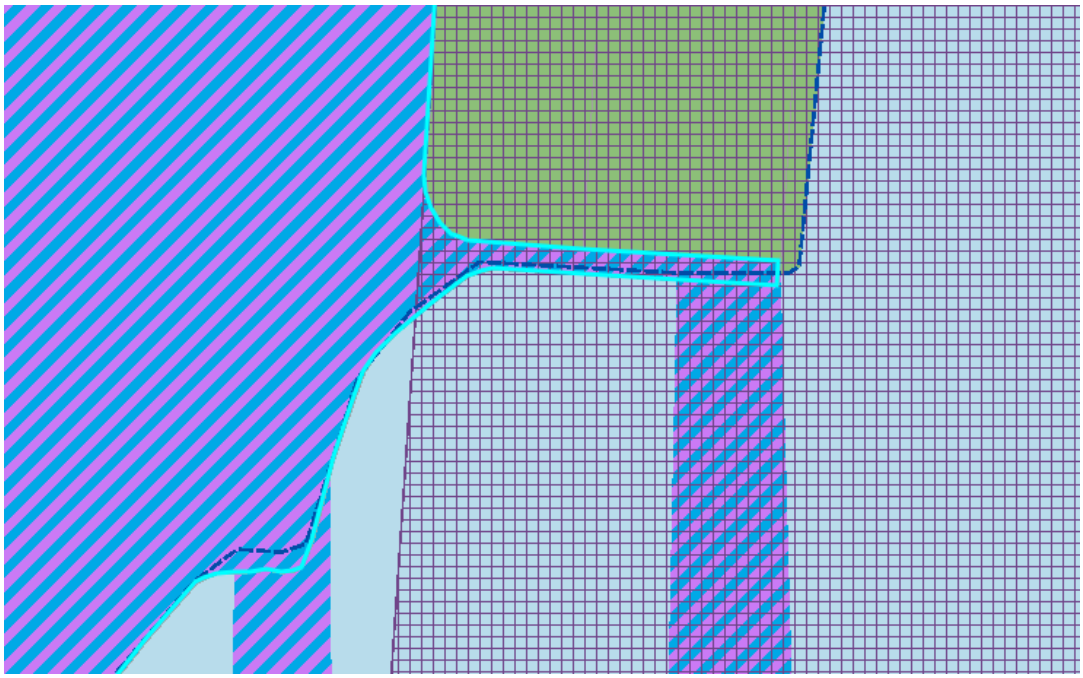
(b) coastal storm inundation 1 per cent annual exceedance probability (AEP);
(c) coastal storm inundation 1 per cent annual exceedance probability (AEP) plus 1m sea level rise;

The level of information required to be provided should be proportionate to the hazard risk, the nature of the hazard. It should also be appropriate to the scale, nature and location of the development and reflective of the scale of the activity proposed. For coastal hazards this should include a consideration of the effects of climate change over at least a 100 year timeframe.

Response: A hazard assessment of the height of the coastal inundation 1% AEP level plus 1m has been provided in the Engineering and Infrastructure Report prepared by Airey Consultants. The report shows this inundation level to be RL3.37m, or in other words 1.77m above MHWS (which is RL1.6m). As the top of the gabion rock retaining wall will be up to 2.5m above MHWS, there will be a significant freeboard above the coastal inundation 1% AEP level plus 1m level. Once in place, the gabion wall will not be at risk from coastal inundation flooding. Given that the level of information required to be provided should be proportionate to the hazard risk, and no hazard risk is predicted to occur, then no further assessment is required.

2. Extent of Place - Historic Heritage Overlay

A very small part of the BMHL land is within the Historic Heritage Overlay as set out in the plan below, being an area approximately 1.9m wide and 33m long – a thin slither of land. Because it adjoins Council's (AT) land, it is managed by AT. No physical changes are proposed to this land in the application.



As unit title subdivision is proposed as part of the application, a technical infringement is incurred as "Subdivision of land within a scheduled extent of place" requires consent as a

DA under Table D17.4.1(A17). The unit title subdivision does not impact upon this area of land, with all such subdivision to occur in Sub-precinct B, whereas the Historic Heritage Overlay is located within Sub-precinct D, with a very small segment in Sub-precinct C. Therefore, there are no actual or potential adverse effects of the proposal on the Historic Heritage Overlay.

D17.9 Special Information Requirements, has been assessed and the assessment is that, as no subdivision and development will occur on or close to the area, the requirements are not relevant to the proposal, therefore no heritage impact assessment is required.

D17 Historic Heritage Overlay – Objectives and policies. The Objectives – D17.2, and Policies – D17.3, have been assessed against the proposal for unit title subdivision on the applicant's land. The objectives relate to protection, maintenance, restoration and conservation of scheduled historic heritage places being supported and enabled, protection from inappropriate subdivision, use and development, and appropriate subdivision, use and development being enabled. These objectives are not relevant to the unit tile subdivision.

The only potentially relevant policy is Policy 23, Subdivision. This provides for subdivision only where: (a) the subdivision will support use and development that is complementary to the heritage values of the place; (b) all the potential effects of the subdivision and any associated development on the heritage values of the place have been considered and any adverse effects on these values are avoided to the greatest extent possible, and any other effects are remedied or mitigated; (c) the subdivision contributes to the retention of the place. The proposal is entirely consistent with this policy – the unit title subdivision will not impact upon the overlay, there will be no effects upon the heritage values as no change will occur, and the subdivision contributes to the retention of the place as it will not be affected or changed.

Overall, the proposal is consistent with the objectives and policies of the D17 Historic Heritage Overlay, as there will be no adverse effects resulting from the proposed unit title subdivision.

3. Extent of Place - New Wastewater Pump and Storage Tank Earthworks

3.1 Reasons for Consent

BMHL agrees that the amount of earthworks exceeds the volume thresholds required for this permitted activity.

Earthworks for the pump station are:

- 113m^2 area
- 410m^3 volume

Earthworks consent is required as a RDA under E12.4.2(A33) and E26.6.3.1(A117).

In terms of the AUP definition and for the purposes of E26 Infrastructure, the pump station would fall under the definition of infrastructure as it does technically include storage

facilities for a sewage system (and will be owned by a network utility), as per the following in the definitions section of the AUP:

• *storage, treatment and discharge facilities for a drainage or sewerage system;*

3.2 Assessment – E12.4.2

Standards: *Under E12.6.2, General standards, all activities (except ancillary farming earthworks, ancillary forestry earthworks and network utilities) listed as a permitted activity, controlled activity or restricted discretionary activity in Table E12.4.1, Table E12.4.2 or Table E12.4.3 must comply with the following standards.*

(1) Land disturbance within riparian yards and coastal protection yards are limited to:
(a) operation, maintenance and repair (including network utilities);
(b) less than 5m2 or 5m3 ; for general earthworks;
(c) less than 10m2 or 5m3 for the installation of new network utilities;
(d) installation of fences and walking tracks; or
(e) burial of marine mammals.

Assessment - Complies: Network utilities are excepted, but the coastal protection yard for the zone is 20m and the site is approximately 50m from MHWS.

(2) Land disturbance must not result in any instability of land or structures at or beyond the boundary of the property where the land disturbance occurs.

Assessment - Complies: There will be no resulting land instability at or beyond the boundary.

(3) The land disturbance must not cause malfunction or result in damage to network utilities, or change the cover over network utilities so as to create the potential for damage or malfunction.

Assessment – Complies: New network facilities will be needed to accommodate development on the site.

(4) Access to public footpaths, berms, private properties, network utilities, or public reserves must not be obstructed unless that is necessary to undertake the works or prevent harm to the public.

Assessment - Complies: There will be some short term obstruction, but this is necessary to undertake the works.

(5) Measures must be implemented to ensure that any discharge of dust beyond the boundary of the site is avoided or limited such that it does not cause nuisance.

Assessment – Complies: Dust control mechanisms will be incorporated into the site works programme, including use of water spreaders when needed, and remediation of earth worked areas as soon as possible through sealing of areas (eg new road surfaces), revegetation or other measures.

(12) Earthworks (including filling) within overland flow paths must maintain the same entry and exit point at the boundaries of a site and not result in any adverse changes in flood hazards beyond the site, unless such a change is authorised by an existing resource consent.

Assessment – Complies: This is a confined and a largely flat site. There is no overland flow path near to the site. The works will not result in any adverse changes in flood hazards.

E12.8.2 Assessment criteria

For E12.8.2(1), see assessment in the AEE submitted with the application.

E12.8.2 (2), as follows:

(2) additional assessment criteria for land disturbance within overlay areas:
(b) within the Historic Heritage Overlay;
(i) the extent to which the land disturbance, its design, location and execution provide for the maintenance and protection of heritage sites.

Assessment – Complies: The site is already the site of an existing sewage pumping station facility, and ultimately there will be little change from that facility that is already in existence. This will not affect the historic, social or physical attributes of the overall historic heritage of the place.

E12.2 Relevant Objectives and E12.3 Policies.

The objectives and policies of E12 have been well canvassed in the AEE in respect of earthworks across the wider BMHL site.

In respect of policy 2, the area is relatively small but techniques utilised in the erosion and sediment control plan will be implemented to prevent dust, sediment loss, and accidental discovery protocol conditions have been recommended. Construction noise and vibration will be limited and within construction noise standards. As a wastewater pumping station currently exists at the location, there will be no traffic effects.

3.3 Assessment - E26.6.3.1

Standards: Under E26.6.5.2, General standards, all activities listed as a permitted activity, controlled activity or restricted discretionary activity in Table E26.6.3.1 must comply with the following standards.

District permitted activity standards for the Historic Heritage Overlay:

Assessment: Standards (14) – (16) are not relevant to the application. Standard 17 is that) earthworks for network utilities within the Historic Heritage Overlay must not take place within 20m of any building or structure within the scheduled historic heritage place, or (b) take place within the protected root zone of any tree identified in Schedule 14.1. the proposal complies as no building/structure is located within 20m of the earthworks or within the root zone of any scheduled tree.

The earthworks are not within a site or place of significance to Mana Whenua (18) and after completion of the earthworks, the ground will be reinstated (19). The land disturbance is not within a Riparian Yard or Coastal Protection Yard. Standards (21) – (22) are not relevant and there will be limited obstruction to access (23) but this is necessary to undertake the works. (24) is not relevant and dust control mechanisms will be incorporated into the works programme, including use of water spreaders when needed, and remediation of earth worked areas as soon as possible (25).

Standards (26) – (35) are not relevant.

E26.6.7.2 Assessment criteria

(2) all district restricted discretionary activities
(a) the relevant assessment criteria in E26.5.7.2(2);

Assessment: (2) general assessment criteria; Compliance with standards (a) – see assessment above. The extent to which the earthworks will generate adverse noise, vibration, odour, dust, lighting and traffic effects on the surrounding environment and the effectiveness of proposed mitigation measures (b) – complies - see assessment of E11 and E12. An accidental discovery protocol is supported for the entire project (e). the work are localized and relatively small so management practices beyond those already proposed are not needed ((f). Land disturbance is minimised as the scale of development is contained (g). Land disturbance is necessary to provide the upgrades needed for the development of the site (h). Risks associated with natural hazards are not increased (i) (see assessment in Engineering report). land disturbance and final ground levels will not adversely affect existing utility services but will enhance them (j). The land disturbance is necessary to accommodate development provided for by the Unitary Plan (k). No archaeological sites have been identified in the assessment of effects (m).

(b) whether there are practicable alternative locations for the activity, building or structure outside of the overlay area;

Assessment: There is no practical alternative location – the wastewater pumping station storage etc. has been at this location for many years and is seen as the best location within the precinct.

(c) whether, taking into account the characteristics and qualities of the site of the proposed earthworks, that the proposed location has the greatest potential to absorb change and minimise adverse effects on the landscape and/or natural character values;

Assessment: As the site is not changing and an upgrade is proposed, the effects on landscape and/or natural character can be considered to be minimal.

(d) whether the proposed mitigation measures will ensure that there will be no more than minor effects on all of the following:
(i) amenity values or views, both from land and sea;
(ii) landscape and natural character values; and
(iii) people's experience and values associated with an area, including the predominance of nature and wilderness values.

Assessment: The earthworks will be limited in area (113m²) and volume (410m³). The area is small and visibility from passers-by will be limited in time because of the small nature of the earthworks. Screening is likely to occur, this is to be determined in the construction management plan. the site will not be visible from the sea. Limited views may be available for the small site (10m x 11m) from other parts of the AT managed land.

(e) whether the siting of the earthworks adversely affects the line and form of the landscape with particular regard to ridgelines, headlands and promontories;

Assessment: The site is at ground level and will not affect the line and form of the landscape with particular regard to the adjacent headland

(f) whether the earthworks will be visually obtrusive from any public road or public place, including from beaches and the sea;

Assessment: See response to (d) above.

(i) whether the earthworks will improve the reliance and security of the network utility;

Assessment: As the wastewater facility will be upgraded and new, it will provide greater security of service for the existing and new users on the Marina site.

(j) whether the earthworks are necessary for a structure that has a functional or operational need to be in the proposed location;

Assessment: A structure is already at this location. Without this wastewater facility at this site the activities on the Precinct could not function, so there is a functional need at this location.

(k) the extent of the benefits derived from infrastructure.

Assessment: The upgraded pumping station and storage facility will enable more development to occur on the site, so this infrastructure will provide the benefits of transit-oriented development.

E26.6.1 Relevant Objectives and E26.6.2 Relevant Policies.

The objectives and policies for earthworks are located in D17 Historic Heritage Overlay, E11 Land disturbance – Regional; and E12 Land disturbance – District. The earthworks objectives and policies in E11 and E12 have previously been evaluated in the AEE report (Appendix 4) and are not repeated here.

D17 Historic Heritage Overlay, relevant objectives and policies: there are no direct earthwork objectives and policies, however some deal use and development, which could be considered to cover earthworks.

The relevant objectives in D17 relate to protection of historic heritage from inappropriate development and use, with appropriate use and development enabled.

Assessment – the proposal complies as the earthworks is the relevant use and development proposed and it will occur in the replacement of the existing wastewater pumping station and associated facilities, and will not impact adversely upon the historic heritage of the area.

The relevant policies relating to use and development are enabled provided there are no adverse effects on the significance of the place. The significance of the site relates to the historic reclamation and the seawall adjacent to the northern coastline. The renewal of the wastewater pumping station will not impact adversely on the significance of the wider site, nor impact upon historic heritage values of the area.

4. Esplanade reserve and strip – consent requirements under E38 Subdivision - Urban

4.1 Reasons for Consent

A detailed discussion of the relevance of section 230 of the RMA, and why, in particular, BMHL is not required to vest a 20m wide esplanade reserve in the Council upon subdivision of the land, is set out in the legal opinion from K R M Littlejohn dated 14 January 2022 (attached as Attachment 10).

Mr Littlejohn's legal opinion also considers the issue of other chapter E38 subdivision rules, namely, A9 - "subdivision establishing an esplanade strip", and A10 – "any reduction or waiver of esplanade reserves or strips" to the proposal and concludes that they apply to the application, albeit that they are of technical relevance only given the existence of Rule I504.6.4 in the Bayswater Marina Precinct. Nonetheless, BMHL's application should be treated as seeking consent under these rules and, given their relevance, an assessment of the application against the relevant objectives and policies of E38 Subdivision – Urban is set out as follows.

Subdivision consent is required as a DA under E38.4.1(A9) and (A10).

The relevant objectives of Chapter E38 have previously been assessed as well as many of the policies. However, the policies in respect of Esplanade Reserves and Strips have not and are assessed in the following paragraphs.

4.2 Relevant Policies

Esplanade Reserves and Strips

(24) Require esplanade reserves or strips when subdividing land adjoining the coast and other qualifying water-bodies.

Assessment: An esplanade strip will be provided by way of easement and as required by Rule I504.6.4.

(25) Avoid reducing the width of esplanade reserve or strip, or the waiving of the requirement to provide an esplanade reserve or strip, except where any of the following apply:

(a) safe public access and recreational use is already possible and can be maintained for the future;
(b) the maintenance and enhancement of the natural functioning and water quality of the adjoining sea, river or other water body will not be adversely affected;
(c) the land and water-based habitats on, and adjoining, the subject land area will not be adversely affected;
(d) the natural values, geological features and landscape features will not be adversely affected;
(e) any scheduled historic heritage places and sites and places of significance to Mana Whenua will not be adversely affected;
(f) it can be demonstrated that the reduced width of the esplanade reserve or strip is sufficient to manage the risk of adverse effects resulting from natural hazards, taking into account the likely long term effects of climate change;
(g) it can be demonstrated that a full width esplanade reserve or strip is not required to maintain the natural character and amenity of the coastal environment;
(h) a reduced width in certain locations can be offset by an increase in width in other locations or areas which would result in a positive public benefit, in terms of access and recreation;
(i) restrictions on public access are necessary to ensure a level of security for business activities in limited circumstances having regard to the policies in B8.4 relating to public access and open space in the coastal marine area;
or
(j) direct access to the sea or other water body is required for a business activity in limited circumstances.

Assessment: A reduced esplanade strip width is provided, as required by section 77(1) of the Act, by a rule in the Plan, I504.6.4, which requires a 15m esplanade strip be provided at the time of any subdivision involving sub-precinct A or B.

Given that the expectation is for a 15m wide strip, safe public access will be provided by firstly a dedicated walkway/boardwalk up to 3.5m wide around the perimeter of the site. Secondly vehicle movements can be managed, including the use of slow speed controls and other traffic calming measures to ensure pedestrians, cyclists and vehicles can mutually share the balance of the esplanade strip. This area will be similar to the many 'shared zones' that can be found in Auckland's urban centres. The water quality of the adjacent sea will not be affected as currently there is very limited treatment of stormwater discharges from the reclamation whereas the new development proposes full treatment in accordance to best management practices. As the land is a reclamation, habitats are limited, and the are no natural values with the exception of Pohutukawa trees planted when the reclamation was undertaken. Some of these will be removed and either relocated or replaced with large trees. There should be no impact upon the adjacent marina basin in particular.

There are no known sites and places of significance to Mana Whenua, and no scheduled historic heritage place on the proposed esplanade strip.

The proposal has been designed to ensure natural hazards effects do not occur and the potential effects of climate change have also been assessed as not being significant. The

width of the strip was determined during the Unitary Plan development, and 15m was deemed appropriate at that time. The enhanced walkway/boardwalk, planting, community facilities and other features will lead to an improved character amenity of the area. The main *restrictions on public access will occur for reasons of safety or security.*

(26) Require esplanade reserves rather than esplanade strips unless any of the following apply:
(a) land has limited conservation and recreational value;
(b) conservation and historic heritage values that are present can be adequately protected in private ownership;
(c) the opportunity to acquire an esplanade reserve is unlikely to arise but continuity of access is desirable;
(d) creation of esplanade strips can secure public benefits and resource management objectives without alienating land from private ownership;
(e) land is subject to natural hazards or stability issues taking into account the likely long term effects of climate change; or
(f) a marginal strip of at least 20 metres under the Conservation Act 1987 has not been set aside on land that is Treaty Settlement Land.

Assessment: The land has limited conservation value, but it does have high recreational value and this value will be the enhanced by the development of improved public access, walking and other recreational facilities at the site.

The requirement for an esplanade strip to occupy Sub-precinct A is set out in the Bayswater Marina Precinct. This Sub-precinct provides for berth holder parking to continue to be located in the area and thus provides long term benefits for securing that access – a esplanade reserve would restrict the ability of the 15m strip to be utilised for marina berth holder parking. Continuity of public access will occur as part of the proposal. No marginal strip of at least 20m has previously been set aside.

Please contact me if you have any queries regarding this letter and assessment. As I have stated above, the application is complex, and the provisions relating to the application are also very complex so it is hardly surprising there may be infringements that have been missed. However, I believe all parties with an interest in the application will understand the intent and scope of the proposal and be well positioned to comment on it.

Yours faithfully

Craig Shearer
Principal, Shearer Consulting Limited

for Bayswater Marina Holding Limited

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11 January 2022

Bayswater Marina Holding Limited
c/o Shearer Consulting Ltd
103b West Coast Road
Glen Eden
Auckland 0602

Attention: Craig Shearer

Dear Craig

BUN60373319 – BAYSWATER MARINA DEVELOPMENT REQUEST FOR MORE INFORMATION: PILING NOISE

Introduction

Bayswater Marina Holdings Limited propose to undertake a development of the Bayswater Maritime Precinct located on Sir Peter Blake Parade in Bayswater, Auckland. Marshall Day Acoustics (MDA) has completed an acoustic assessment of effects for the proposed development. Auckland Council has issued a Section 92 request for further information regarding the AEE including a comment on noise effects. This letter addresses that query.

Piling noise

"A number of submissions including the CC and BMBA query the works to the pier access points in terms of steepness and the lack of detail on this aspect of the interface with the marina in the future state. It would be helpful if BML could provide more detail on this matter so it is clear any extent of effect from the development on the access arrangements to the Marina.

The scope of the piling consent has been raised by the CC and differences between the consent i.e., in terms of pile size identified. I note the Marshall Day report for this consent appears to only assess 400mm piles. If BML can response on these matters."

Our response

We understand that the structural engineer has reviewed the geotechnical report proposal and has recommended 600 mm steel caisson piles filled with concrete be embedded into the underlying rock layer using a boring machine. CLL, the piling contractor has confirmed that they would use the same machinery as intended for the smaller pile but that the process would be quicker as the 400 mm pile would need to be bored further into the rock for a similar stability. The installation of the 400 mm pile would, therefore, take longer than the 600 mm pile.

MDA prepared a report for maintenance piling[1] in February 2020. The assessment considered the underwater acoustic effect of replacing damaged or worn piles within the marina. The methodology for the new piles assumed that the majority would be timber that were to be pushed into the marine sediment. The report also identified that steel or concrete piles of different diameters would also be required to be inserted using vibratory or impact method. The study assessed these options which were summarised in the report.

[1] Marshall Day Acoustics *"Bayswater Marina: Maintenance piling – acoustic assessment"* 17 February 2020

The conclusion from the study was that the required management zones for both vibratory and impact methods of timber, steel or concrete piles was less than 35 m; that is inside the confines of the marina.

Furthermore, 600 mm diameter steel pile has been commonly used for projects within the Waitemata Harbour including for Westhaven, the America's Cup development and Quay Street improvement works. The underwater effects in all cases have proven to be reasonable with little to no disruption to the harbour marine life.

The acoustic effect of the proposed piling methodology, therefore, is no different from that which was Consented and would give rise to little to no effect to the marine life.

Yours faithfully

MARSHALL DAY ACOUSTICS LTD

Curt Robinson

Associate

MEMORANDUM

TO	Craig Shearer		
SUBJECT	**RE: BUN60373319 Bayswater Marina**	**DATE**	13/12/21
FROM	Airey Consultants Ltd	**FILE**	12582-01

Hi Craig

We have reviewed the Auckland Council requests for further information to inform their s42A report and comment on the items pertaining to civil engineering as follows.

Universal Access

Submission E079 raised concerns about universal access matters. It would be helpful if BML could outline how it seeks to manage these matters.

Refer to the drawing 12582-01-228 attached. The design of the marina gangways has been undertaken in accordance with *AS 3962-2001 Guidelines for design of marinas*. The design has ensured that the gangway gradient at mean low water springs will be no steeper than 1:4. At mean high water springs the gangway gradient will be 1:9.

Currently the gangway gradient at mean low water springs is approximately 1:3.2, while at mean high water springs it is 1:15. Therefore the existing steepest gradient is steeper than the proposed steepest gradient, while the existing flattest gradient is flatter than the proposed flattest gradient.

The proposed ground level at the top of the gangways is approximately 1.6m higher than at the existing gangways. The gangways will also be reoriented and replaced with longer gangways (21.1m instead of the existing 12m).

We note that the development has been designed to account for sea level rise (the 1% AEP sea level +1m of sea level rise elevation is approx. 600mm higher than the existing elevation at the top of the gangways). We note that the marina as it currently exists is at risk of coastal inundation during extreme storm events, particularly when sea level rise predictions are taken into account. The proposed raising of the perimeter of the site (including the top of the gangways) will provide greater resilience for the marina against the projected impacts of climate change.

Fire Hydrant

The Fire and Emergency submission talks about distances to hydrants. If you can confirm if you're content to amend to achieve this submission point.

We have reviewed the FENZ submission and propose to add another new fire hydrant in the northwestern part of the site. Refer to updated drawing 12582-01-600 attached.

Overland Flow Paths

Council has updated the Council GIS in since the lodgement of the resource consent, and there are now Flooding and OLFP shown through the site. Submissions have raised this discrepancy in the technical assessments. The Aireys report currently says there are none. Can this matter be reviewed and additional comments provided on this matter?

We have reviewed and note that previously no upstream overland flow paths were shown running through the site. On the updated Council GIS there is an overland flow path with a catchment of approx. 7ha running through the site. We have reviewed the site conditions and determined that this overland flow path will actually be split in two (one for each side of Sir Peter Blake Parade). The western half will flow through the subject site and the eastern half will flow south through 23-27 Sir Peter Blake Parade. We have determined that the western overland flow path will be able to be directed into the North Park in the area between the North Lane and the Bayswater Boating Club building. A grass swale will be shaped through the North Park in a north-easterly direction to direct overland flow towards the harbour. Refer to updated drawings 12582-01-430 & 435 attached.

Climate Change

During the processing of the resource consent, the mapping of the coastal inundation control layer has been updated on the unitary plan viewer. Some of the submissions have cited this change, and we suggest the civil reporting is updated as required.

Additional consenting matters were also raised in the CC submission regarding coastal inundation if these can be considered at the same time.

We note that the updates to the coastal inundation layers on GeoMaps are minor. In any case, it should be noted that the Airey Consultants coastal inundation assessment was undertaken against the 1% AEP sea level determined by *Auckland Council Technical Report TR 2016/017 – Coastal Inundation by Storm-tides and Waves in the Auckland Region*. We note that this report is referenced in the coastal inundation layer information on GeoMaps. This report determines a 1% AEP sea level plus 1m of sea level rise of RL3.37. The minimum proposed habitable floor level is RL3.40 which exceeds the projected coastal inundation level.

We trust that this response clarifies the engineering s42A matters. Please do not hesitate to contact us should you have any questions or require further information.

Ashley Watson
Senior Civil Engineer
Airey Consultants Ltd

Attachments:

- New & Updated Drawings – 12582-01
  - 228
  - 430
  - 435
  - 600

GANGWAY GRADIENTS			
PROPOSED GRADIENT (FROM RL4.30, 21.1m GANGWAYS)	TIDE	TIDE LEVEL	EXISTING GRADIENT (FROM RL2.70, 12m GANGWAYS)
1:4	MEAN LOW WATER SPRINGS	-1.34m	1:3.2
1:4.1	MEAN LOW WATER	-1.14m	1:3.4
1:8.5	MEAN HIGH WATER	1.51m	1:13.5
1:9	MEAN HIGH WATER SPRINGS	1.60m	1:15

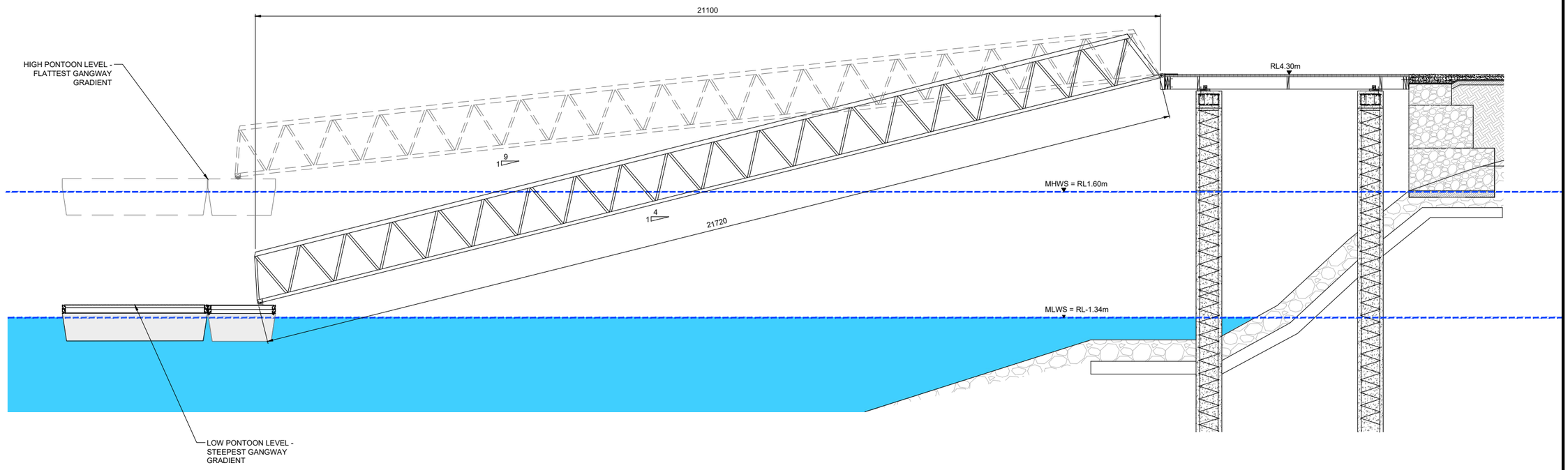
WAITEMATA HARBOUR SOUNDING DATUMS:

(ALL LEVELS TO AUCKLAND VERTICAL DATUM 1946)

- MEAN HIGH WATER SPRINGS: RL 1.60
- MEAN LOW WATER SPRINGS: RL -1.34
- CHART DATUM: RL -1.743
- MEAN HIGH WATER SPRINGS (+1m SEA LEVEL RISE): RL 2.60

NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 1946).
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT).
3. EXISTING GANGWAYS (12m LONG APPROX.) TO BE REPLACED WITH NEW GANGWAYS (APPROX. 21m LONG).
4. GANGWAY DESIGN IS IN ACCORDANCE WITH AS3692: 2001.
5. ALL GANGWAYS SHALL HAVE A MINIMUM OF 1.5m CLEAR WIDTH.
6. ALL GANGWAYS SHALL HAVE A MAXIMUM SLOPE OF 1:3.5 (TO CHART DATUM). THE PRACTICAL MAXIMUM SLOPE IS 1:4 (TO MEAN LOW WATER SPRINGS, ALLOWING FOR 300mm THICK PONTOON).
7. ALL GANGWAYS SHALL BE PROVIDED WITH A SLIP RESISTANCE SURFACE IN ACCORDANCE WITH AS/NZS 3661: 1991.
8. ALL GANGWAYS SHALL BE PROVIDED WITH HANDRAILS ON BOTH SIDES.
9. ALL GANGWAY JETTIES SHALL BE A MINIMUM OF 2m WIDE.
10. PROVIDE AT LEAST 2m OF CLEAR AREA AT THE BOTTOM OF EACH GANGWAY.



Original Size: VIEWPORT

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No.	Revision Details	(Current Revision Date : 13/12/2021)	Date
####	####		####
####	####		####
####	####		####
####	####		####
A	ISSUE FOR s42A REPORT		13/12/21

LAST SAVED BY: ASHLEY

Design AW
Survey
Drawn ##
Checked ML
Date 13/12/2021
Scale 1:50 (A1) 1:100 (A3)
CAD Filename 12582-01-228.dwg

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME PRECINCT
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL, STRUCTURAL & FIRE ENGINEERS
Takapuna, Botany, Queenstown

Drawing Title.
MARINA GANGWAY TYPICAL SECTION

File No. 12582-01
Rev. A
Dwg. No. 228

OVERLAND FLOW CATCHMENT B
AREA: 1250m²
1% AEP PEAK FLOW: 50L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT E
AREA: 1950m²
1% AEP PEAK FLOW: 78L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT F
AREA: 820m²
1% AEP PEAK FLOW: 33L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT I
AREA: 1330m²
1% AEP PEAK FLOW: 52L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT J
AREA: 1100m²
1% AEP PEAK FLOW: 44L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT N
AREA: 300m²
1% AEP PEAK FLOW: 12L/s
FLOW CONTAINED IN CHANNEL

OVERLAND FLOW CATCHMENT O
AREA: 925m²
1% AEP PEAK FLOW: 37L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT P
AREA: 1660m²
1% AEP PEAK FLOW: 66L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT Q
AREA: 1040m²
1% AEP PEAK FLOW: 42L/s
FLOW CONTAINED WITHIN SWALE

OVERLAND FLOW CATCHMENT C
AREA: 4550m²
1% AEP PEAK FLOW: 182L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT A
AREA: 955m²
1% AEP PEAK FLOW: 38 L/s
FLOW CONTAINED WITH SWALE

OVERLAND FLOW CATCHMENT D
AREA: 1500m²
1% AEP PEAK FLOW: 60L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT G
AREA: 1000m²
1% AEP PEAK FLOW: 40L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT H
AREA: 3000m²
1% AEP PEAK FLOW: 120L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT K
AREA: 2460m²
1% AEP PEAK FLOW: 98L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT L
AREA: 850m²
1% AEP PEAK FLOW: 34L/s
FLOW CONTAINED IN KERB & CHANNEL

OVERLAND FLOW CATCHMENT M
AREA: 225m²
1% AEP PEAK FLOW: 9L/s
FLOW CONTAINED IN CHANNEL

OVERLAND FLOW CATCHMENT R
AREA: 820m²
1% AEP PEAK FLOW: 33L/s
FLOW CONTAINED IN KERB & CHANNEL

OVERLAND FLOW CATCHMENT S
AREA: 2200m²
1% AEP PEAK FLOW: 88L/s
REFER TO CROSS-SECTION

OVERLAND FLOW CATCHMENT T
AREA: 550m² 1% AEP PEAK FLOW: 22L/s
FLOW CONTAINED IN SWALE

UPSTREAM OVERLAND FLOW CATCHMENT
AREA:35,350m²
1% AEP PEAK FLOW: 1088L/s
REFER TO CROSS-SECTION

REFER TO SHEET 435 FOR
OVERLAND FLOW PATH
CROSS-SECTIONS

Original Size:
1:500
1:1000 (A3)

STORMWATER LEGEND

- PROPOSED STORMWATER
- PR. STORMWATER MANHOLE
- EXISTING STORMWATER
- EX. STORMWATER MANHOLE
- PR. CATCHPIT
- EX. CATCHPIT
- SWALE
- PR. WINGWALL
- EX. WINGWALL
- RAINGARDEN
- OVERLAND FLOW PATH

WASTEWATER LEGEND

- PROPOSED WASTEWATER
- PROPOSED WWMH
- Ex WW Pub — EXISTING WW LINE (PUBLIC)
- EXISTING WWMH
- RM — EXISTING RISING MAIN

No.	Revision Details (Current Revision Date : 13/12/2021)	Date
C	S42A ISSUE	13/12/21
B	RC S92 ISSUE	20/05/21
A	ISSUED FOR RESOURCE CONSENT	19/02/21

Design AW
Survey
Drawn MK
Checked ML
Date 13/12/2021
Scale 1:500 (A1) 1:1000 (A3)
CAD Filename 12582-01-430.dwg

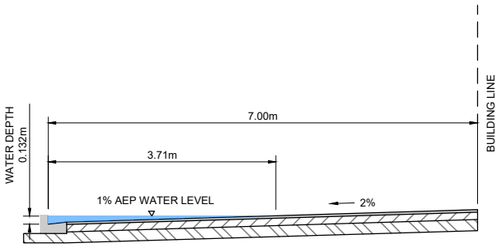
RC

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME PRECINCT
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

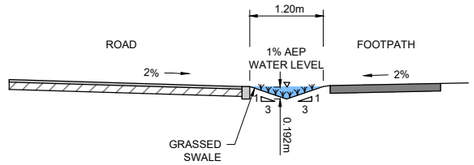
AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
STORMWATER CATCHMENT PLAN - OVERLAND FLOW

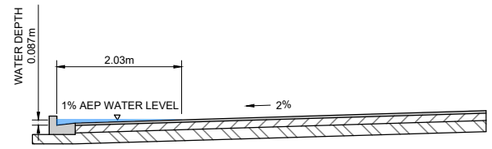
File No. 12582-01-430
Rev. C
Dwg. No. 430



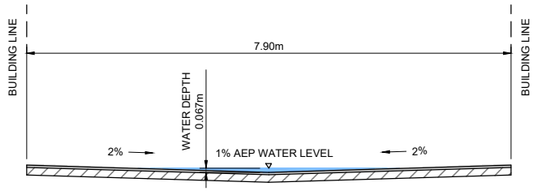
OVERLAND FLOW PATH C



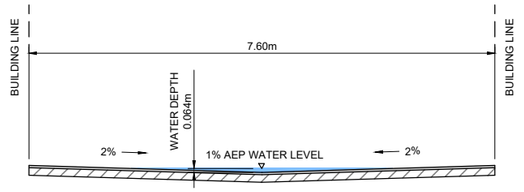
OVERLAND FLOW PATH D



OVERLAND FLOW PATH G



OVERLAND FLOW PATH H



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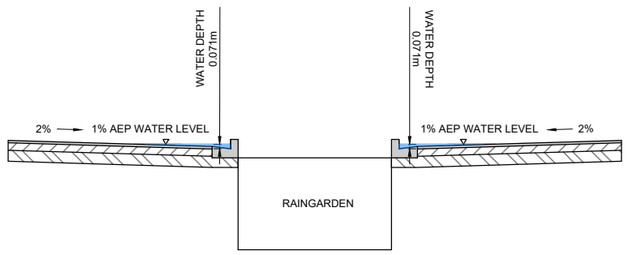

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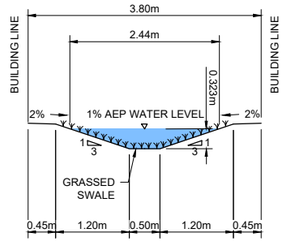

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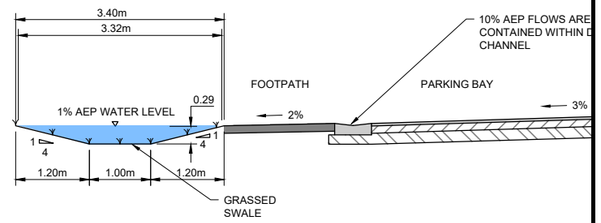


SIR PETER BLAKE PARADE
OVERLAND FLOW PATH

NOTE:
THROUGH THE NORTH PARK RETAIN THE 3.4m WIDE SWALE FOR THE OVERLAND FLOW PATH

Original Size:
1:50
1:100 (A3)

No.	Revision Details (Current Revision Date : 13/12/2021)	Date
C	S42A ISSUE	13/12/21
B	RC S92 ISSUE	20/05/21
A	ISSUED FOR RESOURCE CONSENT	19/02/21

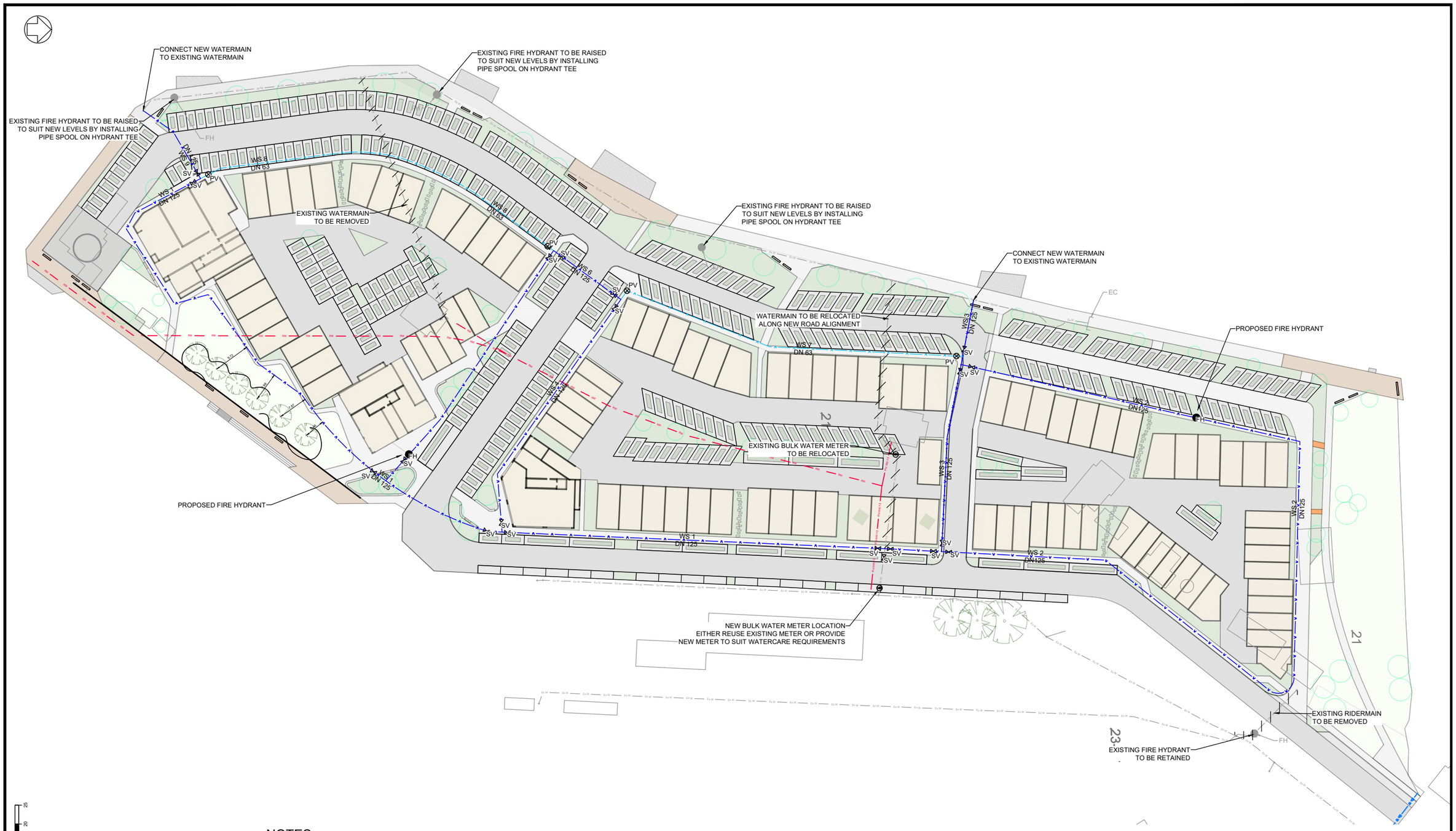
Design AW
Survey
Drawn MK
Checked ML
Date 13/12/2021
Scale 1:50 (A1) 1:100 (A3)
CAD Filename 12582-01-430.dwg

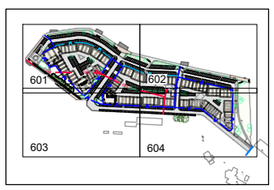
Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME PRECINCT
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
OVERLAND FLOW PATH CROSS-SECTIONS

File No. 12582-01-430
Rev. C
Dwg. No. 435





Original Size: 1:500 1:1000 (A3)

NOTES:

1. LEVELS IN TERMS OF MEAN SEA LEVEL (AUCKLAND VERTICAL DATUM 2000)
2. COORDINATES IN TERMS OF NZGD 2000 (MT EDEN CIRCUIT)
3. ALL PUBLIC WATER SUPPLY WORKS SHALL BE UNDERTAKEN IN ACCORDANCE WITH WATERCARE'S CODE OF PRACTICE. ALL PRIVATE WATER SUPPLY WORKS SHALL BE UNDERTAKEN IN ACCORDANCE WITH NZBC CLAUSE G12 OR AS/NZS 3500.
4. ALL IN-GROUND WATER SUPPLY PIPES SHALL BE PE100 PN12.5 IN ACCORDANCE WITH AS/NZS 4130 U.N.O. ALL FITTINGS SHALL BE PN16 U.N.O.
5. ALL MULTISTOREY APARTMENT BUILDINGS SHALL BE PROVIDED WITH SPRINKLERS IN ACCORDANCE WITH NZS 4541. DETAILS TO BE PROVIDED AT BUILDING CONSENT STAGE.
6. COVER TO WATERMAINS TO BE:
   - MIN. 900mm UNDER TRAFFICABLE AREAS
   - MIN. 600mm ELSEWHERE
7. PROVIDE PAINTED TRIANGLE MARKINGS ON PAVEMENT INDICATING THE LOCATIONS OF ALL HYDRANTS AND VALVES. REFER TO WATERCARE STD DRG WS7 FOR DETAILS.
8. CONSTRUCT ANCHOR BLOCKS AT ALL TEES, BENDS AND REDUCERS IN ACCORDANCE WITH WATERCARE STD DRG WS10.
9. PROVIDE DN25 PROPERTY CONNECTIONS TO EACH UNIT. METERS FOR EACH UNIT SHALL BE INSTALLED AT HOUSE CONSTRUCTION STAGE.
10. REFER TO SHEET 150 FOR TYPICAL SERVICE CONNECTION ARRANGEMENTS TO TERRACE HOUSES.
11. RAISE ALL EXISTING HYDRANTS AND VALVES TO SUIT FINISHED LEVELS. PROVIDE PIPE SPOOLS ON HYDRANT TEES AND EXTEND VALVE SPINDLES AS REQUIRED.

No.	Revision Details (Current Revision Date : 13/12/2021)	Date
C	S42A ISSUE	13/12/21
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A	ISSUED FOR RESOURCE CONSENT	19/02/21

WATER SUPPLY LEGEND

- PROPOSED WATERMAIN
- PROPOSED RIDERMAIN
- EXISTING WATERMAIN
- FH PR. FIRE HYDRANT
- SV PR. SLUICE VALVE
- PV PR. PEET VALVE
- WM PR. WATER METER

Design	AW
Survey	
Drawn	MK
Checked	ML
Date	13/12/2021
Scale	1:500 (A1) 1:1000 (A3)
CAD Filename	12582-01-600.dwg

RC

Job Title.
BAYSWATER MARINA HOLDINGS LTD
BAYSWATER MARITIME PRECINCT
21 SIR PETER BLAKE PARADE
BAYSWATER
AUCKLAND

AIREY CONSULTANTS LTD.
CONSULTING CIVIL & STRUCTURAL ENGINEERS
Takapuna, Pukekohe, Howick, Queenstown, Christchurch, Orewa
ACENZ

Drawing Title.
OVERALL WATER SUPPLY PLAN

File No. 12582-01-600 | Rev. C | Dwg. No. 600

Bayswater Maritime Precinct

Design Manual for Terraced Housing

CONTENTS

Produced by McIndoe Urban Ltd
for Bayswater Marina Holdings Limited
Version 1, 25 February 2021
Version 2, 13 May 2021
Version 3, 3 June 2021
Version 4, 16 June 2021
Version 5, 21 December 2021

INTRODUCTION

Scope

This Design Manual is the 'rule book' for the design of all terraced housing units at Bayswater Maritime Precinct. It gives direction on both the quantifiable requirements and quality expectations for all design. The rules and guidelines in the manual are supported by the following appendices:

- A2.1 *Development and construction governance and stakeholders* which describes the parties to the development and design process.
- A2.2: *Design and pre-construction process* which describes the process that must be followed.
- A2.3 *Design Control Checklist* which provides a quick reference for compliance with the design controls.
- A2.4 *Required Design Documentation* which describes information requirements to allow assessment and approval of any design.
- A2.5 *Pre-Construction Checklist* which identifies other matters that must be resolved prior to beginning construction.
- Appendix 3: *Technical Guidance* contains details to ensure all developments interface in a coordinated way with the public realm.

Each unit will be designed by a professional designer engaged by the lot owner. Designs will be subject to a professional design review process by the Bayswater Marine Village Design Committee as described in Appendices A2.1 and A2.2. Designs must first be approved by the Design Committee and must after that also obtain a building consent from Auckland Council before any construction can begin. A further compliance review occurs prior to construction commencement (refer Appendices A2.2 and A2.5).

Interpretation

In.1 These design rules and guidelines apply to all terraced housing development as identified on the Reference Plan (figure 1.1) and must be read in combination with Appendix 1: Building heights and facade projections and the legal covenants attached to each title.

In.2 Each terrace house development must demonstrate compliance with the rules and satisfactory response to the guidelines to the satisfaction of the Design Committee which is the sole arbiter on this matter.

In.3 Rules must be adhered to. There may be minor departures from any rule only if approved by the Design Committee and only if the Committee considers this to:

a. be an enhanced design and public amenity outcome;
b. be an enhanced design and amenity outcome on the particular site;
c. will have no adverse effect on the amenity of adjoining or nearby dwellings; and
d. remains compliant with the resource consent approval and the Precinct rules in the AUP.

In.4 The diagrams in this document are intended to illustrate rules and/or guidelines and are not design solutions.

In.5 Figure In.1 below explains how these guidelines are to be interpreted relative to the Principal Unit boundaries for each lot. The outer volume of the shape described in Figure In.1 is the volume

Vision

The Bayswater Maritime Precinct will create a new community and mixed-use development on a prime but long underdeveloped and underutilised site. While continuing to provide for marina and public transport operations it will introduce new public open spaces and enhanced access to and around the water edge and a range of housing types. This new mixed-use neighbourhood will be a distinctive harbour edge destination and a safe and attractive setting for both residents and the wider community.

Landscape and open space treatments spring from a sophisticated response to place and culture and new buildings will spatially define new public promenades and parks at the water edge and mews courtyards at the centre of the site. Building alignments, forms and aesthetic will also contribute a distinctive maritime village character with careful consideration of materials and colours and a fit-for-place variation and informality.

The public realm, landscape and apartment buildings have been designed to achieve this vision. In addition, a design manual and a formal design review process will ensure high-quality outcomes for proposed terraced housing.

described in the Principal Unit plan for each lot. Within that volume are (a) a building footprint; (b) a primary building form and (c) zones within which projections may occur. These are defined as:

a. **Building footprint:** the maximum extent of the building form where it touches the ground and which excludes any zones for projections that apply. The footprint is a 2-dimensional plan area. Most building footprints are approximately 12 metres deep and depending on the location of the lot generally either approximately 4.5 or 6.0m wide. While figure In.1 shows a rectangular lot, some lots at terrace ends have angled shapes. However, the principles described here and the projection rules that follow still apply to those angled lots.
b. **Primary building form:** the building footprint extruded to the height described in Appendix 1: Building heights and façade projections. The primary building form is a 3-dimensional volume.
c. **Zones for projections:** the maximum extent of any building projections permitted to occur beyond the primary building form. The precise maximum dimensions, extent, and potential locations of any and all projections within these zones is as described by rules R2.6 and R2.11 - R2.16.

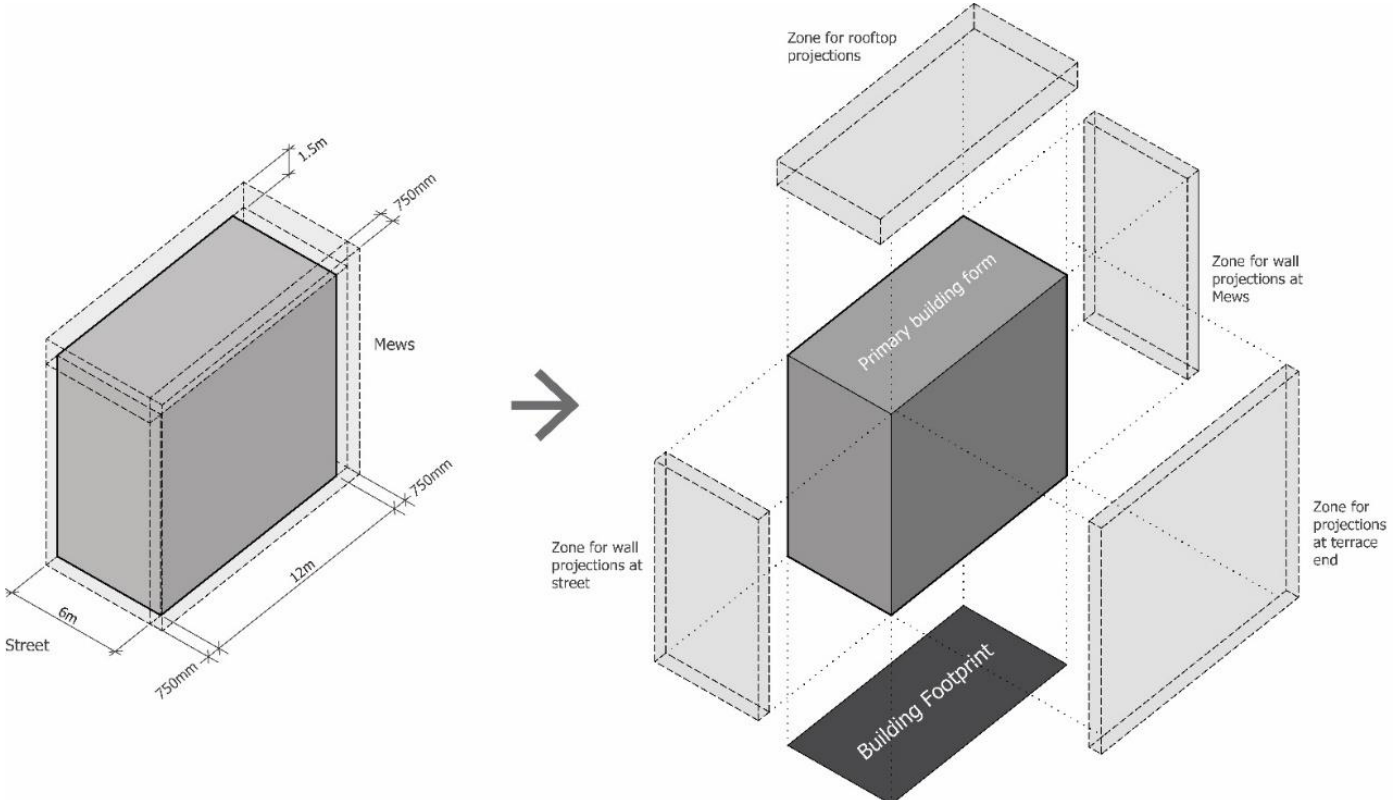


Figure In.1 Explanation of development potential and relation to rules with volume of Principal Unit at left, and exploded diagram of same at right

DESIGN RULES AND GUIDELINES

1 Development plan

This section identifies each terraced housing unit and some fundamental rules that apply to the layout of all development.
The reference plan below allows cross reference to Appendix 1 to identify the heights, ground levels and permitted projections for each unit.

Figure 1.1 **Reference Plan**

Rules

R1.1 Dwellings per unit

Maximum one dwelling per unit.

R1.2 Maximum unit coverage

Up to 100% of the building footprint area of the unit with reductions only as necessary to meet NZ Building Code requirements (refer rule R2.9c Setbacks from side boundaries).

R1.3 Combined units

No more than two lots can be combined into a single dwelling unit and any proposal to combine lots must be approved by the Design Committee.

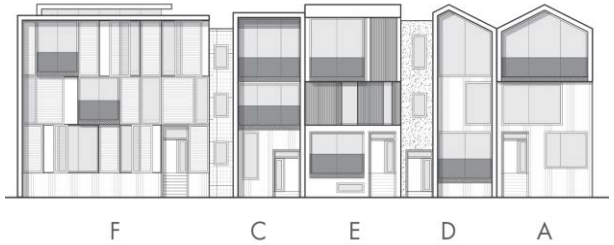


Figure 1.2 Diagram showing two lots combined into a single dwelling, denoted by F above.

R1.4 Potential for identical units in any terrace

Within any terrace block there may be:

a. no more than three identical units in a terrace block of six or more units; and
b. no more than two identical units in a terrace block of five or fewer units.

A terrace block is a group of conjoined units with or without a setback in the frontage alignment.

Units will be considered identical if they share either or both of the following characteristics:

- They 'hand' (that is reflect) an otherwise identical design.
- They are fundamentally the same, maintain the general form and arrangement of the unit and are differentiated only by any or all of the following:
    - variation in external materials and/or colour to all or parts of the building;
    - minor variation in form and/or construction detail; and
    - minor compositional change to façade or fenestration.

Figure 1.3 Diagram of a group of three identical units in a six-dwelling terrace.

R1.5	Outdoor living space	Provide a minimum of at least one balcony, veranda or terrace on the seaward side of the unit. This will have an area of not less than 8m² and a minimum dimension of not less than 1.8m.
R1.6	Carparking	Provide a minimum of one car park per unit located within the subject lot and accessed from the mews. No vehicle access is permitted from the street or park side except for Unit 89 where access may be from the street.
R1.7	Front door to the street	Provide a front door facing to the Street (or Park') depending on unit location and as identified on figure 1.1 Reference Plan. including an entry porch, terrace, veranda or similar space at the street frontage which residents can occupy and from which they may also engage with passers-by. a. Front door entrances to corner units 12, 27, 40, 60, 62, 74, 75 and 89 may be provided on either of the corner frontages (to street or park). b. Secondary entrances from the mews are permitted and encouraged for all units. c. The entry porch, terrace veranda or similar should be designed to allow good visual connection with the street edge while allowing some degree of privacy.

Guidelines

G1.1	Coordinating with design of public realm	Coordinate the design and levels of the frontages of the building with the street, mews and lane (if a terrace end unit) with the ground levels and the hard and soft landscaping in the public realm. This includes approved paving to the front door. a. The as-built levels of the streets, footpaths and surfaces around each unit are described in Appendix 1, Table 2. Before confirming building design, the unit designer should confirm the precise as-built levels around the perimeter of their building footprint, undertaking their own site survey if and as required. b. The drawings in **Appendix 3: Technical Guidance** give guidance on coordination with landscape and surfacing around the unit, and with services. c. All work in relation to the details in this appendix must be approved by the Design Committee. The approach described in Appendix 3 must be followed unless variation is required to respond to particular site circumstances and is approved by the Design Committee

2 Height, bulk and form

This section establishes the maximum dimensions of the building and identifies potential for projections to a achieve variation and add to the amenity of the unit.

Rules

R2.1 Compliance with envelope

All parts of the building will be within the permitted maximum envelope being the volume of the 'primary building form' and related 'zones for projections' (Refer Interpretation, In.5 and figure In.1) with adjustments in accordance with the rules applying to height, bulk and form including projections.
The rules that define the permitted envelope including the nature and extent of projections are:

- R2.2 Maximum height
- R2.6 Rooftop projections
- R2.7 Building height in relation to boundary
- R2.8 Setbacks from street and mews boundaries
- R2.9 Setbacks from side boundaries
- R2.10 Potential for shared/common walls
- R2.11 Balcony projections
- R2.12 Building volume projections on terrace end walls
- R2.13 Front door canopy projections
- R2.14 Front entry stair projections
- R2.15 Roof edge projections
- R2.16 Minor architectural façade projections

R2.2 Maximum height

The maximum height for each unit (excluding rooftop projections) is described as 'Permitted Height (Auckland Unitary Plan)' in Appendix 1, Table 1. Interpretation of heights is described on Fig. 2.1 and in the explanation to building heights in Appendix 1.

R2.3 Minimum height

The minimum height of the main building form is 7 metres above the adjacent ground level at the street front boundary.

R2.4 Minimum floor to floor height

2.7 metres minimum average finished floor level to finished floor level for habitable floor levels. 2.4 minimum average ceiling height in any bathroom, and 2.2m average ceiling height in storage rooms including wardrobes. The garage floor to floor

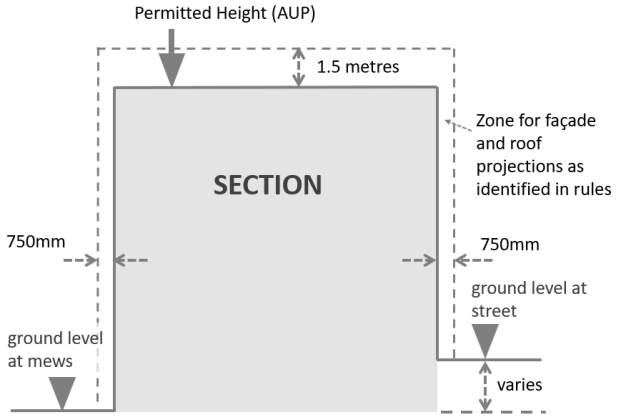


Figure 2.1 Diagram identifying permitted height and zone for projections

		height may be lower than 2.7m but only where the reduced height space accommodates carparking, other service functions and/or storage and the access related to that.
R2.5	Height of ground floor level relative to ground level at the street	Minimum 0.7 metres, maximum 1.5 metres. This does not apply to: a. the terrace end facade of any unit at a corner where that terrace end facade faces the street or a park; and b. the lowest floor level on the parking mews façade. Ground level at the street will be the average of the levels at the Street frontage (or Park frontage depending on unit location). These are at points A and B as described in Appendix 1, figure 2.1A and Table 1 Building Heights.
R2.6	Rooftop projections	The following rooftop projections are permitted subject to the total plan area of rooftop projections not exceeding 10% of the building footprint area of the unit: a. Closed in roof top structures that define enclosed volumes, occupiable or useable space may project not more than 1.5m over the maximum height. This includes volumes such as roof forms, lift over-runs, machinery rooms, stairwell access, small pavilions and storage for rooftop terraces. These must be not more than 2m in width on the short (street or mews) elevations and not more than 4m in width on the long (edge terrace end) elevation. b. Roof top plant such as roof water tanks, solar panels and solar hot water systems may project up to 1.5m above the maximum height, subject to these being compositionally integrated into the roof design. c. Chimneys that do not exceed 1.1m in width on any elevation may project not more than 1.5m above the maximum height. d. A flagpole, mast, lighting pole not more than 100mm in diameter (and related guy wires) may project not more than 1.5m above the maximum height. There shall be not more than one of each of these projections. In addition to the above: e. Open sided structures such as pergolas may project up to 1.5m above the maximum height. f. Rooftop handrails or transparent safety barriers may project up to 1.1m above the maximum height contingent on these being not closer than 750mm to the external roof edge. An external roof edge is the front (street) and rear (mews) edges of the building, and the side wall of any terrace end building.

R2.7	Building height in relation to boundary	There is no building height in relation to boundary restriction or recession plane.
R2.8	Setbacks from street and mews boundaries	Build up to the street and lane frontages to at least 7m above ground at the street edge except where minor setbacks are introduced for: a. entrance spaces, stairs, terraces and similar features at the street or lane frontage; and b. service and garage entries on the mews side of the dwelling; and c. architectural modelling of the façade and/or construction detailing subject to these being integrated into the design and composition of the façade in an architecturally coherent way. Successful outcomes will maintain a sense of 'street wall' continuity between units.
R2.9	Setbacks from side boundaries	Build to the side boundary of the unit except that: a. Any parts of the building that are more than 7m above the ground level at the street edge may be set back further from the side boundary. b. Setbacks for any terrace end wall entry as permitted by rule R1.7a c. Setbacks from common (internal) side boundaries will be 50mm or as otherwise required to comply with the NZ Building Code.
R2.10	Potential for shared/common walls	Shared/common inter-unit walls are permitted when a single developer constructs the terraced houses on both sides of the shared wall; and when adjoining unit owners agree to share a wall at the common boundary and design and construct this accordingly. In such cases the boundary will be at the centreline of the common wall.
R2.11	Balcony projections	Balcony projections are provided for as listed in Appendix 1, Table 2. Where permitted: a. These may project up to 750mm over the unit boundary at the façade of the unit. b. The soffit is at least 2.4 metres above the finished ground level immediately below. c. The edge of the balcony projection is not closer than 750mm to the corner of the unit.

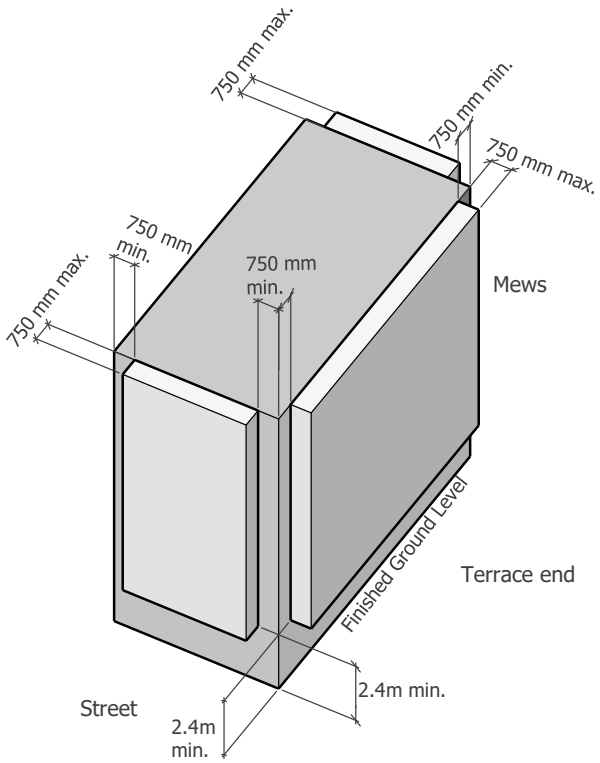


Figure 2.2 Diagram showing volume within which permitted balcony projections must be contained with zones for these shown relative to the primary building form

d. The combined maximum total width of the projecting parts of balconies where permitted on each front and rear façade is:
   - 7.5m for a 6.0m wide unit
   - 5.0m for a 4.5m wide unit

   Refer figures 2.2 and 2.3
e. Balcony projections are not permitted over terrace end facades except for units 12, 40 and 74. Any projecting balconies placed on the terrace end facades of these units must also comply with the requirements above.

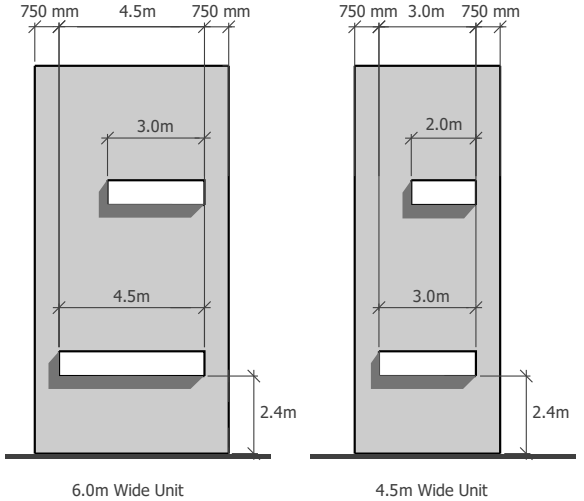


Figure 2.3 Diagram showing how the maximum total width of projecting balconies is measured on 6.0m and 4.5m wide units

R2.12 Building volume projections on terrace end walls

Occupied building volumes may project from the terrace end walls of identified units.

a. The units where projection can occur are identified in Appendix 1 Table 2. For avoidance of doubt, projections of occupied building volume are only allowed on the terrace end walls of units 4, 7, 12, 26, 27, 32, 40, 41, 52, 60, 62, 69, 74, 75, and 81.
b. These volumes may project up to 750mm beyond the primary building form of the identified units.
c. The projection will comprise not more than 15% of the elevational area of the terrace end wall.
d. The soffit of the projecting building volume will be at least 2.4 metres above the finished ground level immediately below.
e. The edge of the building volume projection will be not closer than 750mm to the corner of the primary building form of the unit.
f. Projections must include or be related to a window or windows that are orientated to capture sun and/or views and avoid privacy compromises.

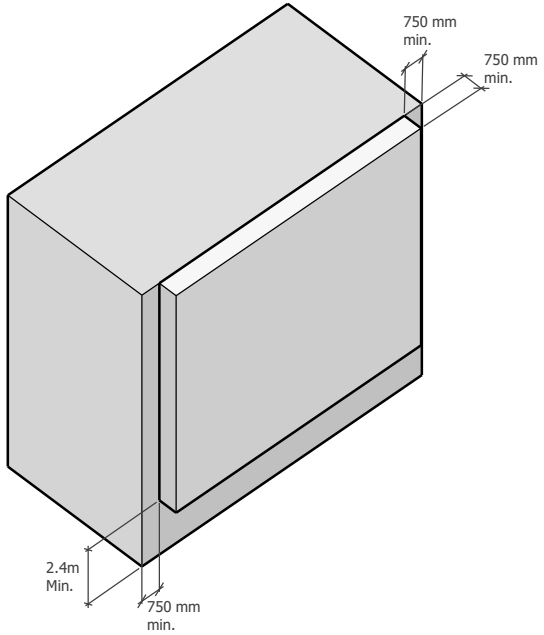


Figure 2.4 Diagram showing volume within which projections from terrace end walls must be contained, with zone for any projection(s) shown relative to the primary building form

R2.13 Front door canopy projections

May be located above the front entry along any part of the frontage and may project up to 500mm forward of the primary building form subject to the canopy structure being:

a. not deeper than 600mm in the vertical;
b. not wider than 1.5m; and
c. located not less than 2.4m and not more than 4.0m above the adjacent footpath.

Front doors to end of terrace units 12, 27, 40, 60, 62, 74, 75 and 89 only might be on the street or terrace end façade. If the front

door and related canopy is placed on the terrace end it must be within the two-thirds of the facade closest to the street or park frontage.

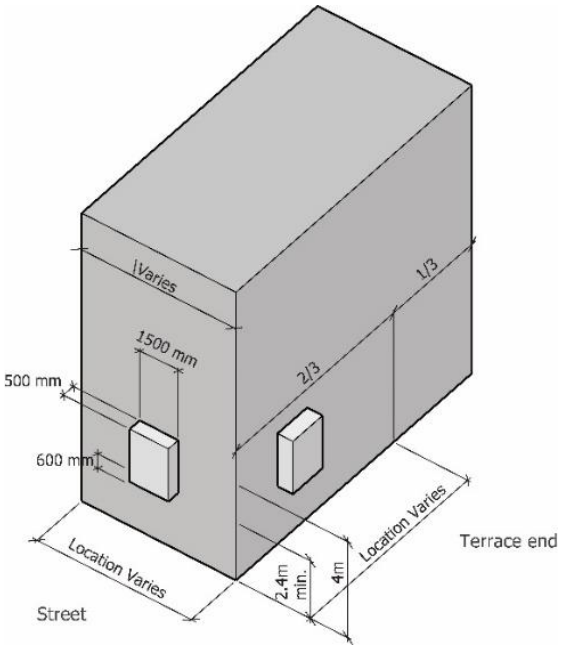


Figure 2.5 Diagram showing volume within which permitted front door canopy projections must be contained with zone for any projection shown relative to the primary building form.

R2.14 Front entry stair projections

Some units may include steps within the common property that leading up to the front door subject to the following rules.

a. The units where projection can occur are identified in Appendix 1 Table 2. For avoidance of doubt, front entry stair projections are only allowed from units 6, 7, 9, 15-19, 30-32, 38-40, 53-56, 69-74, 78-88, and 94-97.
b. The stair projection will be not more than 1200mm wide.
c. The riser of the lowest step will project not more than 1200mm from the front edge of the building footprint, except that it must be not closer than 450mm to the edge of the footpath.
d. The stairs may include handrails and balustrades not higher than required to meet New Zealand Building Code requirements.
e. Where permitted on front facades the stair projection may be at any point along that frontage.
f. Where permitted on terrace end facades the stair projection must be in the two-thirds of the terraced end façade furthest away from the mews.

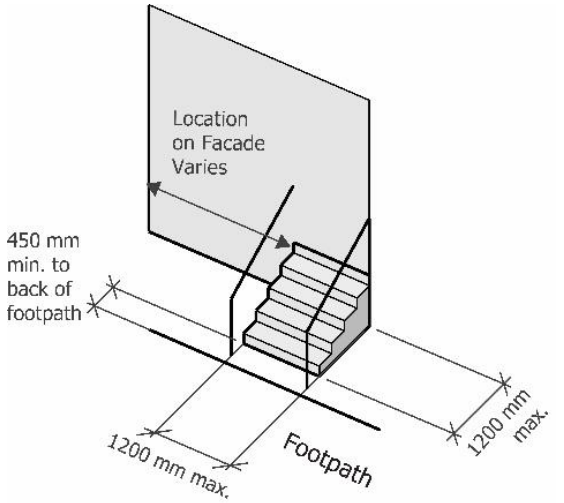


Figure 2.6 Diagram showing parameters for permitted front stair entry projections

R2.15 Roof edge projections

Roof verges (e.g. gable ends) and eaves may project 500mm forward of the vertical face of the primary building form over any street, park or mews frontages; and up to 250mm over terrace end wall boundaries to streets and lanes. These roof edge projections must be:

a. located at the top of the building, that is projecting from the roof over the uppermost storey;
b. within the identified zones for wall and rooftop projections; and
c. not more than 250mm deep in the vertical dimension.

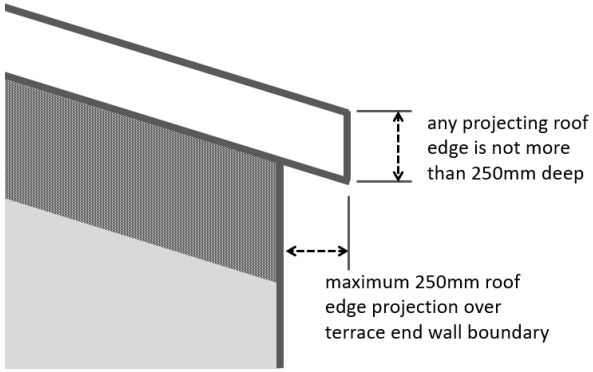


Figure 2.7 Diagrammatic elevation illustrating maximum projection at a terrace end wall, and the maximum depth of any projecting roof edge

R2.16 Minor architectural façade projections

Minor architectural façade projections are permitted on any street, mews and/or terrace end façade subject to the following:

a. rainwater heads and downpipes may project not more than 200mm.
b. minor projections of architectural trim for the purposes identified below may project not more than 50mm:
   - architectural detailing around windows and balconies; and
   - solar shading louvres and/or fins; and
   - compositionally integrated architectural trim at edges and changes in facade cladding; and
   - visible structure such as projecting wall and/or slab ends which are not more than 200mm thick.
c. Minor architectural projections exclude wall surfaces other than the detailing and trim identified above.

In addition to requirements for building design this section has extensive guidelines addressing quality of design. It establishes the aspirations for the amenity and visual aspects of the building and will be a primary reference for assessing amenity and architectural quality.

Rules

R3.1 Visual diversity and variation

Ensure each individual unit has a discrete identity and is noticeably different from its immediate neighbours by employing variation in form, façade composition, detail, roof treatment and use of materials.

R3.2 Maximum glazing to front facades

Provide glazed openings or windows over not more than two thirds of the area of the front façade.
Alternatively, if more than two thirds of the area is glazed, provide screens (that may be fixed and/or operable, and may be partially visually permeable) so that at any time not more than two thirds of the facade area will be unscreened.

Figure 3.1 Diagrams showing visual diversity and variation

R3.3 Windows to end facades of terraces facing the street or park

Provide windows and/or openings comprising not less than 12.5% of the total area of the identified terrace end façades facing the street or park.

a. This applies only to units 12, 26, 27, 40, 60, 74, and 89.
b. It does not apply to the part-exposed side walls of any terraced unit.
c. This percentage includes the area of any windows in any building volume projection permitted by R2.12. Should the end façade include any building volume projections as permitted by R2.12, any windows in those projections can be counted as contributing to the area of windows on the façade.
d. The maximum area of openings on these façades may be increased to 20% if any additional area of glass over 12.5% is screened by louvres or fins.

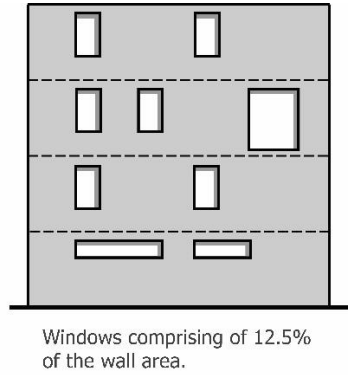


Figure 3.2 Diagram showing windows and/or openings comprising 12.5% of the total area of the identified terrace end façades facing the street or park.

R3.4 Windows to other end facades of terraces

Provide windows and openings comprising not less than 5% and not more than 10% of the wall area to terrace end facades not identified in R3.3. The maximum area of openings on these façades may be increased to 15% if any additional area of glass over 10% is screened by louvres or fins.

Exceptions to this are the terrace end façades of units 1, 14, 22, 45 and 47 and the non-street or mews facades of unit 61 where windows and openings may comprise not less than 2% and not more than 4% of the wall area. The maximum area of openings on these identified exceptions may be increased to 6% if any additional area of glass over 4% is screened by louvres or fins.

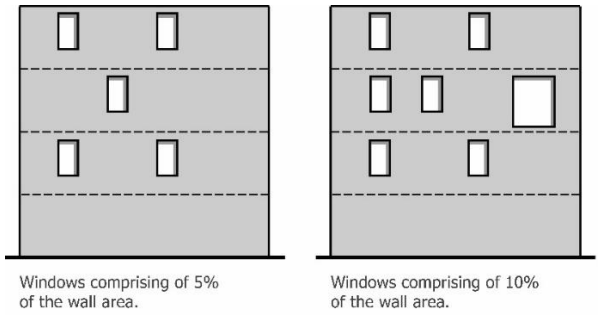


Figure 3.3 Diagram showing windows and openings comprising not less than 5% and not more than 10% of the wall area to terrace end facades

R3.5 Total width of balconies on a facade

Above ground balconies or terraces should not occupy more than two thirds of the total cumulative width of upper-level floors (including the roof terrace if there is one) on any façade.
This is the width of all balconies on the façade and includes any projecting balconies as identified by rule R2.11. and all other non-projecting balconies.

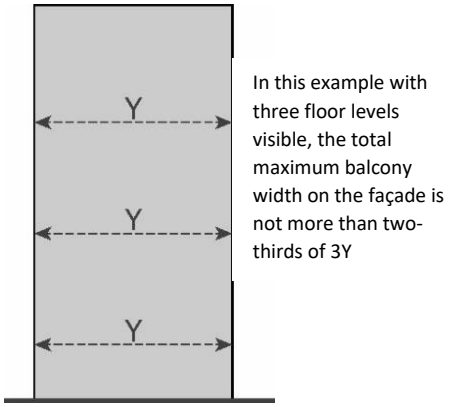


Figure 3.4 Diagram showing measurement of the total cumulative width to allow calculation of maximum extent of balconies on the façade

R3.6 Garage doors

Secure on-unit carparking from the parking mews with a garage door or architectural security screen.

a. Maximum total garage door width:
   - 2.4m on 4.5m wide units
   - 4.8m on 6.0m wide units
   - 4.8m for any pair of units combined into a single dwelling
b. This maximum total width might comprise one or more doors.
c. The garage enclosure is to have an aesthetic and material quality that is consistent with the aesthetic of the unit, and which will contribute positively to the visual amenity of the mews.

R3.7 Downpipes and gutters

Integrate downpipes and balcony drainage with the overall facade and building design. These may be either fully concealed or visible. If visible they must be visually integrated into the composition of the façade.

R3.8 Detailing the gap between units

Any gaps at the side boundary between adjoining unit walls are to be concealed:

a. This may be with flashing or a flashed negative detail.
b. The reasonable cost of such works based on a folded and fit-for-purpose 0.45mm Colorsteel Maxx flashing or equivalent is to be shared equally between the owners of the adjoining units.

c. The additional cost of a higher specification flashing where not agreed to be evenly shared by the adjoining owners will be borne by the owner who requires that higher quality flashing.

R3.9	Integrating services	Screen from the street any aerials, satellite dishes, clothes drying, storage or air-conditioning units and integrate these into the building design.
R3.10	Avoiding noise nuisance	Specify quiet air-conditioning units and locate these to avoid noise nuisance for neighbours.

Guidelines

G3.1	Architectural design coherence	Ensure architectural design coherence in the design of any unit. This means considering the following when planning the dwelling, composing building form, façade, projections and setbacks, developing construction details and choosing materials and colours: a. alignments, hierarchy, balance and proportion; b. detailing that is refined and elegant rather than utilitarian; c. consistency in the realisation of the design concept, idea or theme for the dwelling at all levels of design from formal and façade composition through to materials, detailing and colour; and d. the building being a functionally and compositionally integrated whole.
G3.2	Architectural character	Intended coastal urban character will be achieved by a variety of means that might include but would not be limited to the following: a. Generous windows to the sea, but avoidance of exposed fully glazed frontages. b. Variation achieved by the individual design of each unit. c. Elements such as projections and recesses that enrich the building form and facades, create a sense of intricacy and human scale, and develop character. d. Simple weather resistant materials and a restrained palette of colours. e. An architectural concept, idea or theme which references relevant local maritime narratives, elements and/or structures.

f. Elements and features that are commonly associated with coastal marine buildings.

In addition:

g. Combinations of colours and materials, and configurations, shapes and/or styles of architecture that overtly reference the style of architecture in other places and/or countries will not be permitted.

G3.3 Relation to neighbouring dwellings

Consider the context established by neighbouring units along a terrace, across the internal mews and across lanes in order to:

a. optimise the outlook from and amenity of all units; and
b. avoid any negative visual effects which would compromise the aesthetic of the terrace as a whole.

G3.4 Window design for privacy

Ensure reasonable privacy for the occupants of both the unit being designed and the neighbouring unit, paying particular attention to privacy where facades face directly and at close range across a lane. Consider placement, size and orientation or windows and/or external window screening.

G3.5 Design for daylight and sun

Design to provide good daylight and optimise sunlight to habitable rooms while avoiding excessive heat gain and glare by a number of means such as:

a. taking windows close to the ceiling for good daylight penetration, and placing windows in the side walls of terrace end units to give light from two sides;
b. sizing and locating windows to relate to sun direction;
c. designing balconies, eaves, awnings and/or pergolas that extend far enough to shade summer sun but allow winter sun to penetrate into habitable rooms;
d. using shading devices such as external louvres that provide horizontal shading to north facing windows and vertical shading to west facing windows and consider operable shading devices to allow adjustment and choice; and
e. using high performance glass while ensuring low reflectivity and tint.

G3.6	Internal window treatments	Internal window treatments may be provided for privacy and solar/daylight control: a. All of the internal window treatments on any terraced house must present a single, un-patterned and neutral colour to the outside. This might be white or off-white through to grey, silver or charcoal, and includes natural timber or light neutral colour-washed timber louvre blinds. b. Net curtains are not permitted.
G3.7	Balustrade design	Design to allow views and passive surveillance of the street (and mews if applicable) while maintaining visual privacy for and allowing a range of uses on the balcony. Use glass balustrades with discretion to ensure these do not visually dominate building frontages and that the intended informal coastal urban character is achieved.
G3.8	Mailboxes	Locate mailboxes on the perimeter street facing facade in safe visible locations to help identify individual units. These should be integrated into the architecture and façade design, not extend beyond the unit boundary, and should be designed to allow for courier deliveries.
G3.9	Waste and recycling	Locate adequately sized storage areas for rubbish bags and bins at the rear of the unit and where they do not compromise adjacent units or the amenity of the mews. Ensure these are internal, that appropriate ventilation is provided, and that bags and bins are screened from view from nearby dwellings except when placed out into the mews for immediate collection.

4 Materials and Colours

The intention of these colours and materials is to achieve serviceable, place-appropriate and aesthetically pleasing outcomes that assist in achieving and maintaining a maritime village character.

Guidelines

G4.1	Anticipated materials	The following materials are anticipated and are acceptable: – exposed or rendered concrete block – precast concrete – insitu concrete – glass reinforced concrete – Laminated Lumber Veneer (LVL) structure – timber cladding (including painted or stained timber weatherboards) – exposed cedar cladding – glass (except reflective or dark tinted) – canvas or similar fabric for sun-shading, awnings and similar shelter elements – stainless steel, grade suitable for marine application (matt finish) – seam folded metal cladding: aluminium, copper or zinc (natural or pre-weathered) – Corten steel – brass (except lacquered) – brick (only if painted, or bagged or plastered and painted) – stone (only if from a local quarry) – ceramic tiles (only for paving) – materials that weather – satin/matt finishes in preference to polished – robust materials and surfaces and components where these are potentially prone to damage	The following materials are not acceptable: – fibre-cement and similar proprietary sheets (with or without cement plaster finishes) – drop-down or clear plastic awnings – exposed tantalised pine or similar, unless LVL and with appropriate stain or surface treatment – any material that attempts to replicate another material (for example non-timber 'weatherboards') – unfinished galvanised or reflective corrugated iron – off the shelf fences including timber paling and powder-coated metal fences – second-hand materials – aluminium composite panels of any kind – Marley Palisade and Linea board – white plastic spouting and downpipes
G4.2	Anticipated colours	The following approaches to colour are anticipated and are acceptable: – soft weathered/washed colours – neutrals, with soft/light/bright sea/sky/sail references including white, clean off-white	The following colours are not acceptable: – heavy earthy colours such as battleship grey, mud brown, deep red, terracotta, forest green or similar

- sea greens, greys, and powder blues including light pastel colours in these hues
- silver/grey metallic anodising
- expression of natural material colours (including cedar, metal components, Corten steel, and except for LVL and any tanalised radiata pine or similar)
- neutral wood staining/wash and/or light oiling to maintain sense of natural material and weathering
- bright vibrant colours on front doors (optional)
- neutral colours (light through to dark) for paving and roofing
- colours that are readily recognised as being characteristic of other places and countries (for example Italian terracotta)
- bright primary colours on any elements except front doors
- any gaudy, vivid or luminous colours

APPENDIX 1 Building Heights and Façade Projections

EXPLANATION

Building Heights – refer to Table 1

1. Table 1 identifies levels including the maximum height for each unit.
2. All height references are in terms of Auckland Vertical Datum 1946 and:
   a. 'Proposed Design Floor Level (Lowest)' is a provisional lowest level of the slab as accessed from the mews. That may be varied by site-specific design subject to and as required to meet the NZ Building Code.
   b. 'Permitted Height (Auckland Unitary Plan)' establishes the maximum height for each terraced unit excluding rooftop extensions.
   c. Upper Unit Boundary Limit is 1.5 metres above the Permitted Height (AUP). Any rooftop projections above the Permitted Height AUP will be under this Upper Boundary Limit and in accordance with rule R2.6.
3. The 'Proposed Lower Unit Boundary Limit' is 2.0 metres below the 'Proposed Design Floor Level (Lowest)' and is the lowest level at which the underside of any part of a floor slab may be located.
4. The 'Finished ground level at corners of units' at points A-D for each unit are proposed design levels and will be verified by site survey following construction of the public realm.
5. Units 88 and 89 both have complex plan shapes. The identified 'finished ground levels at corners' for these units are at the corners of the rectangle that forms the basis of their building footprints.

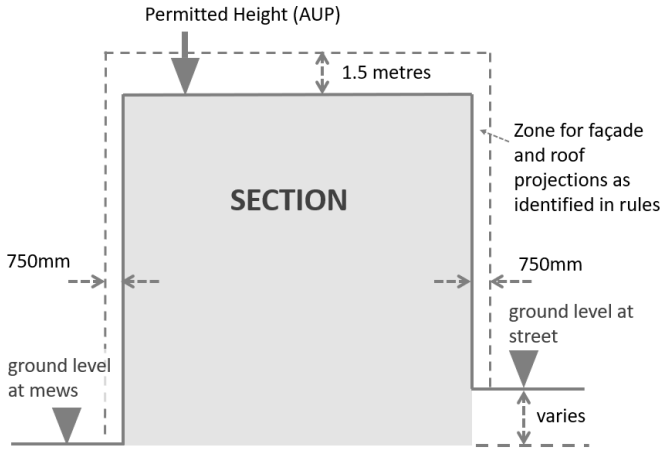


Figure 2.1 Diagram identifying permitted height and zone for projections

Façade projections – refer to table 2

1. Table 2 identifies potential for facade projections.
2. Refer to rule R2.11 for extent of front and rear balcony projections.
3. Refer to rule R2.12 for extent of terrace end wall projections. Note:
   a. Where adjoining terraced units are offset and only part of the end wall is visible no projection is permitted.
   b. A dash is used in the table to indicate 'not applicable'. That is for units with no part of the side boundary exposed to view.
4. Refer to Rule 2.14 for front entry stair projections. On identified lots, these stairs may extend into the common area outside the zone identified for street frontage projections.

Figures 2.1 and 2.1A describe interpretation of height and building projections.

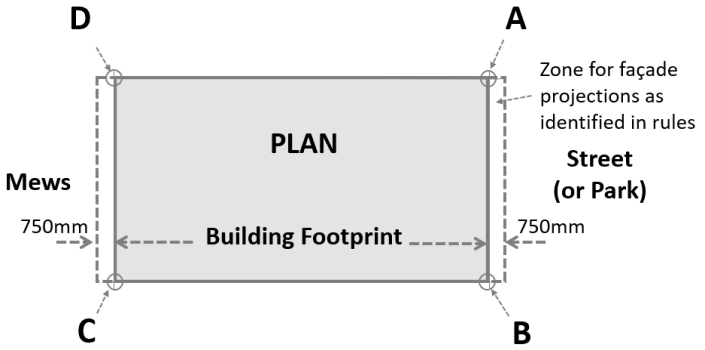


Figure 2.1A Diagram identifying points for measuring finished ground level at corners of units

Table 1 Building Heights

UNIT	BUILDING HEIGHTS			FINISHED GROUND LEVEL AT CORNERS OF UNITS (PROPOSED)			
	Proposed Design Floor Level (Lowest)	Permitted Height (Auckland Unitary Plan)	Upper Unit Boundary Limit	at A (Street or Park)	at B (Street or Park)	at C (Mews)	at D (Mews)
1	3.60	15.57	17.07	4.41	4.49	3.60	3.60
2	3.60	15.50	17.00	4.49	4.57	3.60	3.60
3	3.60	15.45	16.95	4.57	4.66	3.60	3.60
4	3.60	15.38	16.88	4.66	4.72	3.60	3.60
5	3.50	15.25	16.75	4.75	4.80	3.50	3.50
6	3.50	15.28	16.78	4.80	4.80	3.50	3.50
7	3.50	15.31	16.81	4.80	4.78	3.50	3.50
8	3.40	15.35	16.85	4.74	4.66	3.40	3.40
9	3.40	15.44	16.94	4.66	4.62	3.40	3.40
10	3.40	15.48	16.98	4.62	4.58	3.40	3.40
11	3.40	15.49	16.99	4.58	4.45	3.40	3.40
12	3.40	15.50	17.00	4.45	4.24	3.40	3.40
14	3.60	15.90	17.40	3.60	3.30	3.30	3.60
15	3.60	16.00	17.50	3.60	3.60	3.60	3.60
16	3.60	16.00	17.50	3.60	3.60	3.60	3.60
17	3.60	15.94	17.44	3.60	3.60	3.60	3.60
18	3.60	15.92	17.42	3.60	3.60	3.60	3.60
19	3.60	15.90	17.40	3.60	3.60	3.60	3.60
20	3.60	15.88	17.38	3.60	3.60	3.60	3.60
22	3.40	16.19	17.69	3.40	3.40	3.40	3.40

UNIT	BUILDING HEIGHTS			FINISHED GROUND LEVEL AT CORNERS OF UNITS (PROPOSED)			
	Proposed Design Floor Level (Lowest)	Permitted Height (Auckland Unitary Plan)	Upper Unit Boundary Limit	at A (Street or Park)	at B (Street or Park)	at C (Mews)	at D (Mews)
23	3.40	16.15	17.65	3.40	3.40	3.40	3.40
24	3.40	16.04	17.54	3.40	3.40	3.40	3.40
25	3.40	16.03	17.53	3.40	3.40	3.40	3.40
26	3.40	15.96	17.46	3.40	3.40	3.40	3.40
27	3.40	16.12	17.62	3.78	4.53	3.40	3.40
28	3.40	15.95	17.45	4.53	4.56	3.40	3.40
29	3.40	15.63	17.13	4.56	4.60	3.50	3.40
30	3.50	15.64	17.14	4.60	4.64	3.50	3.50
31	3.50	15.67	17.17	4.64	4.66	3.50	3.50
32	3.50	15.64	17.14	4.66	4.66	3.50	3.50
33	3.50	15.63	17.13	4.65	4.63	3.50	3.50
34	3.50	15.61	17.11	4.63	4.61	3.50	3.50
35	3.50	15.66	17.16	4.61	4.58	3.50	3.50
36	3.50	15.76	17.26	4.58	4.54	3.50	3.50
37	3.50	15.84	17.34	4.54	4.49	3.50	3.50
38	3.40	15.95	17.45	4.50	4.47	3.40	3.40
39	3.40	15.91	17.41	4.47	4.43	3.40	3.40
40	3.40	15.71	17.21	4.43	4.31	3.40	3.40
41	3.50	16.48	17.98	3.50	3.50	3.50	3.50
42	3.50	16.59	18.09	3.50	3.50	3.50	3.50
43	3.50	16.54	18.04	3.50	3.50	3.50	3.50
44	3.50	16.42	17.92	3.50	3.50	3.50	3.50
45	3.50	16.32	17.82	3.50	3.50	3.50	3.50
47	3.60	16.40	17.90	4.30	4.17	3.60	3.60
48	3.60	16.29	17.79	4.42	4.30	3.60	3.60

UNIT	BUILDING HEIGHTS			FINISHED GROUND LEVEL AT CORNERS OF UNITS (PROPOSED)			
	Proposed Design Floor Level (Lowest)	Permitted Height (Auckland Unitary Plan)	Upper Unit Boundary Limit	at A (Street or Park)	at B (Street or Park)	at C (Mews)	at D (Mews)
49	3.60	16.20	17.70	4.52	4.42	3.60	3.60
50	3.60	16.20	17.70	4.59	4.52	3.60	3.60
51	3.60	16.20	17.70	4.65	4.59	3.60	3.60
52	3.60	16.20	17.70	4.69	4.65	3.60	3.60
53	3.60	16.20	17.70	4.72	4.71	3.60	3.60
54	3.60	16.20	17.70	4.71	4.72	3.60	3.60
55	3.60	16.20	17.70	4.68	4.71	3.60	3.60
56	3.60	16.18	17.68	4.63	4.68	3.60	3.60
57	3.50	16.27	17.77	4.56	4.60	3.50	3.50
58	3.50	16.34	17.84	4.52	4.56	3.50	3.50
59	3.50	16.22	17.72	4.64	4.52	3.50	3.50
60	3.50	16.03	17.53	4.51	4.64	3.50	3.50
61	3.40	16.04	17.54	3.40	3.40	3.40	3.40
62	3.40	15.31	16.81	4.28	4.45	3.40	3.40
63	3.40	15.33	16.83	4.45	4.49	3.40	3.40
64	3.40	15.32	16.82	4.49	4.54	3.40	3.40
65	3.50	15.31	16.81	4.54	4.59	3.50	3.50
66	3.50	15.32	16.82	4.59	4.62	3.50	3.50
67	3.50	15.34	16.84	4.62	4.63	3.50	3.50
68	3.50	15.38	16.88	4.63	4.63	3.50	3.50
69	3.60	15.55	17.05	4.68	4.64	3.60	3.60
70	3.60	15.53	17.03	4.64	4.60	3.60	3.60
71	3.60	15.49	16.99	4.60	4.55	3.60	3.60
72	3.70	15.44	16.94	4.55	4.50	3.70	3.70
73	3.70	15.40	16.90	4.50	4.44	3.70	3.70

UNIT	BUILDING HEIGHTS			FINISHED GROUND LEVEL AT CORNERS OF UNITS (PROPOSED)			
	Proposed Design Floor Level (Lowest)	Permitted Height (Auckland Unitary Plan)	Upper Unit Boundary Limit	at A (Street or Park)	at B (Street or Park)	at C (Mews)	at D (Mews)
74	3.70	15.38	16.88	4.44	4.32	3.70	3.70
75	3.40	15.77	17.27	4.58	4.47	3.40	3.40
76	3.40	15.80	17.30	4.61	4.58	3.40	3.40
77	3.40	15.79	17.29	4.64	4.61	3.40	3.40
78	3.50	15.72	17.22	4.61	4.58	3.50	3.50
79	3.50	15.72	17.22	4.66	4.61	3.50	3.50
80	3.50	15.73	17.23	4.70	4.66	3.50	3.50
81	3.50	15.73	17.23	4.71	4.70	3.50	3.50
82	3.60	15.82	17.32	4.72	4.71	3.60	3.60
83	3.60	15.84	17.34	4.72	4.72	3.60	3.60
84	3.60	15.92	17.42	4.73	4.72	3.60	3.60
85	3.60	16.01	17.51	4.74	4.73	3.60	3.60
86	3.60	16.03	17.53	4.75	4.74	3.60	3.60
87	3.60	16.05	17.55	4.74	4.75	3.60	3.60
88	3.60	16.15	17.65	4.67	4.74	3.60	3.60
89	4.00	16.21	17.71	4.58	4.61	4.00	4.00
90	4.00	16.16	17.66	4.56	4.58	4.00	4.00
91	4.00	16.13	17.63	4.54	4.56	4.00	4.00
92	4.00	16.09	17.59	4.51	4.54	4.00	4.00
93	4.00	16.00	17.50	4.49	4.51	4.00	4.00
94	4.00	15.90	17.40	4.48	4.49	4.00	4.00
95	4.00	15.83	17.33	4.45	4.48	4.00	4.00
96	4.00	15.78	17.28	4.37	4.45	4.00	4.00
97	4.00	15.75	17.25	4.29	4.37	4.00	4.00

Table 2 Facade Projections

UNIT	POTENTIAL FOR FACADE PROJECTIONS			
	Entry canopy, roof edge and minor architectural projns.	Front and rear balcony	Building volume projection on terrace end wall	Projecting front entry stair
1	yes	no	no	no
2	yes	yes	-	no
3	yes	yes	-	no
4	yes	yes	yes	no
5	yes	yes	no	no
6	yes	yes	-	yes
7	yes	yes	yes	yes
8	yes	yes	no	no
9	yes	yes	no	yes
10	yes	yes	no	no
11	yes	yes	-	no
12	yes	yes	yes	no
14	yes	no	no	no
15	yes	yes	-	yes
16	yes	yes	-	yes
17	yes	yes	no	yes
18	yes	yes	no	yes
19	yes	yes	-	yes
20	yes	no	no	no
22	yes	no	no	no

UNIT	POTENTIAL FOR FACADE PROJECTIONS			
	Entry canopy, roof edge and minor architectural projns.	Front and rear balcony	Building volume projection on terrace end wall	Projecting front entry stair
23	yes	yes	-	no
24	yes	yes	no	no
25	yes	yes	no	no
26	yes	yes	yes	no
27	yes	no	yes	no
28	yes	yes	-	no
29	yes	yes	no	no
30	yes	yes	no	yes
31	yes	yes	-	yes
32	yes	yes	yes	yes
33	yes	yes	no	no
34	yes	yes	-	no
35	yes	yes	-	no
36	yes	yes	-	no
37	yes	yes	no	no
38	yes	yes	no	yes
39	yes	yes	-	yes
40	yes	yes	yes	yes
41	yes	yes	yes	no
42	yes	yes	-	no
43	yes	yes	-	no
44	yes	yes	-	no
45	yes	no	no	no
47	yes	no	no	no
48	yes	yes	-	no

UNIT	POTENTIAL FOR FACADE PROJECTIONS			
	Entry canopy, roof edge and minor architectural projns.	Front and rear balcony	Building volume projection on terrace end wall	Projecting front entry stair
49	yes	yes	-	no
50	yes	yes	-	no
51	yes	yes	-	no
52	yes	yes	yes	no
53	yes	yes	no	yes
54	yes	yes	-	yes
55	yes	yes	-	yes
56	yes	yes	no	yes
57	yes	yes	no	no
58	yes	yes	-	no
59	yes	no	-	no
60	yes	no	yes	no
61	yes	yes	no	no
62	yes	yes	yes	no
63	yes	yes	-	no
64	yes	yes	no	no
65	yes	yes	no	no
66	yes	yes	-	no
67	yes	yes	-	no
68	yes	yes	no	no
69	yes	yes	yes	yes
70	yes	yes	-	yes
71	yes	yes	no	yes
72	yes	yes	no	yes
73	yes	yes	-	yes

UNIT	POTENTIAL FOR FACADE PROJECTIONS			
	Entry canopy, roof edge and minor architectural projns.	Front and rear balcony	Building volume projection on terrace end wall	Projecting front entry stair
74	yes	no	yes	yes
75	yes	yes	yes	no
76	yes	yes	-	no
77	yes	yes	no	no
78	yes	yes	no	yes
79	yes	yes	-	yes
80	yes	yes	-	yes
81	yes	yes	yes	yes
82	yes	yes	no	yes
83	yes	yes	-	yes
84	yes	yes	-	yes
85	yes	yes	-	yes
86	yes	yes	-	yes
87	yes	no	-	yes
88	yes	no	no	yes
89	yes	no	no	no
90	yes	yes	no	no
91	yes	yes	-	no
92	yes	yes	-	no
93	yes	no	no	no
94	yes	no	no	yes
95	yes	yes	-	yes
96	yes	yes	-	yes
97	yes	yes	no	yes

APPENDIX 2 Process

A2.1 Development and construction governance and stakeholders

	Parties and Processes	Notes/Interpretation
OVERSIGHT COMMITTEE	Development Principal Development Manager 1× Appointee Bayswater Marina Holdings Limited 1× Appointed Project Manager	Membership of Oversight Committee (and Design Committee) is determined by Bayswater Marina Holdings Ltd (or its nominee).
DESIGN COMMITTEE	Any member(s) of the Oversight Committee plus/or 1× Appointed Architect 1× Appointed Urban Designer 1× Appointed Urban Designer from Auckland Council,	Design Committee Rules 1. The quorum of three is required including at least an appointed architect and an appointed urban designer. 2. There must be a majority of professional designers and development professionals on any Design Committee review panel. 3. The Design Committee has unfettered discretion to determine whether an application is consistent with this Design Manual and therefore should be approved or declined, and its decisions shall be final. 4. The Design Committee will provide feedback identifying the reasons for the rejection of any design. 5. The Urban Designer from Auckland Council will attend in an observation role from time to time and at Auckland Council discretion. 6. Design review may be in person and/or by Zoom/Teams and/or email.

AUCKLAND COUNCIL The Consenting Authority	Resource Consent Process	Auckland Council has granted resource consent for each unit provided that the design of the dwelling on each lot complies fully with the rules and guidelines in this Design Manual to the entire satisfaction of the Design Committee.
	Building Consent Process	Auckland Council assesses and approves all building consent applications so that construction is in accordance with the New Zealand Building Code and any other relevant statutory requirements.
STAKEHOLDERS	Bayswater Marina Holdings Limited	Landowner and developer
	Bayswater Marina Berth-holders Association	Marina user representatives
	Auckland Transport	Adjoining landowner
BAYSWATER MARINA CONSULTANT TEAM Specialist consultants appointed to coordinate development,	Civil Engineer	As nominated by the Oversight Committee
	Geotech Engineer	As nominated by the Oversight Committee
	Infrastructure Engineer	As nominated by the Oversight Committee
	Surveyor	As nominated by the Oversight Committee

A2.2 Design and pre-construction process

All proposals will be subject to a professional design review approval by the Bayswater Maritime Precinct Design Committee. As part of that process:

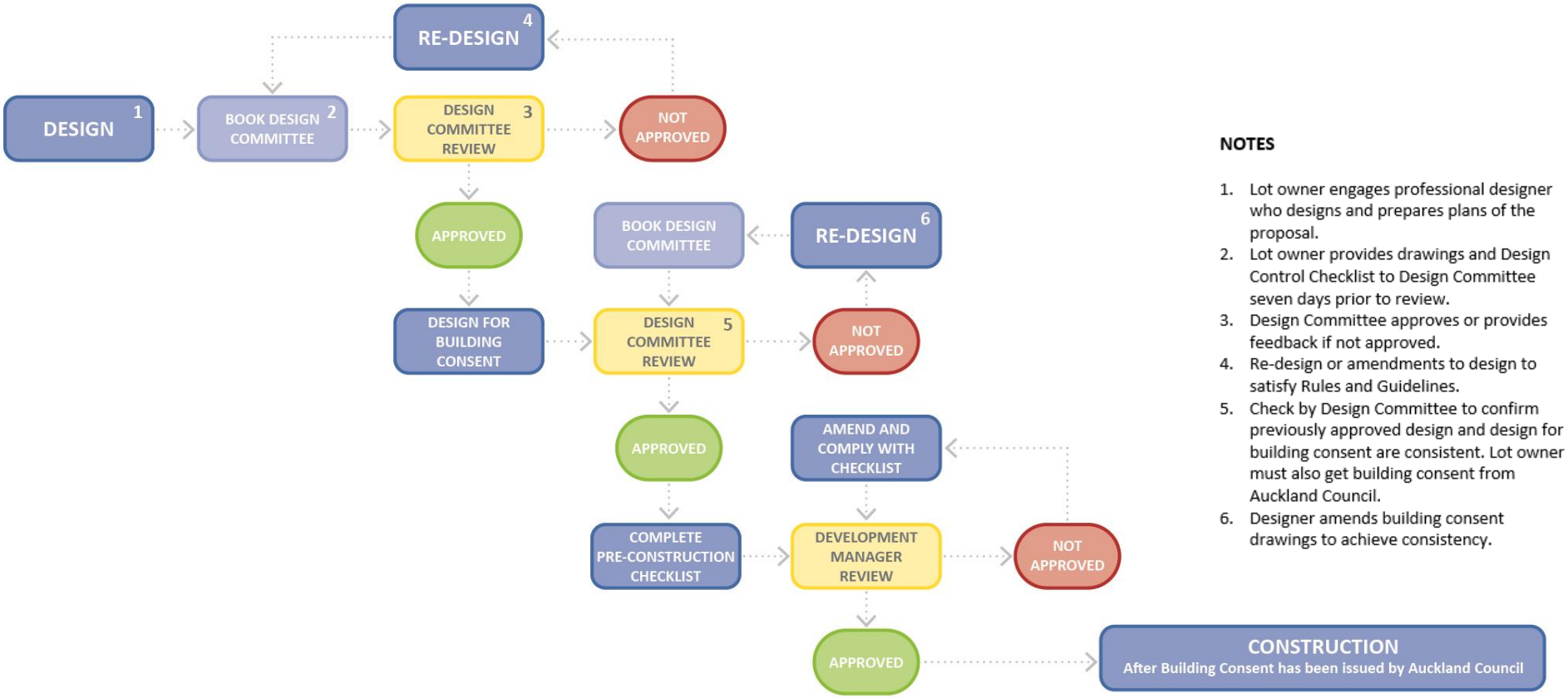
a. Bayswater Marina Holdings Ltd (or its nominee) will maintain a 'live' model of the elevations proposed and/or built in the development into which the lot owner can insert their proposed elevations for a contextual check.

b. The Design Committee is required to check that the proposal is consistent with this *Design Manual for Terraced Housing*. The lot owner must provide sufficient drawings and other information to describe the design including a completed Design Control Checklist (refer Appendix A2.3).

c. When drawings have been prepared by the lot owner to obtain building consent from Auckland Council the Design Committee will review the building consent drawings to ensure the design for building consent is consistent with the previously approved design.

d. Once those design approvals have been obtained, the Lot Owner must also complete the Pre-Construction Checklist (refer Appendix A2.4) and must not start construction on site until after Building Consent has been received from Auckland Council.

Note that if a proposal departs from the existing resource consent and the *Design Manual for Terraced Housing*, the Design Committee review process continues to apply. However resource consent from Auckland Council must also be obtained by the lot owner for those departures from the existing consent.



A2.3 Design Control Checklist
Compliance with Design Manual

1	DEVELOPMENT PLAN	Yes	No
	Development plan rules		
R1.1	Dwellings per unit		
R1.2	Maximum unit coverage		
R1.3	Combined units		
R1.4	Potential for identical units in a terrace		
R1.5	Outdoor living space		
R1.6	Carparking		
R1.7	Front door to the street		
	Development plan guideline		
G1.1	Coordinating with design of public realm		

2	HEIGHT, BULK AND FORM		
	Height, bulk and form rules		
R2.1	Compliance with envelope		
R2.2	Maximum height		
R2.3	Minimum height		
R2.4	Minimum floor to floor height		
R2.5	Height of ground floor level relative to street		
R2.6	Rooftop projections		
R2.7	Building height in relation to boundary		
R2.8	Setbacks from street and mews boundaries		
R2.9	Setbacks from side boundaries		
R2.10	Potential for shared/common walls		
R2.11	Balcony projections		
R2.12	Projections on terrace end facades		
R2.13	Front door canopy projections		
R2.14	Front entry stair projections		
R2.15	Roof edge projections		
R2.16	Minor architectural façade projections		

3	DESIGN AND APPEARANCE	Yes	No
	Design and appearance rules		
R3.1	Visual diversity and variation		
R3.2	Maximum glazing to front facades		
R3.3	Windows to terrace end facades facing street		
R3.4	Windows to other end facades of terraces		
R3.5	Total width of balconies on a facade		
R3.6	Garage doors		
R3.7	Downpipes and gutters		
R3.8	Detailing the gap between units		
R3.9	Integrating services		
R3.10	Avoiding noise nuisance		
	Design and appearance guidelines		
G3.1	Architectural design coherence		
G3.2	Architectural character		
G3.3	Relation to neighbouring dwellings		
G3.4	Window design for privacy		
G3.5	Design for sun and daylight		
G3.6	Internal window treatments		
G3.7	Balustrade design		
G3.8	Mailboxes		
G3.9	Waste and recycling		

4	MATERIALS AND COLOUR		
	Materials and colour guidelines		
G4.1	Anticipated materials		
G4.2	Anticipated colours		

A2.4 Required Design Documentation

GENERAL REQUIREMENTS		ADDRESSED
The following information which describes the proposed unit design must be provided to enable review and approval. The level of detail is as required to demonstrate compliance with this Design Manual. Protocols for information supplied are as at right:	1. All information should be in hard and soft copy. 2. All drawings should be A3 landscape format. 3. Show key dimensions and include a scale bar on all plans, sections and elevations. 4. Include a north point on all plans. 5. Annotate drawings as required to identify intentions and design response. 6. Ensure all drawings are titled and numbered.	
REQUIRED CONTENT		**ATTACHED**
Context plan (1:250 at A3)	Show unit in context of public realm and the units around. Show Principal Unit.	
Floor plans (1:100 at A3)	Identify rooms and spaces.	
Roof plan (1:100 at A3)	Annotate to describe materials.	
Elevations (1:100 at A3)	Show all external elevations, including with drawings showing these in the context of adjacent proposed and/or built units. (Refer A2.2, point a.)	
Cross sections (1:100 at A3)	Identify levels including inter-storey heights and show relation to levels of the public realm outside and RL of roof. Correlate sections to floor plans using accepted conventions.	
Demonstrate compliance with rules	Provide a statement confirming compliance with rules relating to building dimensions and projections. Show primary building form and unit boundary as applicable on plans, elevations and sections, and include measurements of projections and areas of openings.	
Perspective views (minimum 2)	These must show the front and rear of the proposed unit in context, and the terrace end wall (if a terrace end unit). They may be SketchUp or better quality.	
Description of key elements or details	Description in addition to the above at the discretion of the designer or if required by the Design Committee.	
Outline specification	Summary (maximum one A3 page) outlining material specification of structure, external fabric, key elements and components.	
Materials and colours	Photo-realistic samples of materials and colours are required on visual simulations, or developed elevations describing materials to a high degree of resolution.	
Survey verification	Verification by a registered surveyor that the development is within the volume described by the survey plan and title for the Principal Unit.	

A2.5 Pre-Construction Checklist

The following documents must be provided to and approved by the Development Manager prior to beginning construction.

	REQUIRED CONTENT AND FORM	ATTACHED	APPROVED
Construction Management Plan	Plan covering at least location of site office, materials storage, toilet, rubbish and contractor parking		
Health, Safety and Hazard Management	Provide a Worksafe-compliant Safety Management Plan, identifying any hazards and how they are to be managed.		
Pre-Condition Inspection	A copy of the Precondition Inspection Report that was provided to you by the Oversight Committee.		
Copy of written approvals from Design Committee	Copy of the Design Committee design review approvals for: 1. consistency with the *Design Rules and Guidelines for Terraced Housing*; and 2. consistency of design for building consent with the previous design approval.		
Construction Programme	Programme for construction in (1) pdf form and (2) as a 'Microsoft Project' file. This programme will identify all major stages of construction and will define the period of time that scaffolding will be in place. It will be added to the Master Programme and used to inform neighbours.		
Scaffolding Plan	Provide a plan identifying placement of scaffolding on areas that are not part of the lot area outside the ground floor footprint of the lot and provide detail of how common land and all surfacing up to the footprint will be protected from damage.		
Crane Plan	Define location, size and type of any temporary crane to be located on site or on common land and provide detail of how common land will be protected from damage.		
Piling Plan and Approval	Piling plan includes plan for piles under each unit, the location and type of each piling rig, and the plan to mitigate damage or effects on other and adjoining lots. This will be accompanied by a Registered Engineer's *Producer Statement – Design* (PS1).		
Surveyors set-out certificate	This is to confirm plan set-out; relation of levels to the actual ground levels around site; and compliance with the 'permitted (AUP) height' and 'maximum height including roof projections' as identified in Appendix 1, Table 1 Building Heights.		

APPENDIX 3 Technical Guidance

The following details are to ensure all developments interface in a coordinated way with the public realm including streets, lanes, mews, and also infrastructure and services. They are guidelines not rules. Consistency with these details is to the degree required by the Development Manager and Design Committee and they may be varied at the discretion of those parties. Further details may be added from time to time at the discretion of the Oversight Committee should that be found desirable to assist with design coordination.

A2.1 Site frontage details

Cross-sectional details addressing common interface situations to be inserted.

Urban Design Response
Bayswater Maritime Precinct

Graeme McIndoe, 21 December 2021

S92 matters identified in the 1 August 2021 Council Review and Response

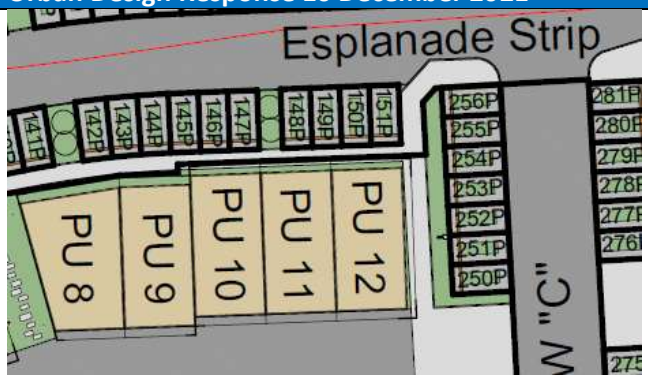
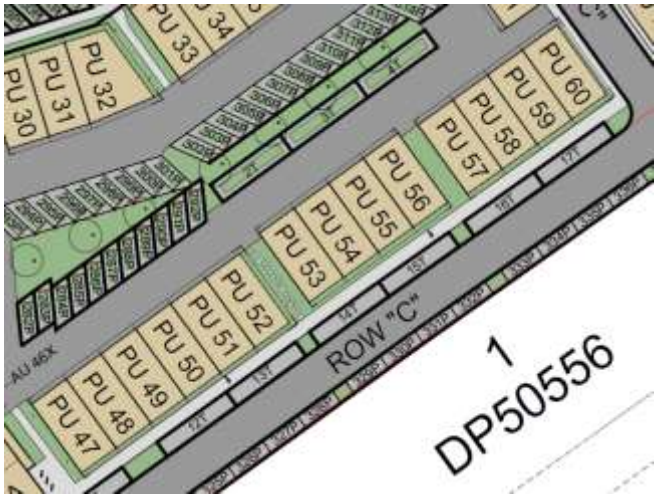
Council Review 1 August 2021	Urban Design Response 10 December 2021
Q42 Design Committee Issues **Further matters that they need to address because of the information provided.** Suggesting a rule could be added that there must be a majority of professional designers on any design committee review – would be acceptable**.** It needs to be added in A2.1.	We agree that there should be a majority of relevant professionals on any design committee review, but not that the majority must be professional designers. Rule 1 requires that there will always be an appointed architect and an appointed urban designer in the quorum of three. It is anticipated that the typical Committee will usually number no more than three including architect, urban designer and a development professional. However, a further development professional may be part of a Committee of four. In that event, requiring a majority of designers would necessitate a third professional designer and a committee of five. This is not justified by the scale of the projects and the limited discretion that can be applied by the Committee. From a design quality control perspective, the discretion of the Committee is tightly circumscribed by the Design Manual. Furthermore, the review process is not a vote. That some committee members are qualified and experienced in implementing design rather than qualified in architecture or urban design presents no material risk to the quality of outcome. Indeed, the Auckland Council's own Urban Design Panel includes development professionals in design review. For the above reasons we recommend the following additional Design Committee rule 2 and consequential renumbering of the rules below: 1. The quorum of three is required including at least an appointed architect and an appointed urban designer. 2. <u>There must be a majority of professional designers and development professionals on any Design Committee review panel.</u>

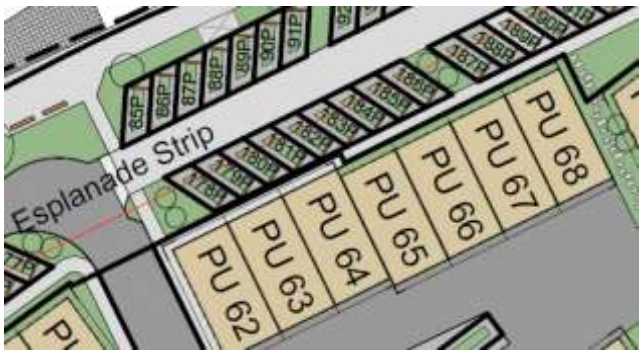
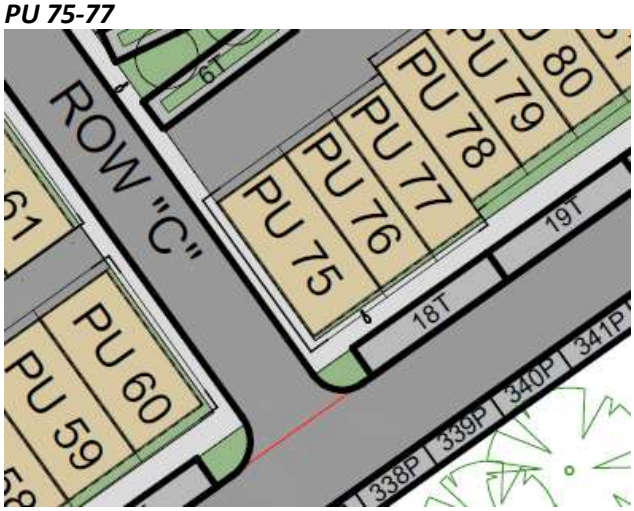
Council Review 1 August 2021	Urban Design Response 10 December 2021
It is noted that in A2.1.2 that *"the design committee has unfettered discretion to determine whether an application is consistent with this Design Manual and therefore should be approved or declined, and its decisions shall be final"* This seems to introduce some flexibility, and suggests it is up to the design committee to determine that the application is consistent with the design manual – so does that mean minor rule infringements would be considered as being consistent, with the design manual, or potentially ignored given their 'unfettered discretion'?	***Flexibility*** The Manual deliberately introduces some flexibility to accommodate any points of minor technical and construction detail or necessary adjustments which may emerge during the design process. However, the discretion that can be exercised by the Design Committee is limited and subject to the following condition in the Interpretation section of the manual: In.3 *Rules must be adhered to. There may be minor departures from any rule only if approved by the Design Committee and only if the Committee considers this to:* *a. be an enhanced design and public amenity outcome;* *b. be an enhanced design and amenity outcome on the particular site;* *c. will have no adverse effect on the amenity of adjoining or nearby dwellings; and* *d. remains compliant with the resource consent approval and the Precinct rules in the AUP.* ***'Unfettered discretion', 'sole arbiter'*** The intent of the phrase 'unfettered discretion' is to reinforce the term 'sole arbiter on this matter' in In.2: *In.2 Each terrace house development must demonstrate compliance with the rules and satisfactory response to the guidelines to the satisfaction of the Design Committee which is the sole arbiter on this matter.* This is to ensure that Lot Owners (and/or their designers) are unable to challenge the decisions of the Design Committee on both rule interpretation and also the necessary qualitative judgement around consistency with design guidelines.
I think that a further clause be added to A2.1 – stating (if this is the intent?) that the Design Committee cannot approve an application if it infringes this design manuals Rules R2.1-R2.16 and R.3.1-R3.10. This may require a monitoring requirement to ensure that the committee is delivering on its responsibilities.	The intent is as described above in In.3 (see above). The consequence of precluding such minor departures is that there is no scope to resolve any minor issue, the effects of which are inconsequential or positive, without requiring a resource consent. That would be a process-penalty out of proportion with the nature of unforeseen minor issues that might emerge and will need to be resolved. Therefore, I recommend that the Design Manual remain unchanged. ***Monitoring*** That notwithstanding, monitoring should be undertaken: • Design Committee Rule 4 is that "the Urban Designer from Auckland Council will attend in an observation role from time to time and at

Council Review 1 August 2021	Urban Design Response 10 December 2021
	Auckland Council discretion". This rule is included specifically to provide for monitoring by Council. • In addition, in panel design review situations such as this, monitoring is facilitated by supplying the Council with a copy of the record of all review sessions. ***Formalisation of approvals*** Formalising review notes and identifying approval of any departure and the reasons for that is standard practice in professional design review. The Design Committee is already implicitly required to formalise the outcome of any design review with 'written approvals from the Design Committee' being referred to in A2.5. That is, a record must be kept for approval and written feedback if not approved. However, that requirement is not explicitly stated in the Design Committee Rules. Therefore, the following modification is recommended to A2.1, Design Committee Rule 3: The Design Committee will provide <u>written confirmation of the outcome of</u> each design review. <u>This may either</u> <u>confirm approval, including any approval of a minor departure from any rule and the reasons for that. Or it will advise a proposal is not approved and will provide</u> feedback identifying the reasons for the rejection of any design. <u>A copy of this written confirmation will be provided to Auckland Council.</u>
Q43 "Maritime Environment" There remain consenting hurdles. - Maritime activities are not the subject of policy I504.3 it is only the buildings	The majority of the previous S92 response on this matter (26 of 27 paragraphs) addresses building design. Auckland Council in its 14 April 2021 list of matters identified maritime activity three times under this Maritime Environment heading. To make a complete S92 response it was necessary to address activity. That was the first of 27 paragraphs, the remaining 26 of which deal with building design which we agree is the subject of the policy.
- Objective I504.2 seeks an outcome of a comprehensively and integrated development, and as stated in the S92 response town houses are individually designed in contrast! page 20, 5 dash 4. I will have to present these aspects in my report.	Objective I504.2 is: (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. While terraced dwellings are individually designed, that design occurs under the tight rules on building location, bulk form set out in the Design Manual.

Council Review 1 August 2021	Urban Design Response 10 December 2021
	These rules have been developed as part of a comprehensive planning and design exercise to ensures integrated development. This consistency and coherence at the macro level of form and location is complemented by deliberate visual diversity and variation at the level of detail (see R3.1). But that diversity is also within limits and is controlled. That is, guidelines G3.1, G3.2 and G3.3 address architectural design coherence, character and relation to neighbouring dwellings respectively and combine to give a high degree of certainty on a coherent and fit for place outcome.
Q46 Projections into Esplanade Strip Thank you for this information provided, it is also noted that the esplanade strip has been adjusted from that previously provide in Scheme Plan NA639741 Rev 6 and effectively means that balconies and steps are likely to be located on or over common property and will not extend into the esplanade strip. However, there are still concerns that balconies and steps may intrude into the esplanade strip, which would be a planning issue, the effects of these on the western foot pavement which extends Sir Peter Blake Parade also needs to be considered. The key areas which need confirmation are illustrated below, in particular the need for sufficient space to accommodate the steps and footpath?	***Projections into Esplanade Strip*** (Hampsons advise that no part of a building or its projection extends over the esplanade strip.) ***Front entry stair projections*** • The Design Manual (R2.14) identifies some units that may include steps within the common property. These lots are identified in Appendix 1 Table 2, and for avoidance of doubt recorded also in R2.14 (a). The lowest stair riser is required by R2.14 (c) to be set back not less than 450mm from the back of the footpath. • Auckland Council has illustrated some of the PUs where stairs are permitted. Given the minimum setback required from the footpath by R2.14 (c) it is confirmed that there is sufficient space to accommodate the steps and the footpath.
Q47 Overhanging Balconies The footpath is public space, please provide the benefits/ adverse effects of balconies over the public footpath in terms of pedestrian amenity and comfort of use and or a rational why. Useful would be the type of relationship between balconies and footpath outlined above in red. A typical cross section around PU47-60 would be useful.	**Urban design rationale** The design intention has been to achieve positive effects (benefits) and avoid adverse effects, but with a primary focus on positive outcomes. ***Potential positive effects/benefits of overhanging balconies*** • The primary benefit is visual variation and interest along the street edge. Overhanging balconies reinforce the visual offsets of groups of building facades. In combination these contribute to achieving the intended sense of informality and visual richness. The visual effect introduced by the overhanging balconies is, in combination with variation in façade alignments, to relate to the characteristic informality of coastal edge development in this part of the harbour, such as seen in Devonport. Visual richness is also a characteristic of North Shore residential waterfront development and waterfront development in other locations. This informality

Council Review 1 August 2021	Urban Design Response 10 December 2021
	and visual richness differentiates the terraces at Bayswater from the typical alignment of frontages on a typical urban terrace, and the usual absence of balcony overhangs in other places due to the AT requirements on encroachments. • A secondary benefit of overhangs is some modest and intermittent moments of shelter along the footpath. ***Potential adverse effects*** *Visual domination* • This will not occur as the number, extent and length of balcony projections is tightly controlled, with few permitted over the footpath. The drawing overlaying the PU plan over the landscape and open space plan also shows that where projections may occur over the footpath, they do not extend more than halfway across. *Undue spatial compression and constriction* • The combination of the height of the soffit of any overhang above the footpath, the limited number and extent of projections and the general openness of the areas where any footpath overhangs occur means that there will not be undue spatial constriction or compression. • Any balcony soffit or other projection must be at least 2.4m above ground (R2.11 b). But height above the footpath will be greater than this as the height of ground level relative to ground level at the street is a minimum of 0.7m (R2.5) and minimum floor to floor height is 2.7m for habitable floor levels (R2.4). This means that a projecting balcony above the street will be 3.4m less the depth of balcony structure (say 0.3m) so there is a likely minimum clearance of 3.1m between footpath level and the soffit of the lowest overhanging balcony. **Considering identified areas** The areas identified in red by Council, these are discussed below with reference to drawings extracted from the overlay of PU plans over the landscape plan. The analysis demonstrates that balconies may project over footpath in only a limited number of lots and to a limited extent. ***PU 10-12, west facade***

Council Review 1 August 2021	Urban Design Response 10 December 2021
	 • Any balcony on the identified west façade of any of PU 10-12 will not overhang the footpath. ***PU 34-37***  • Potential balconies at PU34-37 project at most half way across the footpath. ***PU 47-60***  None of these balconies project over the footpath. • The protruding faces of any balconies on PU 48-52 and PU 57-58 align with the back of the footpath. • Protruding balconies are not permitted on PU47, and PU 59 and 60 (refer Design Manual, Table 2 Façade Projections)

Council Review 1 August 2021	Urban Design Response 10 December 2021
	• The face of any balconies for PU 53-56 are set back around half the width of the green open area between the building facade and the back of the footpath. (Given no balconies here can extend over the public footpath, a cross section is not drawn.) ***PU 62-68***  • Any balconies on PU 62-64 extend up to around half way across the footpath • Any balconies on PU 65-68 will be entirely over the green verge area and do not extend over the footpath. • This deliberately planned variation in facade alignment and treatment contributes informality and visual interest. ***PU 75-77***  • Any balconies on PU 75-77 extend up to around half way across the footpath. **Terrace end wall projections** Built form projections over the footpath are permitted at terrace end walls at four of the 15 terrace end walls where projections are allowed (that is PUs 12, 60, 62 and 75). The location and extent of those potential projections is also tightly controlled (refer R2.12) and these will have the same positive effects on visual amenity as identified above for balconies.

Council Review 1 August 2021	Urban Design Response 10 December 2021
NON -S92 Matters **Q14 Buildings visually appropriate for a maritime environment are designed to reflect the maritime environment**	This is identical to Q43 - see response above.

Minor editorial changes to the content of Design Manual

	These are in addition to matters identified by Auckland Council and noted above. They are to enhance outcomes and expression, and the logic for each has been identified.
R2.4	**Minimum floor to floor height** 2.7 metres minimum average finished floor level to finished floor level for habitable floor levels. 2.4 minimum average ceiling height in any bathroom, and 2.2m average ceiling height in storage rooms including wardrobes. The garage floor to floor height may be lower than 2.7m but only where the reduced height space accommodates carparking, other service functions and/or storage and the access related to that. Logic for change: to allow greater internal planning and design flexibility while retaining suitable ceiling heights for different functions.
R3.3	**Windows to end facades of terraces facing the street or park** Provide windows and/or openings comprising not less than 12.5% of the total area of the identified terrace end façades facing the street or park. a. This applies only to units 12, 26, 27, 40, 60, 74, and 89. b. It does not apply to the part-exposed side walls of any terraced unit. c. This percentage includes the area of any windows in any building volume projection permitted by R2.12. Should the end façade include any building volume projections as permitted by R2.12, any windows in those projections can be counted as contributing to the area of windows on the façade. d. The maximum area of openings on these façades may be increased to 20% if any additional area of glass over 12.5% is screened by louvres or fins. Logic for change: to allow greater area of glazing in identified street and park facing end terrace walls enhances street wall activation and internal amenity.
Design Manual version 5, page 32	Minor editorial change to wording of the description of Auckland Council's role in the consenting process: Auckland Council has ~~provided~~ granted resource consent for each unit provided that the design of the dwelling on each lot complies fully with the rules and guidelines in this Design Manual to the entire satisfaction of the Design Committee. Logic for change: Tidies the text by removing repetition of the word 'provided'.
Design Manual version 5, page 34	A2.3 Design Control Checklist 'Compliance with Design Manual' has been added into the Checklist heading as illustrated below:  Logic for change: to give context for the 'Yes' and 'No' columns in the checklist.

A2.3 Design Control Checklist
Compliance with Design Manual

1	DEVELOPMENT PLAN	Yes	No	3
	Development plan rules			
R1.1	Dwellings per unit			R3.1
R1.2	Maximum unit coverage			R3.2
R1.3	Combined units			R3.3

Boffa Miskell

BAYSWATER MARITIME PRECINCT

LANDSCAPE CONCEPT PACKAGE UPDATED IN RESPONSE TO COUNCIL FURTHER S92 REQUESTS

DECEMBER 2021

DOCUMENT QUALITY ASSURANCE

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CONTENTS

LANDSCAPE STATEMENT

BAYSWATER MARITIME PRECINCT LANDSCAPE DESIGN STRATEGY

The Bayswater Marina is a popular local recreational walking destination for the Bayswater community with the floating breakwater also providing space for fishing, swimming, sunbathing and a vantage point from which to observe the harbour, harbour bridge and central city. The site forms the access to the public boat ramp and Downtown Ferry service and supports a range of activities associated with the marina. The proposed landscape concept for the Bayswater Maritime Precinct is designed to accommodate and enhance marina access as well as public access to the amenities and facilities of the site. This includes the provision of recreational walkways and quality open space for established local users and the future residents of the maritime precinct. A small offering of commercial space including provision for a café will diversify the amenity of the Precinct for marina berth holders, the local community, ferry users, and future residents.

Parks anchor the northern and southern extent of the Precinct with North Park (2,100m2) oriented to the sun and Shoal Bay where it extends the established Marine Parade Reserve adjacent to the north beyond the Takapuna Boating Club. This park provides access to the breakwater walkway and links pedestrians from Sir Peter Blake Parade through the park to the coastal / marina walkway. This 3.5m (Min) wide path incorporates coastal planting, seating and 'eddy' spaces for gathering along the coastal edge. Newly configured marina pier access connects to the walkway with ramps aligned parallel to the coastline. South Park (1,400m2), oriented south and east is oriented to the view of the Auckland Central City and skyline with the coastal boardwalk here also providing pedestrian access to the Bayswater Ferry Pier. A row of established Pohutukawa trees are retained in this location with 26 of the existing Pohutukawa proposed to be transplanted elsewhere along the coastal edge. In total 128 trees are proposed to be planted providing a green coastal and predominantly native framework to the Precinct. In total 7,750m2 of quality, coastal open space is provided to support the wider community, berth holder, ferry and residential use of the Precinct.

The proposed urban form is structured around a simple legible street network maintaining marina berth, ferry pier and boat ramp access whilst providing residential sub-precinct access to the south, central and north residential precincts. North Lane has a shared space design with very low traffic volumes whilst the extension to Sir Peter Blake Parade, Cross Street, Link Street and South Street are designed as low traffic streets providing pedestrian as well as vehicular access.

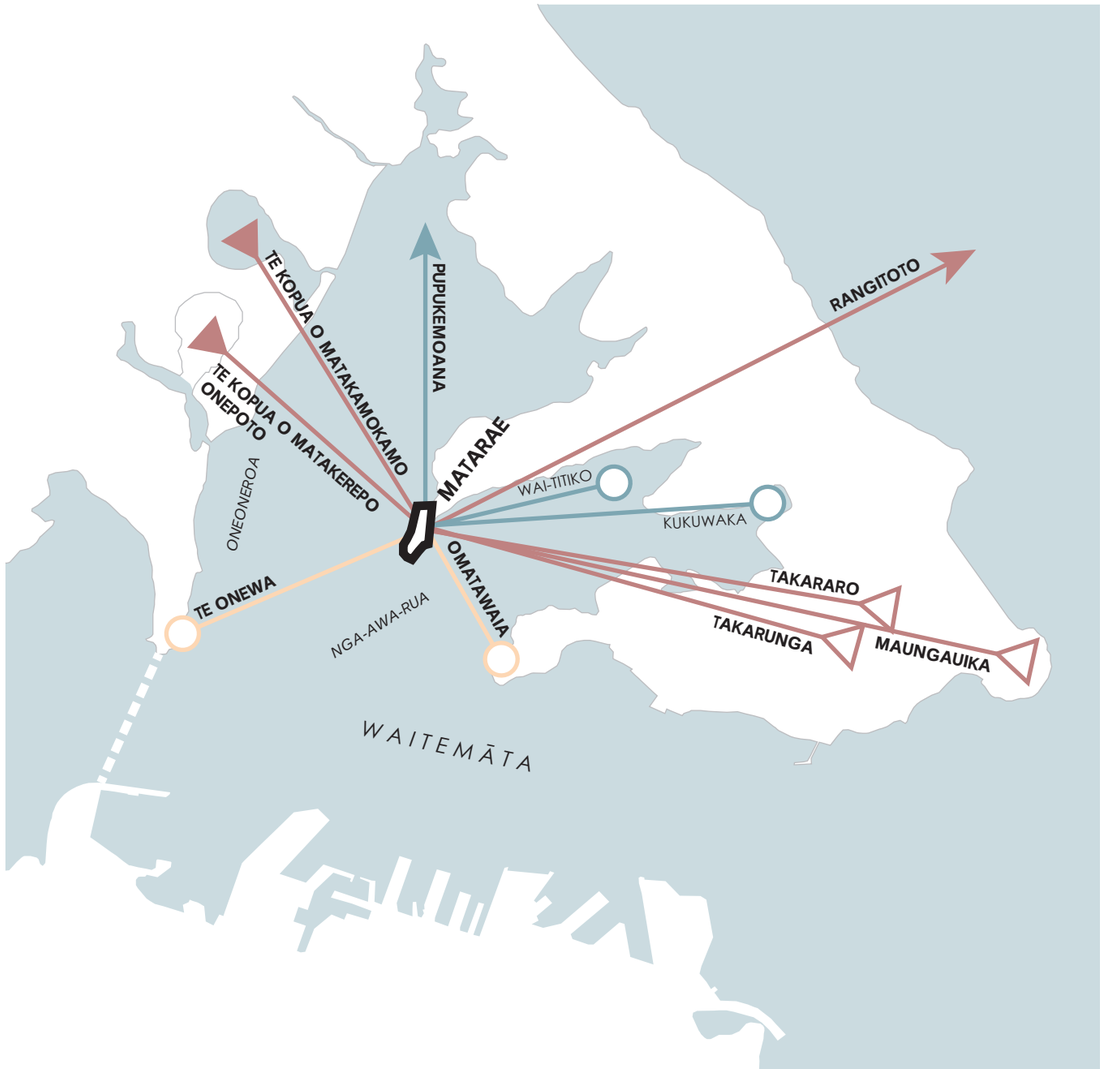
Provision of marina berth holder parking is designed to take on a softened, coastal character. These legally required car parks have a low level of use with very limited 'peak' days associated with Auckland's traditional 'harbour festival' and boating weekend events such as Auckland Anniversary Weekend. For the majority of the time they will remain unoccupied as open space contiguous with the public boardwalk / walkway adjoining the marina water's edge. Car parks throughout the Precinct (other than those designated for marina loading which have an exposed aggregate concrete surface) have been designed to incorporate a planted central strip (with a reinforced soil medium) to 'green' the parking bays and increase the extent of permeable surfacing.

The proposed development will transform the landscape of the Bayswater Marina from a surface carpark and hard surface dominated hardstand to a high quality public realm designed as an amenity for the local Bayswater community, users of the site (berth holder, ferry, boat ramp) and future residents. The introduction of a 24/7 residential presence will also enhance the safety of the Precinct for users and provide desirable passive surveillance for the marina and publicly accessible open space which will be established and maintained by the Marina and residential body corporate structures.

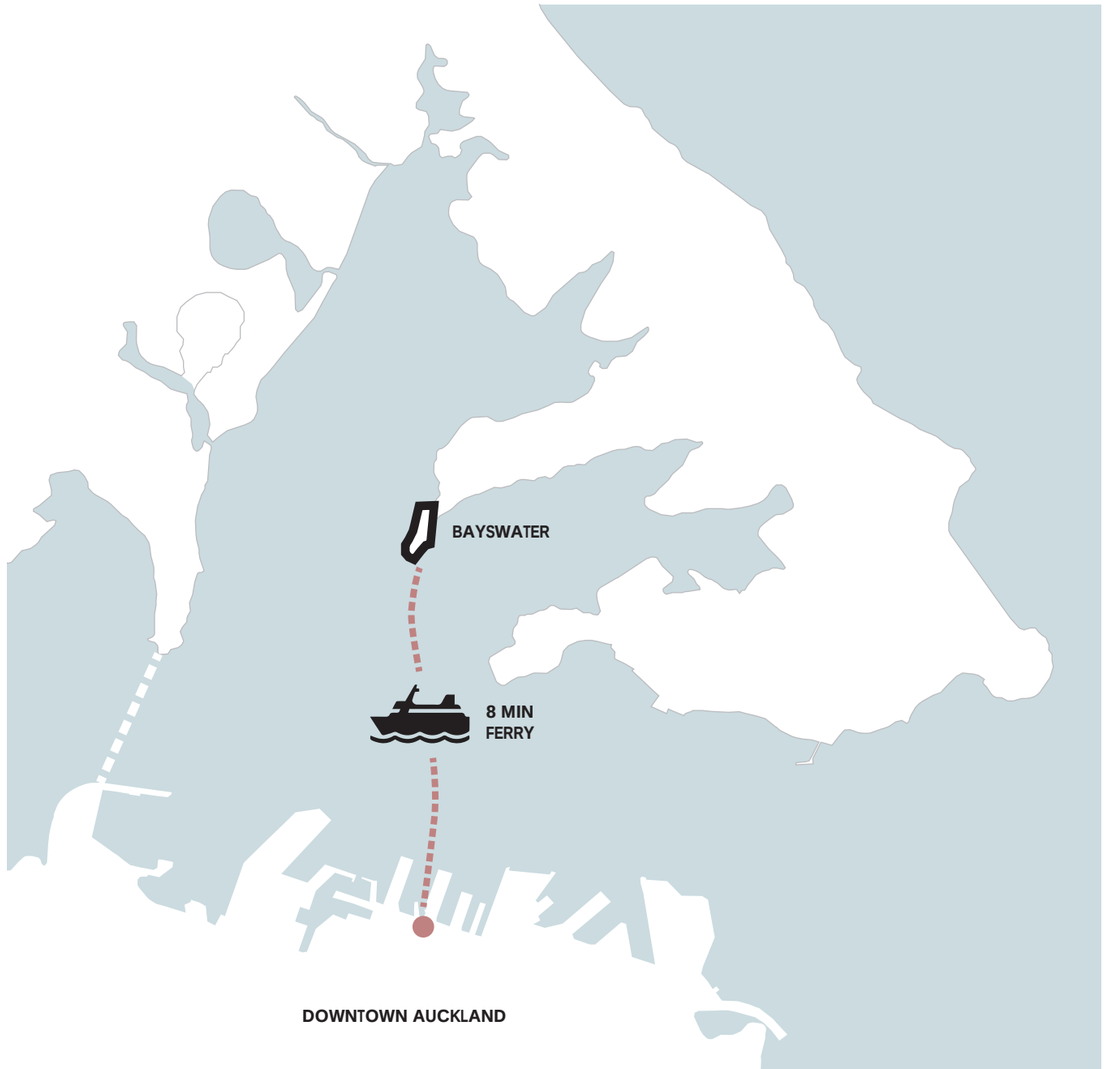
BAYSWATER MARITIME PRECINCT CONTEXT

CONTEXT IN THE WAITEMATĀ | BAYSWATER MARITIME PRECINCT

LANDSCAPE FRAMEWORK

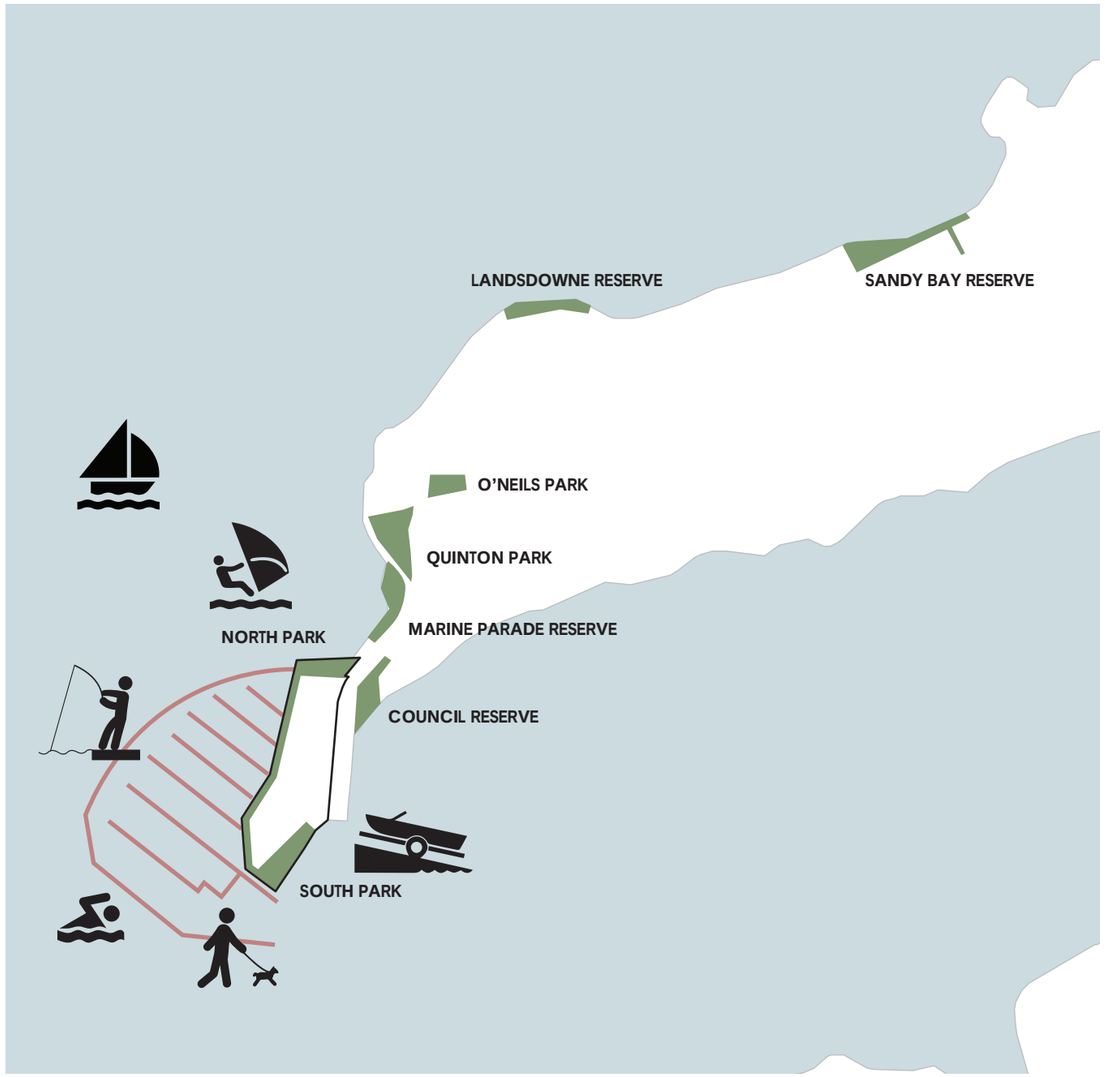


01 - CONNECTION TO SIGNIFICANT LANDMARKS

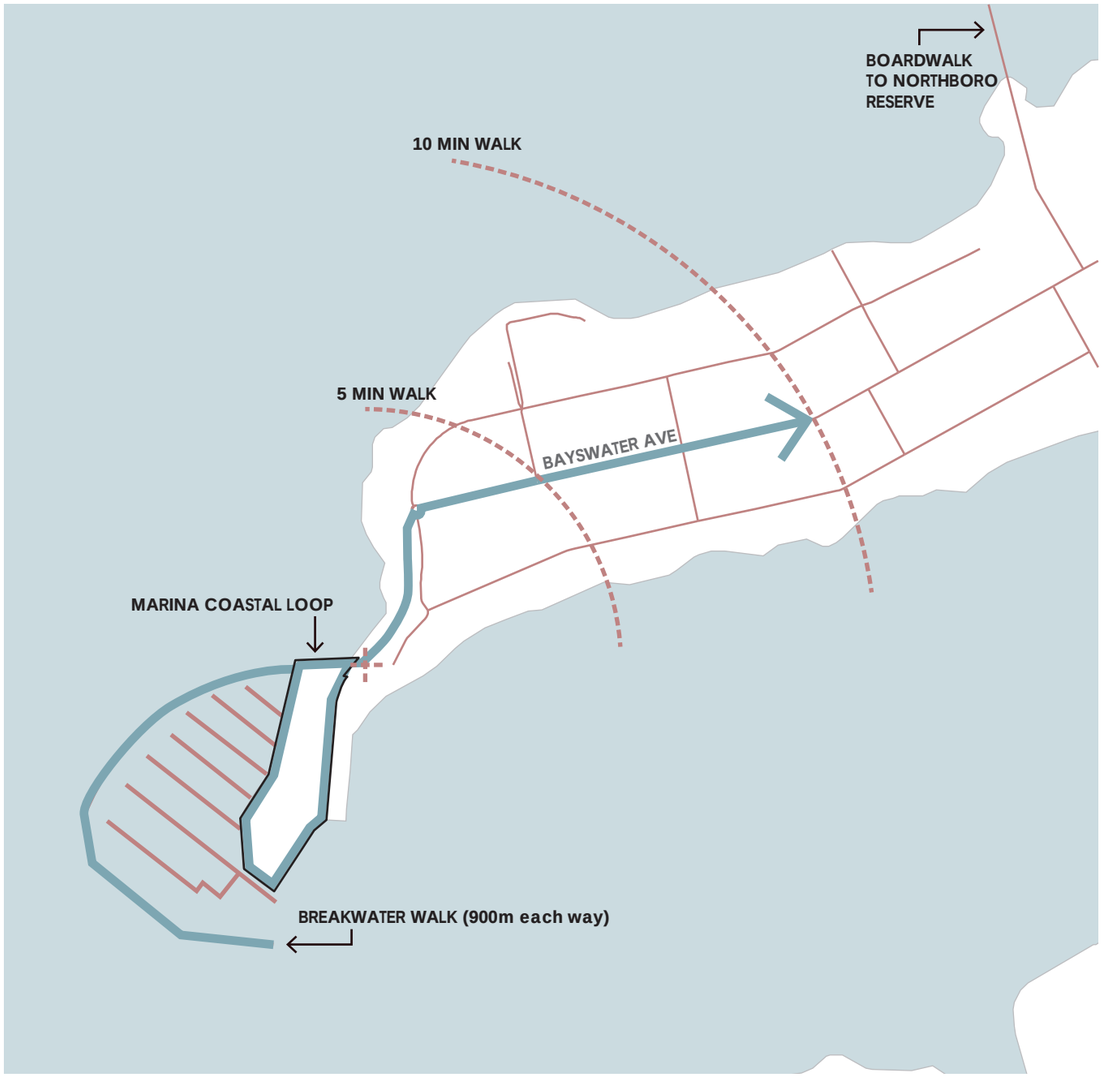


02 - CONNECTION TO THE CITY

LANDSCAPE FRAMEWORK



03 - RECREATION LINKS AND OPPORTUNITIES



04 - COMMUNITY CONNECTIONS

BAYSWATER MARITIME PRECINCT: EXISTING CONDITIONS

KEY

1. Marine Parade Reserve
2. Quinton Park
3. Shoal Bay
4. Ngatarina Bay
5. O'Neills Point
6. Ferry pier
7. Floating breakwater
8. Marina berths
9. Marina berth holder carparking
10. Boat yard
11. Auckland Transport land
12. Council reserve
13. Future ferry pier

EXISTING CONDITIONS | BAYSWATER MARITIME PRECINCT

BAYSWATER MARITIME PRECINCT MASTERPLAN OVERVIEW

KEY

1. Boat ramp
2. South Park
3. Pohutukawa trees retained
4. Fueling dock
5. Ferry pier
6. Floating breakwater
7. Coastal boardwalk
8. Bayswater marina office with apartments above
9. Café with apartments above
10. Commercial space with apartments above
11. South Precinct
12. Central Precinct
13. North Precinct
14. North Park
15. Marine Parade Reserve
16. Former Takapuna Boating Club
17. AT land / Takapuna Grammar Rowing Club
18. Future ferry pier

MASTERPLAN OVERVIEW | BAYSWATER MARITIME PRECINCT

PEDESTRIAN MOVEMENT STRATEGY

KEY:

MAIN PEDESTRIAN ROUTES

SECONDARY PEDESTRIAN ROUTES

FLOATING BREAKWATER WALK

SHARED SPACE

SCALE 1:2000 @ A3

0 60m

1:2000 @ A3

VEHICLE MOVEMENT STRATEGY

KEY:

BERTH HOLDER ACCESS

BOAT RAMP ACCESS

BUS ROUTE

NOTE:

Bus access to southern end of AT land predicated on retention of Pohutukawa trees, any pruning to be advised by aborist.

SCALE 1:2000 @ A3

0 60m

1:2000 @ A3

CYCLE MOVEMENT STRATEGY

KEY:

CYCLIST CIRCULATION

PUBLIC BIKE RACKS

SECURE VISITOR BIKE PARKING

PEDESTRIAN ACCESS ALONG BOARDWALK

SCALE 1:2000 @ A3

0 60m

1:2000 @ A3

BAYSWATER MARITIME PRECINCT MASTERPLAN

SITE
BOUNDARY

MASTERPLAN | BAYSWATER MARITIME PRECINCT

BAYSWATER MARITIME PRECINCT MASTERPLAN SHEET REFERENCE

MASTERPLAN SHEET REFERENCE | BAYSWATER MARITIME PRECINCT

SOUTH PARK - DETAIL PLAN 01

SOUTH PARK PLAN

SCALE 1:500 @ A3

KEY

1. Boat ramp
2. Coastal boardwalk
3. Tidal steps to MHWS
4. Boardwalk seating
5. Existing Pohutukawa retained
6. Gantry landing
7. Turnaround plaza
8. Seating space
9. Bayswater marina office with apartments above
10. Hedge adjacent to residential dwellings
11. Café with apartments above
12. Island planter with concrete seating
13. Pedestrian laneway
14. Refuse area
15. Bike racks

TOP: APARTMENTS ADJACENT TO PARK

PRECEDENTS

LEFT: EXISTING POHUTUKAWA, RIGHT: EXAMPLE OF SEATING ELEMENTS

SOUTH PARK SECTION

SOUTH PARK SECTION LOCATION PLAN

SCALE 1:1000 @ A3

SOUTH PARK SECTION 01

SCALE 1:100 @ A3

SOUTH PARK SECTION

SOUTH PARK SECTION LOCATION PLAN

SCALE 1:1000 @ A3

SOUTH PARK SECTION 02

SCALE 1:100 @ A3

SOUTH STREET SECTION

SOUTH STREET SECTION LOCATION PLAN

SCALE 1:1000 @ A3

SOUTH STREET SECTION 01

SCALE 1:100 @ A3

CROSS STREET - DETAIL PLAN 02

CROSS STREET PLAN

SCALE 1:500 @ A3

KEY

1. Café with apartments above
2. Café spill-out area
3. Island planter with concrete seating
4. Seating area
5. Commercial space with apartments above
6. Pedestrian accessways
7. Laneway to South Precinct
8. Vehicle entries to South and Central Precincts
9. Parking bays with timber wheelstops and planted permeable strips
10. Boat trailer park
11. Large Pohutukawa
12. Accessible parking
13. Bike racks

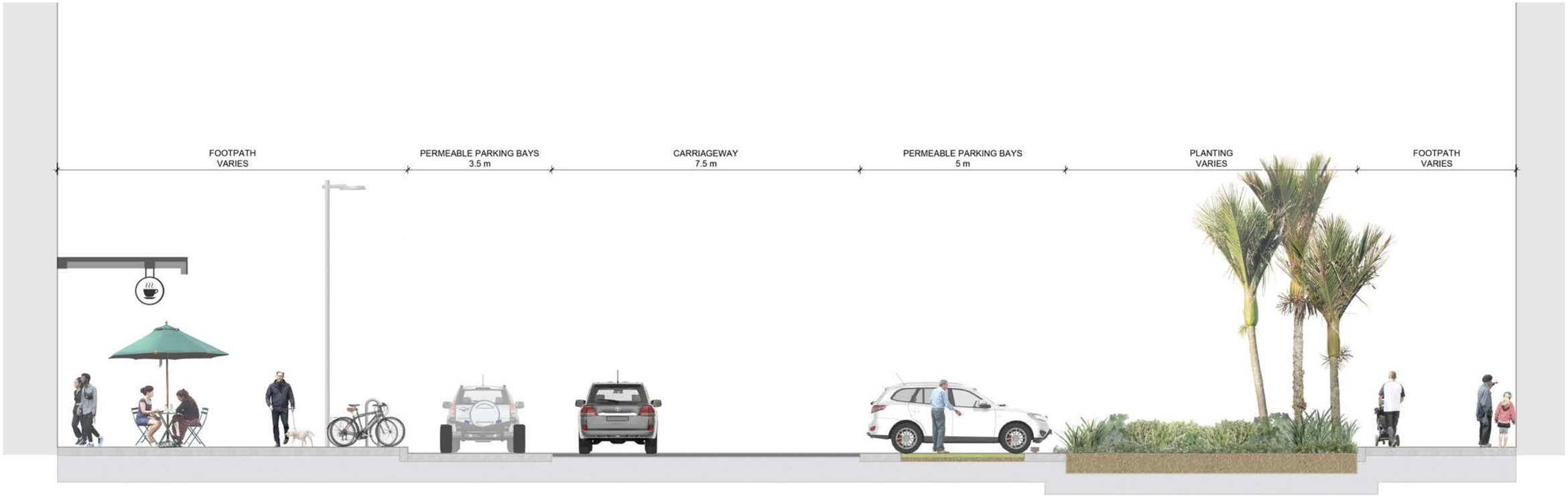
TOP: EXAMPLE OF SEATING

PRECEDENTS

CROSS STREET SECTION

CROSS STREET SECTION LOCATION PLAN

SCALE 1:1000 @ A3



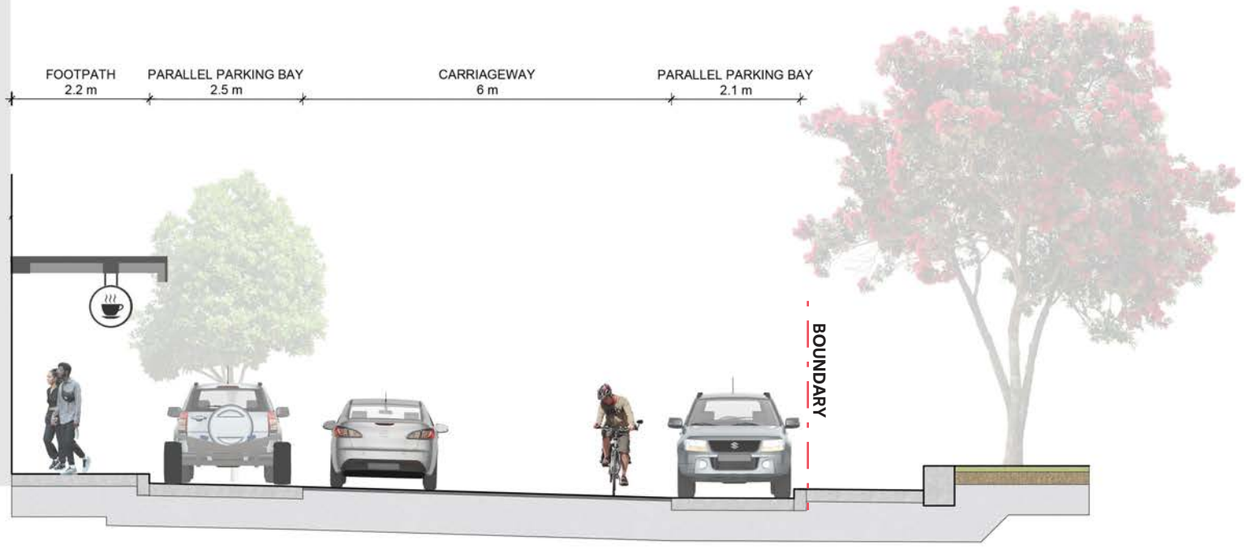
CROSS STREET SECTION 01

SCALE 1:100 @ A3

SIR PETER BLAKE PARADE SECTION

SIR PETER BLAKE PARADE SECTION LOCATION PLAN

SCALE 1:1000 @ A3



SIR PETER BLAKE PARADE SECTION 01

SCALE 1:100 @ A3

NOTE: Requires further integration with AT landscape concept and levels.

CENTRAL PRECINCT COURTYARD - DETAIL PLAN 03

KEY

1. Vehicle entry
2. Vehicle exits
3. Pedestrian laneways
4. Specimen shade trees (8#)
5. Parking bays with timber wheelstops and planted permeable strips
6. Boat trailer parking
7. Bike racks

CENTRAL PRECINCT COURTYARD PLAN

SCALE 1:500 @ A3

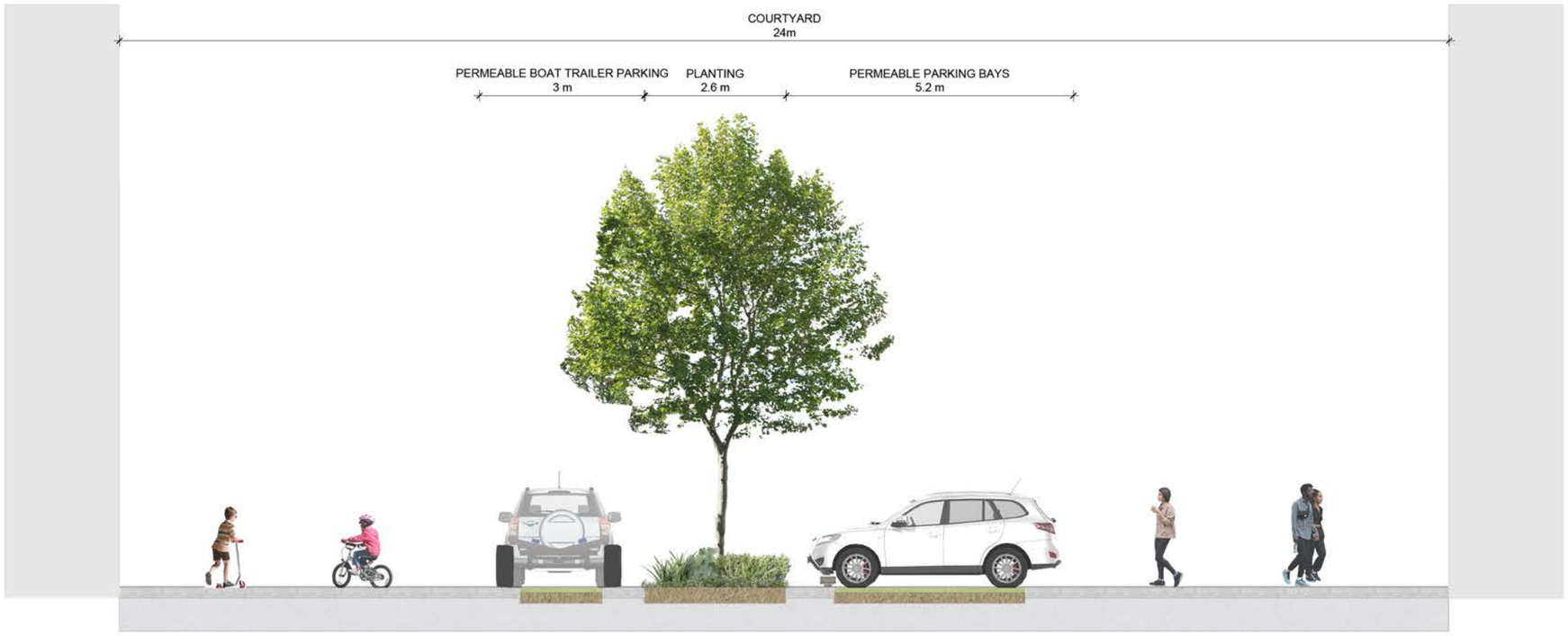
PRECEDENTS

LEFT: PEDESTRIAN LANEWAY, RIGHT: EXAMPLE OF FLUSH SURFACE COURTYARD

CENTRAL PRECINCT COURTYARD SECTION

CENTRAL PRECINCT COURTYARD SECTION LOCATION PLAN

SCALE 1:1000 @ A3



CENTRAL PRECINCT COURTYARD SECTION 01

SCALE 1:100 @ A3

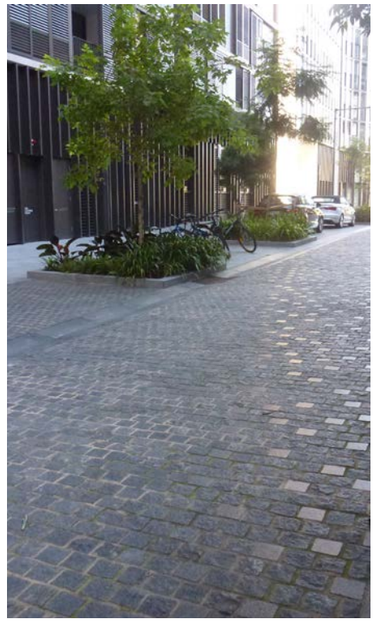
NORTH PRECINCT COURTYARD - DETAIL PLAN 04

NORTH PRECINCT COURTYARD PLAN

SCALE 1:500 @ A3

KEY

1. Vehicle entries
2. Vehicle exits
3. Pedestrian laneways
4. Specimen shade trees (3#)
5. Boat trailer parking with planted permeable strips
6. Shared space
7. Pedestrian accessway
8. Coastal walkway
9. Parking bays with timber wheelstops and planted permeable strips
10. Refuse area



PRECEDENTS

LEFT: PEDESTRIAN LANEWAY, RIGHT: EXAMPLE OF FLUSH SURFACE COURTYARD

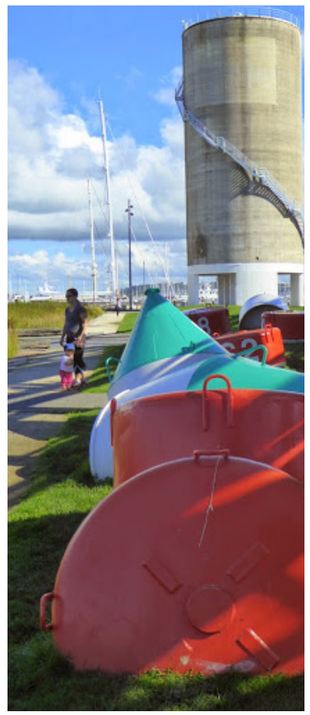
NORTH PARK - DETAIL PLAN 05

NORTH PARK PLAN

SCALE 1:500 @ A3

KEY

1. Entry to North Park
2. Shared space
3. Grass mound
4. Play scultpures
5. Coastal boardwalk
6. Corten accessway
7. Raingarden
8. Boardwalk seating
9. Access to breakwater
10. Former Takapuna Boating Club
11. Bike racks
12. Refuse area

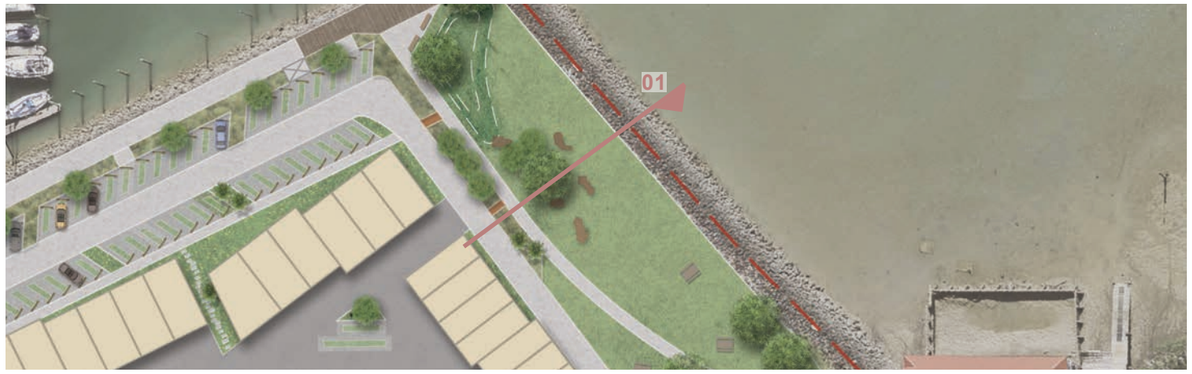


PRECEDENTS

TOP RIGHT: GRASS MOUND

LEFT AND BOTTOM RIGHT: COASTAL PLAY ELEMENTS

NORTH PARK SECTION



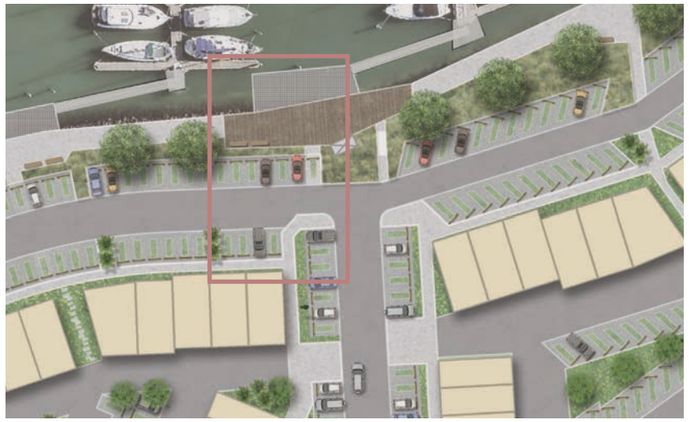
NORTH PARK SECTION LOCATION PLAN

SCALE 1:1000 @ A3

NORTH PARK SECTION 01

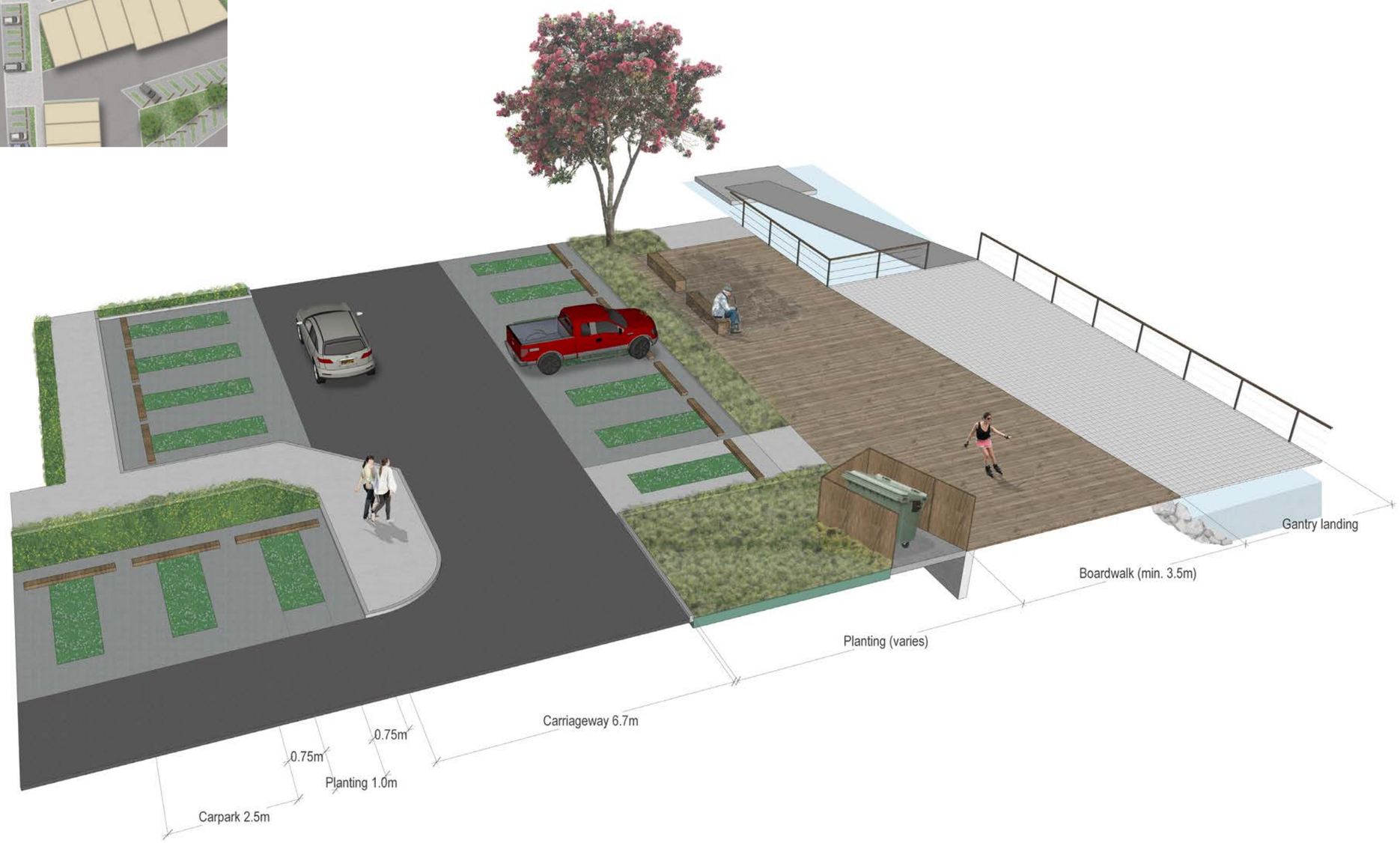
SCALE 1:100 @ A3

BOARDWALK AND BERTH HOLDER PARKING



AXONOMETRIC LOCATION PLAN

SCALE 1:1000 @ A3

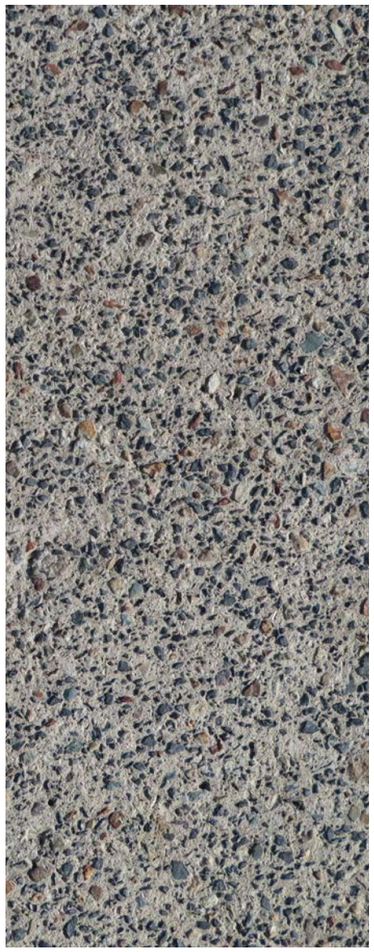


HARD MATERIALS STRATEGY

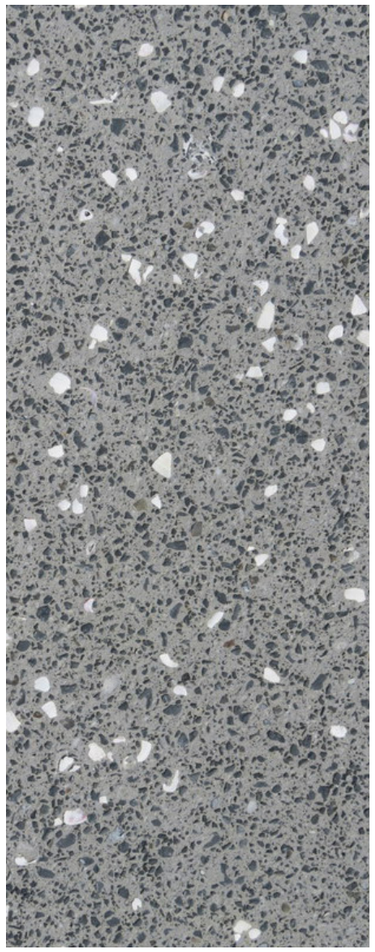
KEY:

- EXPOSED AGGREGATE CONCRETE WITH BLACK OXIDE
- EXPOSED AGGREGATE CONCRETE WITH SHELL MIX AND BLACK OXIDE
- GRANITE SETTS
- TIMBER BOARDWALK
- GANTRY LANDING MESH SURFACE
- ASPHALT CARRIAGEWAY

HARD MATERIAL STRATEGY: REFERENCE IMAGES



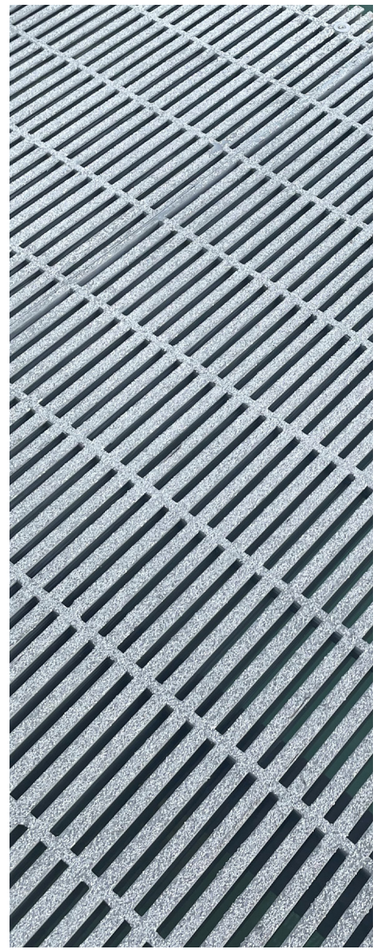
EXPOSED AGGREGATE CONCRETE WITH BLACK OXIDE



EXPOSED AGGREGATE CONCRETE WITH SHELL MIX AND BLACK OXIDE

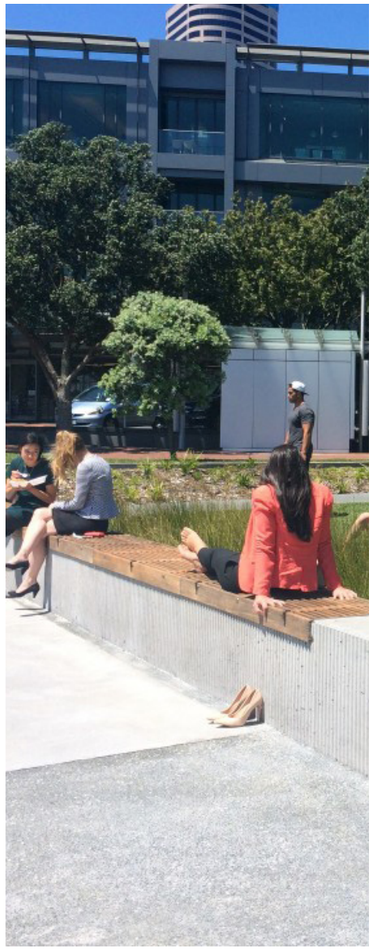
GRANITE SETTS

TIMBER BOARDWALK



GANTRY LANDING MESH SURFACE

FURNITURE: REFERENCE IMAGES



CONCRETE SEATING WALL WITH TIMBER INSET

CORTEN ACCESSWAY

TIMBER BENCH & BOARDWALK

LAWN PLAY SCULPTURES

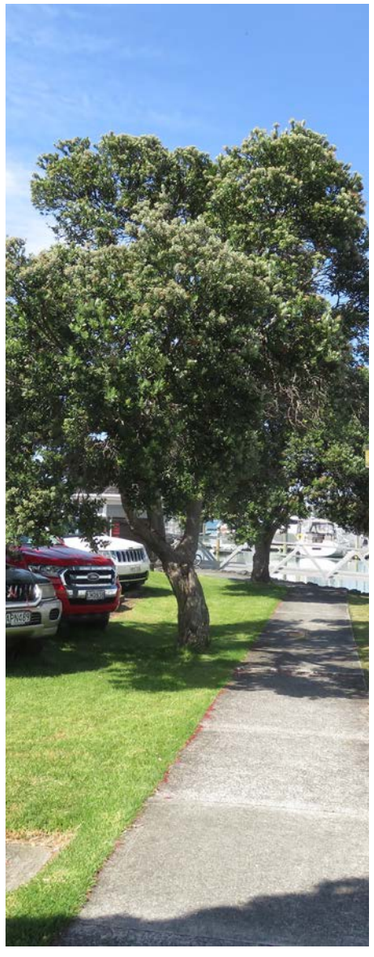
BIKE RACKS & BINS

TREE STRATEGY

KEY:

- TRANSPLANTED POHUTUKAWA (31)
- KARAKA (15)
- TARAIRE (15)
- TAWAPOU (10)
- NIKAU PALM (46)
- CABBAGE TREE + LANCEWOOD (12)

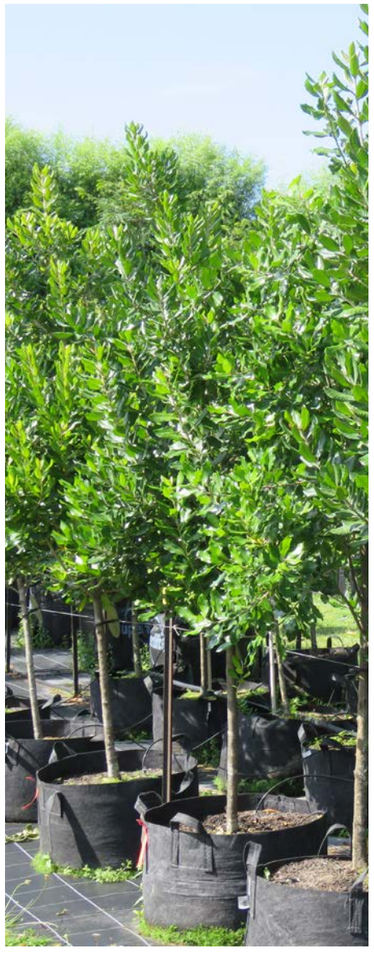
TREE STRATEGY



TRANSPLANTED POHUTUKAWA

KARAKA

TARAIRE



TAWAPOU

NIKAU PALM

CABBAGE TREE + LANCEWOOD

PLANTING STRATEGY

KEY:

- RAINGARDENS AND SWALE PLANTING
- INTERNAL COURTYARD AND AMENITY PLANTING
- BOARDWALK AND PARKING EDGE PLANTING

PLANTING STRATEGY

RAINGARDEN AND SWALE PLANTING

MACHAERINA ARTICULATA

JUNCUS GREGIFLORUS

CAREX SECTA

BOARDWALK AND PARKING EDGE PLANTING

APODASMIA SIMILIS

MUEHLENBECKIA ASTONII

CAREX COMANS

PLANTING STRATEGY

INTERNAL COURTYARD AND AMENITY PLANTING

PHORMIUM ‘DWARF GREEN’

LIBERTIA IXIOIDES

LIGULARIA RENIFORMIS

ARTHROPODIUM CIRRATUM

BOSTON IVY

POT PLANTS

LIGHTING STRATEGY

KEY:

BOARDWALK HANDRAIL LIGHTING

STREET LIGHT POLES

BOLLARD LIGHTS

TREE UPLIGHTERS

LIGHTING STRATEGY

BOARDWALK HANDRAIL RECESSED LIGHTING

STREET LIGHT POLES AND LUMINAIRES

ACCESSWAY AND BOARDWALK EDGE LIGHTING

TREE UPLIGHTERS

kittlittlejohn barrister

14 January 2022

David Hollingsworth
Bayswater Marina Holdings Limited
AUCKLAND

By email

Dear David,

BUN60373319 – 21 SIR PETER BLAKE PARADE, BAYSWATER – BAYSWATER MARINA HOLDINGS LIMITED

1. You have sought my advice on two legal issues that have arisen following the receipt of submissions on Bayswater Marina Holdings Limited's (**BMHL**) resource consent application BUN60373319 relating to the proposed Bayswater Maritime Precinct at Bayswater Marina, 21 Sir Peter Blake Parade, Bayswater (**Application**).

2. The issues are:

    a. The relevance of section 230 of the Resource Management Act 1991 (**RMA**) to the subdivision component of the Application;

    b. The relevance to the Application of the Auckland Unitary Plan (**AUP**) Auckland-wide rules in chapter E38 – Subdivision Urban relating to esplanade strips.

3. In summary:

    a. The default statutory requirement in section 230 of the RMA, whereby a 20m wide esplanade reserve must be vested in the Council upon the creation of allotments less than 4 hectares adjacent to mean high water springs, is expressly varied in relation to BMHL's land by rule I504.6.4 in the Bayswater Marina Precinct (**BMP**). This rule specifies that on subdivision of the land in question an esplanade strip of no less than 15 metres shall be created;

    b. Rules A9 and A10 in Table E38.4.1 are triggered by the Application and give rise to a further discretionary consent consideration. However, rule I504.6.4 and its specific requirements for the BMHL land prevails in this case rendering the considerations engaged by these rules irrelevant to the Application.

Kitt Littlejohn

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Relevance of section 230

Relevant RMA provisions

4. Section 230(3) of the RMA provides:

> ***Except as provided by any rule in a district plan made under section 77(1)****, or a resource consent which waives, or reduces the width of, the esplanade reserve, where an allotment of less than 4 hectares is created when land is subdivided, an esplanade reserve 20 metres in width shall be set aside from that allotment along the mark of mean high water springs of the sea…..and shall vest in accordance with section 231.* (Emphasis added)

5. The requirement in section 230 is explicitly qualified by the phrase: "Except as provided by any rule in a district plan made under section 77(1)". The effect of this exception is that where a district plan rule has been promulgated that provides for an alternative esplanade outcome to the one envisaged by section 230(3), then that district rule will prevail.

6. Section 77(1) of the RMA provides:

> *Subject to Part 2 and having regard to section 229 (purposes of esplanade reserves), a territorial authority may include a rule in its district plan which provides, in respect of any allotment of less than 4 hectares created when land is subdivided,−*
> *(a) that an esplanade reserve which is required to be set aside shall be of a width greater or less than 20 metres:*
> *(b) that section 230 shall not apply:*
> *(c) that instead of an esplanade reserve, an esplanade strip of the width specified in the rule may be created under section 232.*

7. The section allows rules to be included in a district plan that an esplanade strip be created on subdivision, instead of an esplanade reserve, and that the strip be of any width (as specified in the rule).

Rule I504.6.4

8. Rule I504.6.4 is included in the provisions relating to the BMP. These provisions were promulgated via the statutory planning process that established the Auckland Unitary Plan. The BMP provisions are the result of a decision by the Council accepting the Independent Hearings Panel's recommendations. Rule I504.6.4 was one of those recommendations.

9. The rule provides:

> *(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.*

10. As the BMHL Application relates to sub-precincts A and B and contemplates subdivision by way of unit title of the land rule I504.6.4 is therefore engaged.

11. Furthermore, as rule I504.6.4 is a rule in a district plan made under section 77(1) of the RMA (it specifies that an esplanade strip of minimum 15m width be created), it prevails over the statutory esplanade reserve requirement in section 230 of the RMA.

12. It follows that there is no legal basis to require BMHL to vest an esplanade reserve as part of its development and any condition imposed to that effect would be ultra vires the Council's powers as a consent authority and legally flawed. The BMP requires an esplanade strip of no less than 15m in width to be created and compliance with the rule (as is proposed by BMHL) is the legal expectation in this case.

Relevance of AUP E38 –Subdivision Urban provisions

13. All activities classified as permitted, controlled and restricted discretionary in BMP activity Table I504.4.1 are subject to rule I504.6.4 (see above). Strictly considered, the standard does not apply to the Application insofar as it relates to residential buildings, as they are classified as discretionary. However, as the rule is triggered only on subdivision involving sub-precincts A or B, and Table I504.4.1 does not provide for subdivision, it follows that it is intended to operate as a standard to be met on the subdivision of the land under E38 – Subdivision Urban.

14. The Application seeks consent to undertake a unit title subdivision and is thus a controlled activity under A4 in Table E38.4.1, provided it meets the General standards for subdivision in E38.6, the Standards for subdivision for specific purposes (E38.7.2.3) and standard I504.6.4. My understanding is that the subdivision component of the Application meets all of these standards, or can be conditioned to ensure that it does if consent is approved.

15. Table E38.4.1 includes two other activities that, on their face, are also engaged by the Application. They are A9 - "subdivision establishing an esplanade strip", and A10 – "any reduction or waiver of esplanade reserves or strips". As rule I504.6.4 requires subdivision of BMHL's land to provide an esplanade strip of no less than 15m, and that is what the Application proposes, discretionary consent under A9 and A10 is consequently required. However, this does not change the overall status of the Application.

16. In my opinion, activities A9 and A10 in Table E38.4.1 do not operate to override rule I504.6.4; rather, the opposite is the case. This is because the power to take land for esplanade purposes is derived from section 230 of the RMA and in the case of the land at Bayswater, this power has been expressly modified by the promulgation of rule I504.6.4 under section 77 of the RMA. A9 and A10 will always be relevant on a subdivision application where section 230 is the default setting, because they provide for the consideration of whether an esplanade strip instead of an esplanade reserve is appropriate, and whether the reserve (or strip) should be less than the statutory expectation of 20m. That is, they are relevant to the scenario where a landowner is seeking a resource consent to depart from the statutory expectation in section 230 of the RMA.

17. However, that expectation has already been modified in respect of the BMHL land: rule I504.6.4 applies. BMHL does not require a resource consent to provide an esplanade strip instead of an esplanade reserve, or for that strip to be less than 20m in some parts (provided it is not less than 15m), because the requirements of section 230 have already been modified for this land pursuant to a First Schedule RMA process.

18. Although A9 and A10 in Table E38.4.1 apply to the Application, they cannot therefore be treated as determinative of this aspect of it because rule I504.6.4 is the most specific applicable rule. The chapter E38 objectives and policies as they relate to A9 and A10 are similarly engaged for consideration as required by section 104, but must also be considered in light of rule I504.6.4 and what BMHL proposes. The Auckland-wide policy framework for

esplanade reserves etc on subdivision cannot logically operate to defeat a particular outcome specified in a place-based precinct provision.

Yours sincerely,

Kitt Littlejohn
Barrister

View Instrument Details

Instrument No.	9592729.5
Status	Registered
Date & Time Lodged	12 Dec 2013 16:23
Lodged By	Williams, Daniel Alexander
Instrument Type	Encumbrance

Affected Computer Registers	Land District
639741	North Auckland

Annexure Schedule: Contains 4 Pages.

Encumbrancer Certifications

I certify that I have the authority to act for the Encumbrancer and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Daniel Alexander Williams as Encumbrancer Representative on 11/12/2013 12:55 PM

Encumbrancee Certifications

I certify that I have the authority to act for the Encumbrancee and that the party has the legal capacity to authorise me to lodge this instrument ☑

I certify that I have taken reasonable steps to confirm the identity of the person who gave me authority to lodge this instrument ☑

I certify that any statutory provisions specified by the Registrar for this class of instrument have been complied with or do not apply ☑

I certify that I hold evidence showing the truth of the certifications I have given and will retain that evidence for the prescribed period ☑

Signature

Signed by Keely Anne Marbeck as Encumbrancee Representative on 11/12/2013 04:18 PM

***** End of Report *****

Encumbrance Instrument

(Section 101 Land Transfer Act 1952)

Affected instrument Identifier and type (if applicable)	All/part	Area/Description of part or stratum
639741	All	Lot 1 Deposited Plan 309604

Encumbrancer

BAYSWATER MARINA HOLDINGS LIMITED

Encumbrancee

HER MAJESTY THE QUEEN

Estate or interest to be encumbered *Insert e.g. Fee simple, Leasehold in Lease No. etc*

Fee Simple

Encumbrance Memorandum Number

Not applicable

Nature of security *State whether sum of money, annuity or rentcharge and amount*

Rentcharge of $20 per annum

Encumbrance *Delete words in { }, as appropriate*

The Encumbrancer encumbers for the benefit of the Encumbrancee the land in the above computer register with the above rentcharge, to be raised and paid in accordance with the terms set out in the Annexure Schedule and so as to incorporate in this Encumbrance the terms and other provisions set out in Annexure Schedule for the better securing to the Encumbrancee the payment secured by this Encumbrance, and compliance by the Encumbrancer with the terms of this encumbrance.

Annexure Schedule Page 2 of 4 Pages

Insert instrument type

Encumbrance

Continue in additional Annexure Schedule, if required

Terms

1. Length of term: 999 years commencing on the date of registration of this Encumbrance.
2. Payment date(s): 1 January in each year during the term (if demanded).
3. Rate(s) of interest: Nil.
4. Event(s) in which the sum, annuity or rentcharge becomes payable: As set out in the Annexure Schedule.
5. Events in which the sum, annuity or rentcharge ceases to be payable: Nil.

Covenants and conditions *Continue in Annexure Schedule(s), if required*

As set out in the Annexure Schedule.

Modification of statutory provisions *Continue in Annexure Schedule(s), if required*

Sections 154 and 156 of the Land Transfer Act 1952, Sections 23, 203-205, 283, 288-290 and 301-302 of the Property Law Act 2007 and Section 4 of the Contracts (Privity) Act 1982 shall apply to this Encumbrance but otherwise (and without prejudice to the Encumbrancee's rights of action at common law as a rent-chargee) the Encumbrancee shall not be entitled to any of the powers and remedies given to encumbrancees by the Land Transfer Act 1952 and the Encumbrancee shall not be entitled to any of the powers and remedies given to mortgagees under the Land Transfer Act 1952 or the Property Law Act 2007.

Annexure Schedule Page 3 of 4 Pages

Insert instrument type

Encumbrance

Continue in additional Annexure Schedule, if required

ANNEXURE SCHEDULE

INTRODUCTION

A. The Encumbrancer is the registered proprietor of the Land.

B. The Encumbrancee vested fee simple title to the Land in the Encumbrancer pursuant to a determination made under section 36 of the Marine and Coastal Area (Takutai Moana) Act 2011.

C. As a condition of the vesting of fee simple title to the Land in the Encumbrancer, the Encumbrancee required that this Encumbrance be registered against the Land to preserve public access to the Coastal Access Strip.

D. This Encumbrance is registered in order to give effect to the Encumbrancee's requirement.

IT IS AGREED AS FOLLOWS:

1. **Definitions and Interpretation**: In this Encumbrance, unless the context otherwise requires:

   "**Coastal Access Strip**" means that part of the Land having a width of 15 metres extending along the perimeter and abutting the landward margin of the Land and the line of the mean high water springs.

   "**Encumbrance**" means this encumbrance instrument;

   "**Encumbrancee**" means Her Majesty the Queen.

   "**Encumbrancer**" means Bayswater Marina Holdings Limited together with its successors and assigns.

   "**Land**" means all of the land comprised within computer freehold register 639741.

   "**Pedestrian Access Rights**" means the pedestrian only right to enter, remain in, leave, pass and repass in, on and over the Coastal Access Strip at all times.

2. **Pedestrian Access Rights**: The Encumbrancer agrees to grant to and preserve for the benefit of the public the Pedestrian Access Rights.

3. **Limitations on Pedestrian Access Rights**: The Encumbrancer shall be entitled to restrict the Pedestrian Access Rights of the public granted pursuant to clause 2 and/or prohibit the public from accessing the Coastal Access Strip for such temporary periods as may be necessary for safety and security reasons, including (without limitation) or

Annexure Schedule Page 4 of 4 Pages

Insert instrument type

Encumbrance

Continue in additional Annexure Schedule, if required

holding a special event.

4. **Right to remove**: The Encumbrancer may, in its sole discretion, remove and/or restrict the Pedestrian Access Rights of any member of the public who the Encumbrancer deems is:

   (a) causing or is likely to cause a nuisance to other members of the public, the Encumbrancer or other permitted users of the Coastal Access Strip; and/or

   (b) acting or behaving in an inappropriate manner.

5. **Encumbrancer's right to grant interests**: Nothing in this Encumbrance shall prevent the Encumbrancer from using and leasing the Coastal Access Strip for the purposes of vehicular circulation and parking for users of the marina located adjacent to the Land.

6. **Term**: The term of this Encumbrance is 999 years commencing on the date this Encumbrance is registered with Land Information New Zealand against the computer freehold register for the Land and no power is implied for the Encumbrancer to determine this Encumbrance prior to the expiry of such term for the breach of any of the covenants in this Encumbrance (express or implied) or for any other cause.

7. **Binding covenant**: The Encumbrancer covenants and agrees with the Encumbrancee that the obligations of the Encumbrancer named in this Encumbrance shall run with the Land and bind every person who becomes the registered proprietor of the Land.

8. **Consent of Encumbrancee**: For the purposes of the Property Law Act 2007 and the Land Transfer Act 1952, the Encumbrancee consents to the following dealings affecting the Land without having to execute a consent instrument:

   (a) creation, variation or surrender of an easement or covenant;

   (b) grant of a mortgage, variation of a mortgage instrument or priority of mortgages;

   (c) registration of a lease, lease variation instrument or surrender of a lease;

   (d) the transfer of all or any part of the Land; and

   (e) any dealing that is expressed as subject to this Encumbrance.

9. **Variations**: This Encumbrance may only be amended by a variation of encumbrance instrument executed by all parties.

10. **Notices**: Any notice required to be served on any party shall be in writing and served in accordance with the Property Law Act 2007.

Memorandum

To: David Hollingsworth

From: Daniel Ahern

Date: 21st January 2022

Subject: Bayswater Marina Ecology Input

INTRODUCTION

The Bayswater marina is located at the south-western terminus of the Bayswater peninsula (at O'Neill's Point) and comprises 3.34ha of reclaimed land adjacent to the 11-hectare, 418 berth, Bayswater Marina, made operational in 1998.

Bayswater Marina Holdings Limited seeks to redevelop the reclaimed land at the end of Sir Peter Blake Parade by constructing the Bayswater Maritime Precinct that will establish residential terraced housing/apartments as well as develop public open spaces, recreation facilities and improve access to the seaward edge of the precinct. It is understood that no works will be taking place below the mean high water mark (MHWM).

4Sight Consulting Ltd (4Sight) has been engaged by Empire Capital Ltd to provide ecological input on the potential effects of the proposed development on the existing environment relating to issues raised by Forest and Bird in a submission on the resource consent application. This memo provides a high level ecological assessment of effects that addresses the ecological value of the existing environment, the magnitude of effects the development may have on those values, and the overall level of effects likely to result from the proposed development. Specifically, this relates to avifauna, terrestrial, and marine values. Note however, that this does not constitute a complete ecological assessment of effects.

This memo has been externally peer-reviewed and amended to reflect the recommendations discussed in Appendix A.

METHODS

A site visit was carried out by a 4Sight ecologist on 17 January 2022 involving a walkover to identify the ecological values in and around the proposed area of works. Casual observations and five-minute bird counts at two locations within the proposed area of works were also undertaken for avifauna during the site visit. We note that these bird measurements provide a limited amount of information on the range of birds that may use the wider area. Records available on eBird[1] show 36 species have been identified in Shoal Bay and Ngataringa Bay, located immediately west and east of the marina, respectively. We have assumed these and potentially additional species may use the area that weren't identified at the time of survey. For these reasons we have taken a conservative approach in the assessment based on this information.

ECOLOGICAL VALUES

Avifauna

A total of seven species of bird were identified within the immediate proposed area of works during the site visit (Table 1) of which four were native or endemic and three were introduced and naturalised species.

[1] https://ebird.org/hotspot/L3983643, https://ebird.org/hotspot/L3997977, https://ebird.org/atlasnz/checklist/S77779558

Red-billed gull, although common, are classified as 'At Risk – Declining' by Robertson *et al.*[2] because of pressures on breeding success. A total of seven individuals were identified during the duration of the site visit with only one seen near the area of works on the adjacent council land.

Pied shag and variable oystercatcher have remained as 'At Risk – Recovering', indicating a predicted increase in the total population or area of occupancy by >10% over the next 10 years. A pied shag was observed on the outer southernmost floating pontoon to the south of the marina, while three variable oystercatcher were foraging on the revetment and boat ramp to the east of the marina.

The little shag has recently been classified as 'At Risk – Relict' following a marked decline in the numbers recorded in surveys of the Rotorua lakes, one of their breeding strongholds. Although this decline has been offset to an unknown extent by increased numbers recorded in recent decades in the southern North Island and in the South Island, the panel noted a lack of good overall population trend data. Two little shag were perched near the wooden storage facilities on the eastern side of the reclamation.

Wrybill (Threatened, Naturally Increasing) and New Zealand Dotterel (Threatened, Naturally Increasing) have been recorded on eBird in the Shoal Bay and Ngataringa Bay area. The Threatened – Nationally Increasing category replaces the old At Risk – Recovering A category, which would only have triggered a High ecological value under the Ecological Impacts Assessment (EcIA) standards. So, although there are two species ranked as Threatened (rather than At Risk), the overall ranking of this site is High (rather than Very High).

Following the guidance of the EcIA criteria for assigning ecological value to species[3] (Table 2), the presence of 'At Risk – Declining' species would trigger an ecological value of high, while the presence of 'At Risk – Recovering or Relict' would trigger an ecological value of moderate. Although the native species observed are not wholly reliant on the habitat within the proposed area of works, were only seen around the proposed development footprint (i.e., out on floating pontoons or along the breakwater), and the observed counts of individuals were low, following EcIA guidelines the overall avifauna values in the vicinity of the proposed works site are high.

Table 1: Species of bird recorded at the Bayswater Marina.

Scientific Name	Common Name	Threat Status
Larus novaehollandiae scopulinus	Red-Billed Gull	At Risk - Declining
Phalacrocorax varius	Pied Shag	At Risk - Recovering
Haematopus unicolor	Variable Oystercatcher	At Risk - Recovering
Phalacrocorax melanoleucos brevirostris	Little Shag	At Risk - Relict
Acridotheres tristis	Common Myna	Introduced & Naturalised
Columba livia	Rock Pidgeon	Introduced & Naturalised
Passer domesticus	Sparrow	Introduced & Naturalised

[2] Robertson, H.A.; Baird, K.A.; Elliott, G.P.; Hitchmough, R.A.; McArthur, N.J.; Makan, T.D.; Miskelly, C.M.; O'Donnell, C.F.J.; Sagar, P.M.; Scofield, R.P.; Taylor, G.A.; Michel, P. 2021: Conservation status of birds in Aotearoa New Zealand, 2021. New Zealand Threat Classification Series 36. Department of Conservation, Wellington. 43 p.

[3] Roper-Lindsay, J., Fuller, S. A., Hooson, S., Sanders, M. D., & Ussher, G. T. (2018). Ecological impact assessment (EcIA). EIANZ guidelines for use in New Zealand: Terrestrial and freshwater ecosystems (2nd ed.). Environment Institute of Australia and New Zealand.

Table 2: Criteria for assigning ecological value to species (Roper-Lindsay et al., 2018).

Ecological Value	Species Classification
Negligible	Exotic species, including pests, species having recreational value.
Low	Nationally and locally common indigenous species.
Moderate	Species listed as any other category of At Risk (Recovering, Relict, Naturally Uncommon) found in the ZOI either permanently or seasonally; or Locally (ED) uncommon or distinctive species.
High	Species listed as At Risk – Declining found in the ZOI either permanently or seasonally.
Very High	Nationally Threatened (Nationally Critical, Nationally Endangered, Nationally Vulnerable) species found in the ZOI either permanently or seasonally.

Terrestrial

Within the proposed development footprint, there is little habitat available that would support any meaningful ecological value. The berms and verges are all mown and maintained grasses, pōhutukawa (*Metrosideros excelsa*) are planted at even spacings in these areas, a lone cabbage tree (*Cordyline australis*) sits near the centre of the site, and two maturing cook pines (*Araucaria columnaris*) are growing near the boat ramp in the south east of the development. The remaining areas within the proposed development footprint are impervious surfaces made up of sealed carparking, footpaths, breakwaters and some small structures to the north and south of the site. Although the majority of the trees are native pōhutukawa, given that the majority of the site is impervious man-made structures, and the remaining vegetated habitat is highly modified, fragmented and regularly maintained, we consider the ecological value of the terrestrial habitats to be low.

Figure 1: Example of grassed verge with planted pōhutukawa.

Figure 2: Grassed reserve with manicured lawn, planted pōhutukawa and cooks' pine.

Marine

The marine environment at the end of Sir Peter Blake Drive is a highly modified environment that has been subject to high sediment loading from Henderson Creek, reclamation, the installation of artificial seawalls, the construction of the Bayswater Marina, and the traffic of commercial and recreational vessels, all traits typical of the upper and central Waitemata Harbour areas.

Auckland council conducts regular monitoring of the environmental health within the central Waitematā and produces a 'combined health score' involving modelling that incorporates metals, mud, and ecology[4]. This score ranks from 'Extremely Good' to 'Unhealthy with Low Resilience'. Two historical

[4] Parkes, S. M and Lundquist, C. (2018). Central Waitematā Harbour ecological monitoring: 2000-2017. Prepared by the National Institute of Water and Atmospheric Research Ltd, NIWA for Auckland Council. Auckland Council technical report, TR2018/010

monitoring sites in Shoal Bay (Figure 3) scored 'Moderate', however these sites were discontinued as the macroinvertebrate community assemblages were not considered sensitive enough to detect change. A new monitoring location in the upper tidal flats of Shoal Bay has a combined health score of 'Good'.

Records available online (eBird) indicate that up to 105 bar-tailed godwit and 82 wrybill have been recorded in Ngataringa Bay, as well as several other threatened and at-risk species. The soft sediment intertidal habitat to the east of the site supports communities of macroinvertebrates and provides important foraging habitat for wading and shorebirds of the Hauraki Gulf.

While the macroinvertebrate communities are an important food source, given the highly modified nature of the marine environment around the reclamation and the greater central Waitematā Harbour, it is unlikely that the intertidal and subtidal macrofaunal communities are particularly rare or unique, or support invertebrates that are particularly rare or unique to that part of the harbour.

We consider the ecological values of the marine environment around the immediate vicinity of the proposed area of works to be moderate.

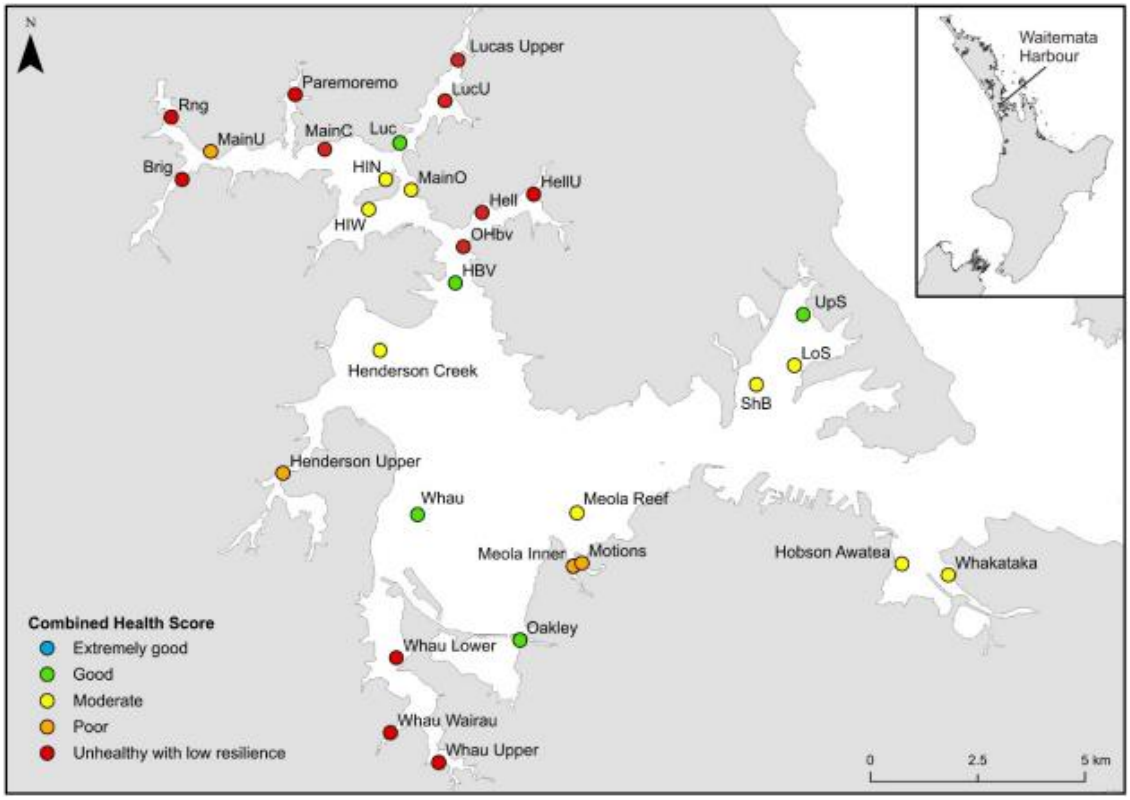

Figure 3: Map of the Waitematā Harbour showing October 2016 combined health scores (credit: Auckland Council).

ECOLOGICAL EFFECTS

Avifauna

The habitat within the proposed area of works does not offer suitable or particularly important breeding or roosting habitat for those species identified in and around the site. The birds recorded are all highly mobile species and do not exclusively feed on or forage around the habitat within the area of works. Considering that the new development will incorporate new planting, including trees, the few native species identified are unlikely to be impacted by the localised proposed construction. As a result, we consider the magnitude of effect to be low, and the potential ecological effects on avifauna associated with the temporary loss of habitat within the area of works to be low.

The intertidal habitat to the east of the site is considered to be important foraging habitat for wading and coastal seabirds. This habitat is outside the area of works and will not be affected by construction operations given the operational restrictions of working within 100m of the MHWM and within a Sediment Control Protection Area.

There is the potential for lighting from the new development to have adverse effects on animals. Animals perceive light differently from humans and most animals are sensitive to ultra-violet (UV)/violet/blue light[5]. Birds are generally known to be attracted to, and disoriented by, artificial lights[6]. However, Auckland City is positioned on a narrow isthmus with urban environments occupying large extents of the coastal margin and the proposed development site already has existing artificial lighting from lamp posts in the existing carpark and nearby, the marina, nearby residential properties and substantial light spill from the city enter across the harbour. While it is acknowledged light can potentially attract and disorientate birds, the magnitude of effects resulting from the proposed development is considered low when put in context of the artificial lighting already present in the existing environment. We consider the overall ecological effects of lighting on avifauna to be low.

Overall, we consider the potential ecological effects on avifauna to be low.

Terrestrial

The existing habitat within the works footprint has limited ecological value or function. The proposed design will include grass verges and the planting of feature trees similar to the existing habitat, as well as public park areas at the northern and southern ends of the development. Given the ecological value of the existing environment is low and the proposed development will replicate much of what is being lost, we consider the ecological effects on the terrestrial environment to be negligible.

Marine

The primary potential adverse effect of the development to the marine area is from contaminants in stormwater runoff. The existing site does not formally provide any stormwater quality treatment. A grassed swale does run around the western edge of the site but provides limited stormwater treatment and is primarily for conveyance.

The proposed development includes the redevelopment of an existing high contaminant generating carpark, and therefore the controlled activity standards under the Auckland Unitary Plan AUP must be complied with. These will be met by way of raingardens and bioretention tree pits located along the road edges and in the central courtyards. A grass swale is also proposed running along the western edge of the site which will provide some additional stormwater quality treatment.

In order to provide treatment of the roof runoff, it is proposed to provide proprietary treatment devices (hydrodynamic separators or filtration devices) located on the pipe networks. In order to capture litter and gross pollutants, all stormwater cesspits will be fitted with EnviroPods or similar filter systems. These systems will also reduce the risk of blockage of the stormwater system.

The site is located within 100m of mean high water springs and therefore is within the Sediment Control Protection Area. During the construction phase silt fences and sediment diversion drains will be provided around the harbour-side perimeter of each stage, and sediment retention ponds will be utilised to provide sediment control. No works are planned below the MWHM.

Considering the upgrades proposed to the stormwater treatment, the strict earthworks management required when working within the Sediment Control Protection Area, and the fact that no works are proposed below the MHWM, the magnitude of effects are considered to be very low. Overall, we consider the likely effects on the marine environment to be negligible.

[5] Commonwealth of Australia. 2020. National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds

[6] Rich, C. and T. Longcore (editors). 2006. Ecological consequences of artificial night lighting. Island Press.

RECOMMENDATIONS

There are no New Zealand light pollution guidelines to protect wildlife at the time of writing this memo, however, the Australian Government has recently released guidelines that are applicable to birds, particularly shorebirds and seabirds in a New Zealand setting[4]. The guidelines include best practice lighting design and light management principles, with a summary provided below.

Simple management principles can be used to reduce light pollution, including:

1) *Start with natural darkness and only add light for specific purposes.*
2) *Use adaptive light controls to manage light timing,* intensity and colour.
3) *Light only the object or area in*tended –keep lights close to the ground, directed and shielded to avoid light spill.
4) *Use the lowest intensity lighting appropriate for the task.*
5) *Use non-reflective, dark-coloured surfaces.*
6) Use lights with reduced or filtered blue, violet and ultra-violet wavelengths.

We understand that these management principles will aim to help mitigate the adverse effects artificial lighting on seabirds, and we recommend the developer considers as many of these as practicable.

Little penguin/Kororā (*Eudyptula minor*) are widely distributed along the coastlines of the North, South, Stewart and Chatham Islands and their offshore islands. One of their main breeding areas in New Zealand is the Hauraki Gulf and they have been known to establish burrows in artificial breakwaters. The central Waitematā is not considered to ideal foraging habitat compared with the central and outer gulf, however their home ranges can reach up to 20km from their colonies. The Bayswater Marina and ferry terminal has regular commercial and recreational boat traffic, and public foot traffic around the tops of the breakwater. However, given that riprap breakwaters provide cavity spaces suitable for little penguin above the MHWM, there is a possibility that some individuals may use these areas. As a penguin survey has not been undertaken, it is our recommendation that a little penguin presence or absence survey be conducted prior to construction commencing.

Daniel Ahern

From: gerrytepahu@gmail.com
Sent: Friday, 21 January, 2022 2:58 PM
To: Daniel Ahern
Cc: gkessels@bluewattle.co.nz
Subject: Bayswater Marina - Seabird Peer Review

Hi Daniel,

David Riddell and I have read the memorandum from Daniel Ahern of 4Sight Consulting dated 20th January 2022 regarding the Bayswater Marine Ecology Input and make the following comments:

The total of seven bird species seen in and around the proposed area seems low. Records available on eBird[1] show at least 36 species from the vicinity of Shoal Bay and Ngataringa Bay, including Wrybill (Threatened, Naturally Increasing), New Zealand Dotterel (Threatened, Naturally Increasing), South Island Pied Oystercatcher (At Risk, Declining), Bar-tailed Godwit (At Risk, Declining), Black-billed Gull (At Risk, Declining), and Black Shag (At Risk, Relict).

Two Threatened species are therefore known to be using the intertidal habitats around the site. However the Threatened – Nationally Increasing category replaces the old At Risk – Recovering A category, which would only have triggered a High ecological value under the EclA standards. So although there are two species ranked as Threatened (rather than At Risk) this does not affect the overall ranking of this site as High (rather than Very High). Black-billed gull (which appears to be increasing in the north of the country) was formerly considered Threatened – Nationally Critical, but a reassessment of historical data has cast doubt on the extent of its population declines, so it also does not trigger a Very High rank according to the new threat status in Robertson et al. (2021).

We agree with the assessment of the terrestrial habitat's ecological values as being low, and the overall effects of the project on the terrestrial environment to be negligible. However, we are unsure that the ecological values of the marine environment in the vicinity of the works can be considered Low-Moderate. Given that up to 105 bar-tailed godwit and 82 wrybill have been recorded in Ngataringa Bay, as well as several other threatened and at-risk species, a Moderate ranking would be more appropriate.

The marine environment therefore warrants protection from the proposed works, and we note that the proposals include installation of raingardens, bioretention tree pits and a grass swale to mitigate the impacts of the carpark redevelopment, as well as devices to provide treatment of roof runoff. We also note that the existing site does not formally provide any stormwater quality treatment. These proposals, together with the provisions for sediment control during construction, should effectively minimize effects on the marine environment, and we agree that if these proposals are implemented then likely effects on the marine environment should be negligible. We also agree that the proposed management of light pollution should mitigate the adverse effects of artificial lighting on seabirds.

https://ebird.org/hotspot/L3983643, https://ebird.org/hotspot/L3997977,
https://ebird.org/atlasnz/checklist/S77779558

Ngaa mihi | Kind Regards
Gerry Kessels
Principal Ecologist/Managing Director

Bluewattle Ecology

M: 027 286 8449
Kessels & Associates Ltd trading as Bluewattle Ecology

[1] https://ebird.org/hotspot/L3983643, https://ebird.org/hotspot/L3997977, https://ebird.org/atlasnz/checklist/S77779558