

Public to get more space at marina

Minister approves widening of marginal strip for recreational activity at Bayswater

by Wayne Thompson

Conservation Minister Chris Carter has increased the amount of land available for public access along the foreshore by the Bayswater Marina on Auckland's North Shore.

The minister said yesterday he had decided that a 15m strip will safeguard public access around the marina reclamation.

He had also agreed to lease a 3.34ha reclamation at Bayswater Pt to Bayswater Marina Developments.

The term of the lease is effectively 105 years for the company which runs the 430-berth marina.

Mr Carter said his decision was in response to concerns that the public's ability to access the entire reclamation might be hampered by potential development.

"I wanted to ensure that the public access strip was wide enough to enable the public to carry out a broad range of recreational activities, and I believe a 15m strip will achieve that."

The decision comes three years after the North Shore City Council won a High Court challenge to the Conservation Minister's March 2002 decision to reduce to

9m the marginal strip, which is the land around the coastal edge that remains in Crown ownership.

The marina's previous owner had asked that the strip be reduced to between 3.5m and 9.7m.

In a judicial review, Justice Tony Randerson found DoC made errors of law in decision and asked the minister to reconsider. But the Foreshore and Seabed Bill came along and the council had to lobby for a change to a clause that meant land reclamation would no longer be required to retain a marginal strip for public use.

SAFE HARBOUR

Chris Carter has agreed to lease 3.34ha at Bayswater Pt to Bayswater Marina Developments for 105 years.

The marina has berths for 430 boats.

The minister has also moved to ensure public access to the area.

North Shore Mayor George Wood yesterday welcomed Mr Carter's decision, saying it properly protected the public interest in an important coastal area.

The decision was accepted by the Ngataranga Bay Society, which lobbied the council to challenge the DoC decision and go for a 20m strip.

Society chairman Chris Darby said the strip was 5m down, but the society would not seek a review. Legal challenges over the strip had proved expensive for the society and the council.

"I don't think the department's Auckland office did its job and fairly represented the public interest. It made decisions in 1993

which have probably constrained it severely, but there was no excuse for a reduction from 20m to anything less under the legislation as it stood.

"The minister always had the power, be it Sandra Lee for the first decision, or Chris Carter, to nip this in the bud ... but it's dragged on and it's been extremely costly."

Mr Darby said the minister should have used his powers as he did this month when he refused to grant coastal permits for a marina at Whangamata, after the Environment Court had approved the project.

'It's dragged on and it's been extremely costly.'

Chris Darby, chairman, Ngataranga Bay Society