

## Westhaven Marina berth holder agreements: Frequently Asked Questions

### Disclaimer:

The information provided is correct as at the date of issue and reflects the council's current position and understanding. It does not constitute a warranty, guarantee, or representation of future actions or outcomes. The council reserves the right to review and amend its position as circumstances or policy decisions evolve.

Category	Question	Answer
<b>General</b>	Who owns / manages Westhaven Marina?	Auckland Council owns Westhaven Marina. The council's Westhaven Marina team continues to manage the marina on behalf of Auckland Council.
<b>General</b>	How many berths are there at Westhaven Marina?	Westhaven Marina accommodates around 1,819 vessels and has 1,573 berths. The balance is made up of charter boat berths and pile moorings.
<b>General</b>	What makes up the marina?	Westhaven Marina is made up of several areas. The main waterspace includes two primary sections: the Existing Marina, which houses 1,226 berths, and the Marina Extension, which houses 347 berths. Additional areas, such as Z-Pier and the Pile Moorings, also form part of Westhaven Marina.
<b>General</b>	Is my berth in the Existing Marina or the Marina Extension?	You can find a map on the <a href="#">website</a> , or at the marina office. The Existing Marina area includes berths from AB pier to the western side of T pier, while the Marina Extension area includes berths from the eastern side of T pier to Y pier.
<b>General</b>	How is the marina governed?	Westhaven has had a somewhat complex legal structure, which was put in place historically by Ports of Auckland when it developed the marina. The council inherited the structure when it purchased Westhaven Marina in 2004. Most of the berths in the marina are currently held within a trust structure, but the trusts are approaching the end of their terms and will soon terminate.
<b>General</b>	Is Eke Panuku Development Auckland still involved?	Eke Panuku Development Auckland Limited was wound up by Auckland Council on 30 June 2025, with all functions now incorporated within the council. Auckland Council is now responsible for the marina, however the same familiar Westhaven Marina team continues to manage the day-to-day operations.
<b>What is happening</b>	Why are things changing?	All of the berth licences within the Existing Marina expire on 29 September 2026. The Westhaven (Existing Marina) Trust, and all BEUs issued in relation to the trust, terminate 30 September 2026. At that time, all residual rights and assets comprising the Existing Marina revert to Auckland Council ownership and control. This provides

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		council the right to reset and offer a new occupancy model with effect from 30 September 2026.
<b>What is happening</b>	How will this change impact berths in the different parts of the marina?	<p><b>Existing Marina:</b> All berths in the Existing Marina will move to a full berth rental occupancy model on 30 September 2026. Well in advance of that date all current licensees in the Existing Marina will be offered a rental agreement to secure a berth with effect from 30 September. Customers who are currently renting a berth from Auckland Council in the Existing Marina will be transitioned to the updated rental agreement prior to 30 September 2026.</p> <p>The Marina team will use this opportunity to review boat and berth sizes to ensure they align. As part of that review, some customers may be asked to move their boats to berths of an appropriate size.</p> <p><b>Marina Extension:</b> No impact at this time. The berth licences for berths in the Marina Extension area do not expire until 3 April 2029, and remain valid until that time. There will be separate communications with berth holders in the Marina Extension well in advance of that expiry date to discuss the future of those berths.</p> <p><b>Z-Pier:</b> No impact. Z-Pier is not part of the trusts.</p> <p><b>Pile moorings:</b> No impact. The pile moorings are not part of the trusts.</p>
<b>The new model</b>	What occupation model will Council implement after the Existing Trust expires?	<p>On 30 September 2026, the Existing Marina will move to a 100% rental model. People with berth licences within that part of the marina will need to transition to a berth rental agreement prior to this date if they wish to remain within the marina after their berth licence expires.</p> <p>As part of the transition to the full berth rental occupancy model, Auckland Council has updated and modernised the standard berth rental agreement in use at Westhaven Marina. People currently renting berths within the Existing Marina will need to move to that updated agreement before September 2026.</p>
<b>The new model</b>	What are the terms and conditions for the updated berth rental agreement?	Details of the updated berth rental agreement can be found through the links below, including:

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		<ul style="list-style-type: none"> <li>• A sample copy of the <a href="#">updated rental agreement</a>, including specific terms, which require the details of the rental customer, vessel, insurance and other commercial matters.</li> <li>• A copy of the <a href="#">general terms and conditions</a>, which set out the basis on which the berth is rented and may be used.</li> <li>• A <a href="#">summary table</a> that explains the changes and updates made from the previous version of the standard berth rental agreement.</li> </ul> <p>Marina users should also take this opportunity to refresh themselves on the latest version of the <a href="#">Westhaven Marina Rules</a> and <a href="#">A-Z Guide to Westhaven Marina</a>, as the berth rental agreement requires that you comply with these.</p>
<b>The new model</b>	What is the term of the updated berth rental agreement?	<p>The updated agreement will be offered on an ‘ongoing’ basis (i.e. there is no specified end date requiring either a new agreement or renewal). This allows customers to remain in the marina indefinitely, unless the agreement is terminated by the customer or by Auckland Council giving notice. This approach has worked well for our current rental customers, many of whom have rented their berths in Westhaven Marina for many years.</p> <p>Under the updated berth rental agreement, the customer will be able to terminate by giving 20 working days’ notice (i.e. one month) to the marina manager, while the manager is required to give the customer notice of 60 working days’ (i.e. three months) before terminating the agreement.</p> <p>A short-term berth rental agreement will also be available, at the marina manager’s discretion, but this is only relevant to customers wishing to stay in the marina for a fixed period of a few days or weeks.</p>
<b>The new model</b>	Will Auckland Council be offering any new fixed term licences for berths?	No berth licences are being sold. Auckland Council has decided to move to a full berth rental occupancy model in the Existing Marina, and will be implementing a standard rental agreement consistently across the Existing Marina this year.
<b>The new model</b>	When will I be able to	Auckland Council intends to send rental agreements to Existing Marina customers in

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	receive and complete the updated berth rental agreement?	<p>February 2026, with instructions on how to sign and complete the form and supply any required information (for example proof of insurance). The finalisation of all rental agreements will likely require a period of months, given the large number of berths involved.</p> <p>Customers can help ensure the agreements are finalised as quickly as possible by carefully reading and following the instructions provided in their email, and ensuring all required information and documentation is provided promptly, preferably before the end of April 2026.</p>
<b>The new model</b>	Will I be able to sublet my berth as a rental customer under the updated berth rental agreement?	Rental customers may sublet their berth for short periods, subject to obtaining the marina manager's approval and complying with any conditions set by the manager at its discretion. Subletting is not intended to become an ongoing or commercial arrangement but may be permitted, for example, where a long-term rental customer is travelling overseas for a period but wishes to retain their allocated berth and resume occupancy on their return.
<b>The new model</b>	Will car parking be available to me as a rental customer?	Yes. Auckland Council is not planning any changes to the car parking at Westhaven Marina.
<b>The new model</b>	Does this change anything for the Extension Marina?	No, not at this time. Berth licences in the Westhaven Marina Extension Trust area will be unaffected and will continue until the expiry of this trust in April 2029. Future options for these berths will be considered well ahead of the Extension Trust's expiry.
<b>The new model</b>	Is anything changing with the day-to-day operations at the marina?	No. The marina team that you know and trust will continue to manage the day-to-day operations. The marina will continue to operate as normal as the updated berth rental agreements are rolled out to customers.
<b>Current licensees</b>	I own a berth licence in the Existing Marina, what will happen?	Customers who hold a berth licence and associated BEU for a berth in the Existing Marina will continue to be entitled to occupy their current allocated berth until 29 September 2026, at which point their berth licence will expire. Auckland Council will offer these customers the first opportunity to sign a rental agreement for their current berth, with the agreement taking effect from 30 September 2026, allowing continued use of the berth from that time.

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<b>Current licensees</b>	Can I stay in the same berth?	<p>Council plans to offer existing berth licensees the opportunity to rent the berth they are currently occupying, provided the vessel's dimensions are suitable for that berth. As we move towards the expiry date of 29 September 2026, the marina team will be checking that vessels meet the requirements of the marina and the berth (including checking boat sizes relative to berth size). Some berth occupants may need to relocate berths if their current berth is not suitable.</p> <p>The Marina carries out periodic refurbishments of its piers, and at times vessels may need to be temporarily relocated to allow for maintenance, renewals, or replacement works. These routine works will continue during 2026 and may result in some additional relocation of vessels around the marina.</p>
<b>Current licensees</b>	What if I hold a berth licence and BEU and am renting the berth to another person privately?	<p>We are aware that some berth licence holders currently rent out the berth to other parties on an ongoing private rental basis. Long-term subletting of this kind will not continue under the full berth rental occupancy model.</p> <p>As part of the transition to the new occupancy model, licence holders will have the first opportunity to rent and occupy the berth associated with their licence. If the licence holder confirms to us in writing that they do not wish to rent the berth from 30 September 2026 onwards, we may offer a berth rental agreement for the berth to other interested parties – potentially including the current private renter.</p> <p>We ask that berth licence holders who are currently privately renting their berths to third parties consider their future plans for the use of the berth, discuss this with their rental occupant, and confirm their plans with the marina team as soon as possible.</p>
<b>Current licensees</b>	What happens if I do not complete the updated berth rental agreement?	<p>All customers who wish to retain a berth in the Existing Marina will need to transition to the updated berth rental agreement during the course of this year.</p> <p>Customers who hold a berth licence and BEU remain entitled to occupy their licensed berth until 29 September 2026. Licence holders who wish to rent their current berth from 30 September 2026 onwards will need to complete a berth rental agreement, and are asked to do so as promptly as possible. If you do not wish to rent your berth from 30 September 2026 onwards, or if we do not hear from you as part of this transition process, the berth may be offered to another customer for occupation from</p>

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		30 September 2026.
<b>Current renters</b>	I currently rent a berth in the Existing Marina from Auckland Council, what will happen?	Customers who are renting a berth in the Existing Marina directly from Auckland Council will be transitioned to the updated version of the berth rental agreement over the coming months, with the updated rental agreement taking effect when both the marina manager and customer have signed it. In the case of a small number of rental customers on fixed-term berth rental agreements ending 29 September 2026, any new agreement will instead take effect on 30 September 2026 after the current fixed term comes to an end.
<b>Current renters</b>	Can I stay in the same berth?	<p>Council plans to allow existing rental customers to transition to the updated rental agreement for the same berth, provided the vessel's dimensions are suitable for that berth.</p> <p>As we move towards the expiry date of 29 September 2026, the marina team will be checking that vessels meet the requirements of the marina and the berth (including checking boat sizes relative to berth size). Some berth occupants may need to relocate berths if their current berth is not suitable.</p> <p>The marina carries out periodic refurbishments of its piers, and at times vessels may need to be temporarily relocated to allow for maintenance, renewals, or replacement works. These routine works will continue during 2026 and may result in some additional relocation of vessels around the marina.</p>
<b>Current renters</b>	What happens if I do not complete the updated berth rental agreement?	<p>All customers who wish to retain a berth in the Existing Marina will need to transition to the updated berth rental agreement during the course of this year.</p> <p>Customers who currently rent a berth from Auckland Council will have to move onto the updated rental agreement as part of this transition process. Older forms of berth rental agreement will not be supported in the marina going forward. If you do not wish to enter into an updated agreement or do not plan to continue renting a berth, please advise marina management as promptly as possible so that the berth can be made available to other customers.</p>
<b>Rental charges</b>	What is the cost of renting a berth at Westhaven Marina?	Rental customers at Westhaven pay rent calculated at a daily rate, payable monthly in advance by direct debit. Rental customers also pay additional utility charges for certain services that they choose to use, such as shore power.

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		<p>The current standard berth rental rates for the period 1 May 2025 to 30 April 2026, and the upcoming rates that will apply from 1 May 2026 to 30 April 2027, can both be found on the <a href="#">marina website</a>. Rates are reviewed annually.</p> <p>Existing rental customers will continue to pay rent at the current rates until 30 April 2026, and will start paying the new rates from 1 May 2026.</p> <p>Current berth licence holders will not be required to make any rental payments prior to 29 September 2026 (but will remain responsible for annual charges under their berth licences). Berth licence holders who enter into a new rental agreement for their berth will need to begin paying rent from 30 September 2026 onwards. The rental rates payable will be the same standard rates applicable to all rental customers for the 1 May 2026 to 30 April 2027 period.</p>
<b>Further contact</b>	Who do I contact for further information?	<p>To contact us about the new rental agreements or other questions about the new model you can:</p> <ul style="list-style-type: none"> <li>• Submit a question through this <a href="#">online form</a></li> <li>• Email us at <a href="mailto:westhavenberthagreements@aucklandcouncil.govt.nz">westhavenberthagreements@aucklandcouncil.govt.nz</a></li> <li>• Phone us at 093010101</li> <li>• Mail us at: <ul style="list-style-type: none"> <li>Westhaven Berth Agreements</li> <li>Auckland Council (Property Department) Private Bag 92300</li> <li>Victoria Street West</li> <li>Auckland 1142</li> </ul> </li> </ul>