

PRECX – Bay of Islands Marina Precinct

Overview

The Bay of Islands Marina Precinct is located at Opuā, near the confluence of the Kawakawa River, Waikare Inlet and Veronica Channel in the Bay of Islands.

The Bay of Islands is a touristic destination that attracts locals, people from Northland, New Zealand and internationally due to its beauty and locality.

The precinct provides a planning framework that promotes a local gateway to the Bay of Islands, that boasts 144 emerald green islands, and a world class marina that adds a new place based waterfront destination that compliments the activity and entertainment that exists currently across Waitangi, Paihia, Russell, and Kawakawa.

A range of activities that are marine related, commercial, cultural, retail and residential are envisaged.

The precinct is within the coastal environment which has identified landscape and natural character values. Access to the precinct is via State Highway 11 and Franklin Street, the Pou Herenga Tai Cycle Trail, or the Okiato – Opuā Car Ferry.

The land within the precinct is zoned Mixed Use and this zoning applies until a Council approved Precinct Plan, Development Schedule, and Design Guidelines are in place.

The objectives, policies, rules and standards applying to the underlying Mixed Use Zone apply in addition to the provisions of the precinct below. However, where there are any differences, the provisions of the Precinct take precedence where a Council approved Precinct Plan, Development Schedule, and Design Guidelines are in place.

Objectives	
PRECX-01	The precinct is a liveable, mixed use urban environment where people can live, work and play, acting as a gateway to the Bay of Islands and transforming Opuā into a destination with a world class marina.
PRECX-02	The precinct is developed in a staged manner to ensure that there is adequacy and capacity of available infrastructure to support it.
PRECX-03	The precinct supports a network of open space for recreation and public access to and along the coastal marine area.
PRECX-04	Use and development within the precinct is undertaken in a way that enhances and protects: <ol style="list-style-type: none"> Landscape values; The natural character of the coastal environment.
PRECX-05	Environmental effects generated by activities within the precinct are managed, particularly at the precinct boundaries.
PRECX-06	The precinct recognises that Māori have a special relationship with water, land and the coastline.
PRECX-07	Development in the precinct is of a form, scale, density and design quality that contributes positively to the vibrancy, safety and amenity of the precinct.
PRECX-08	The precinct achieves a high-quality, integrated, and responsive urban design outcome that reflects Ōpuā's unique maritime character and sensitive coastal environment.

Policies	
PRECX-P1	Enable a range of commercial, community, civic, cultural and residential activities in the precinct where it supports the function, role, sense of place and amenity of the precinct as a gateway and world class marina.
PRECX-P2	<p>Ensure use and development in the precinct is supported by appropriate infrastructure by:</p> <ol style="list-style-type: none"> 1. Requiring use and development to provide adequate wastewater, stormwater and potable water services and reticulated services where available; 2. Requiring use and development in the precinct to provide appropriate transport infrastructure to support mixed use development; and 3. Where adequate services referred to in clause 1) are not available the infrastructure approach must be approved by Council prior to use and development being undertaken.
PRECX-P3	Require use and development to facilitate public access to and along the coastal marine area and provide areas of open space and where practicable.
PRECX-P4	<p>Consider the following matters where relevant when considering and managing the effects of use and development in the precinct:</p> <ol style="list-style-type: none"> a. Consistency with the scale, density, design, amenity and character of the precinct; b. The location, scale and design of buildings or structures, outdoor storage areas, parking and internal roading; c. At zone interfaces: <ol style="list-style-type: none"> i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. any adverse effects on the character and amenity of adjacent zones; d. The adequacy and capacity of available or programmed infrastructure to accommodate the proposed activity; including: <ol style="list-style-type: none"> i. opportunities for low impact design principles; ii. management of three waters infrastructure and trade waste; e. Managing natural hazards; f. The adequacy of transport infrastructure to service the proposed activity; g. Any historical, spiritual or cultural association held by tangata whenua with regard to the matters set out in Policy TW-P6; h. Any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and i. The extent to which the proposal adheres to the approved Precinct Plan, Development Schedule and Development Guidelines.
Rules	

Notes:

1. **There may be other rules in Part 2 – District Wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this precinct chapter. These District Wide rules may be more stringent than the rules in this chapter. Ensure that relevant District Wide Matter chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple.**

2. **The zone chapter does not contain rules relating to setback from waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character chapter contains rules for activities within wetlands, lakes and river margins. The Natural Character chapter should be referred to in addition to this precinct chapter.**

PRECX-R1	Lodging a Precinct Plan, Development Schedule and Design Guidelines	
Bay of Islands Marina Precinct	Activity status: Restricted Discretionary <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> 1. <u>The adequacy of the Precinct Plan and Development Schedule in achieving the objectives and policies of the precinct.</u> 2. <u>The extent to which the Precinct Plan provides for a comprehensive, integrated and high-amenity public realm, including open spaces, streetscapes, and accessways.</u> 3. <u>The adequacy of the Development Guidelines in providing clear direction for achieving high-quality urban design, landscape, and transportation outcomes.</u> 4. <u>The adequacy of the proposed infrastructure and public amenity staging plan.</u> 	Activity status where compliance not achieved: Not applicable
PRECX-R2	Development in Accordance with the Approved Precinct Plan, Development Schedule and Design Guidelines	

	Activity status: Permitted Where: PER-1 <u>Development is undertaken in accordance with the approved precinct plan, development schedule and design guidelines lodged under PRECX-R1.</u>	Activity status where compliance not achieved with PER-1: Discretionary
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Consequential Amendments to Rule CE-S4 Setbacks from MHWS

CE-S4	Setbacks from MHWS	
Coastal Environment	<p>New buildings and structures and or extension or alteration to an existing building or structure must be setback at least:</p> <ul style="list-style-type: none"> a. 30m from MHWS in the Rural Production, Rural Lifestyle, Rural Residential, Horticulture and Horticulture Processing Facilities zones; or b. 26m in all other zones. <p>This standard does not apply: where there is a legally formed and maintained road between the property and MHWS <u>or to properties located in the Bay of Islands Marina Precinct.</u></p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ul style="list-style-type: none"> a. the natural character of the coastal environment; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to dominance on adjoining public space; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; and f. the impacts on existing and planned roads, public walkways, reserves and esplanades.

Proposed Changes to the Mixed Use Zone

Overview

The district's urban business centres have traditionally been zoned commercial and contain retail activities, commercial services, food and beverage establishments as well as social services, with limited residential activities.

The Mixed Use zone provides a framework in which commercial and residential activities can co-exist and it enables a range of compatible activities. The focus of the zone is to revitalise urban centres and support business owners, residents and visitors, while ensuring that associated effects are appropriately managed. The Mixed Use zone will contribute to the vibrancy, safety and prosperity of the district's urban centres and will be serviced by appropriate development infrastructure or on-site infrastructure.

The Council has a responsibility under the RMA, the National Policy Statement on Urban Development and the RPS to ensure that there is sufficient land for housing and business to

meet the future demands of the district, that development occurs in the right location and that it is appropriately serviced.

MUZ-R1	New buildings or structures, relocated buildings or extensions or alterations to existing buildings or structures	
Mixed Use zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The new building or structure, relocated buildings or extension or alteration to an existing building or structure will accommodate a permitted, restricted discretionary or discretionary activity.</p> <p>PER-2 The new building or structure, relocated buildings or extension or alteration to an existing building or structure that increases the existing building footprint complies with standards: MUZ-S1 Maximum height; MUZ-S2 Height in relation to boundary; MUZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); MUZ-S5 Pedestrian frontages; MUZ-S6 Verandahs; MUZ-S7 Outdoor storage; MUZ-S8 Landscaping and screening on road boundaries; MUZ-S9 Landscaping and screening for sites adjoining a site zoned residential, open space or rural residential; and MUZ-S10 Coverage. <u>MUZ-S11 Colours and materials</u> <u>MUZ-S12 Landscaping, revegetation and fencing</u> <u>MUZ-S13 Site amenity and design</u></p>	<p>Activity status where compliance not achieved with PER-2 and PER3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p>

MUZ-S1	Maximum Height	
Mixed use zone	The maximum height of a building or structure, or extension or alteration to an existing building or structure, is 12m above ground level, except:	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>a. the character and amenity of the</p>

	<ol style="list-style-type: none"> the maximum height differs within the following areas that are mapped within Paihia and Russell: <ul style="list-style-type: none"> Paihia Area A: 8.5m Paihia Area B: 10m; and Russell: 8.5m <u>Opuia Marine Business Park:</u> <ul style="list-style-type: none"> <u>OMBP Area A: 12M</u> <u>OMBP Area B: 8M</u> that any fence or standalone wall along a side or rear boundary which adjoins a site zoned General Residential, Rural Residential, Rural Lifestyle, Māori Purpose - Urban, Open Space, Natural Open Space, or Sport and Active Recreation does not exceed 2m in height. <p>This standard does not apply to:</p> <ol style="list-style-type: none"> solar and water heating components not exceeding 0.5m in height on any elevation; Chimney structures not exceeding 1.2m in width and 1m in height on any elevation; Satellite dishes and aerials not exceeding 1m in height above the building envelope and/or diameter on any elevation; Architectural features (e.g. finials, spires) not exceeding 1m in height on any elevation; or lift overruns provided these do not exceed the height by more than 1m on any elevation. 	<p>surrounding area;</p> <ol style="list-style-type: none"> dominance in relation to the road and adjoining sites; loss of privacy to adjoining sites, including potential loss in relation to vacant sites; shading and loss of access to sunlight to adjoining sites; landscaping; and natural hazard mitigation and site constraints.
MUZ-S3	Setback (excluding from MHWS or wetland, lake or river margins)	
Mixed Use zone	<p>The building or structure, or extension or alteration to an existing building or structure must be setback at least:</p> <ol style="list-style-type: none"> 3m from the boundary of any site zoned General Residential, Rural Residential, Rural Lifestyle, Māori Purpose - Urban, Open Space, Natural Open Space, Sport and Active Recreation or any KHR designation boundary. 	<p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> the natural character of the coastal environment; screening, planting and landscaping on the site;

	<p>2. <u>30m from the road boundary at the Opuā Marine Business Park (Appendix xx)</u></p> <p>This standard does not apply to:</p> <p>i. solar and water heating components not exceeding 0.5m in height above the building envelope on any elevation;</p> <p>ii. fences or walls no more than 2m in height above ground level; or</p> <p>iii. uncovered decks no more than 1m above ground level.</p>	<p>c. the design and siting of the building or structure with respect to privacy and shading;</p> <p>d. natural hazard mitigation and site constraints;</p> <p>e. the effectiveness of the proposed method for controlling stormwater;</p> <p>f. the safety and efficiency of the current or future roading network;</p> <p>g. the impacts on existing and planned public walkways.;</p> <p>h. The location and design of the building as it relates to the ability to safety use, access and maintain buildings without requiring access on, above or over the rail corridor; and</p> <p>i. The safe and efficient operation of the rail network.</p>
MUZ-S8	Landscaping and screening on a road boundary	
Mixed Use zone	<p>1. Where a site adjoins a road boundary, at least 50% of that road boundary not occupied by buildings or driveways shall be landscaped with plants or trees.</p> <p>2. The landscaping shall be a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within five years.</p> <p><u>This standard does not apply to:</u></p> <p><u>i. landscaping and screening within the Opuā Marine Business Park.</u></p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>a. the character and amenity of the streetscape and surrounding area;</p> <p>b. topographical or other site constraints making compliance with this standard impractical; and</p> <p>c. health and safety implications for pedestrians and the transport network</p>
MUZ-S9	Landscaping for sites that adjoin any sites other than mixed use or light or heavy industrial zone	
Mixed Use zone	<p>Site boundaries that adjoin any zone other than Mixed Use, Light Industrial or Heavy Industrial must:</p> <p>1. be fenced with a solid fence or wall with a minimum height of 1.8m; or</p> <p>2. be landscaped with plants or trees with a minimum height of 1m at installation and shall achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or</p>	<p>Where the standard is not met, matters of discretion are restricted to:</p> <p>a. the outlook, character, and amenity of adjoining sites in a residential, rural, open space or Māori purpose zone;</p> <p>b. the scale of the building and its distance from the boundary with</p>

	<p>3. be screened with a combination of (1) and (2) above.</p> <p><u>This standard does not apply to:</u></p> <p><u>i. landscaping and screening within the Opuia Marine Business Park.</u></p>	<p>residential, rural, open space or Māori purpose zones;</p> <p>c. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and</p> <p>d. the design, layout and use of the site which may compensate for reduced, alternative or no screening.</p> <p>e. Health and safety implications for pedestrians and the transport network.</p>
MUZ-S11	Colours and materials	
Mixed Use zone – Opuia marine Business Park only (Appendix XX)	<p>The exterior surfaces of new buildings or structures shall:</p> <ol style="list-style-type: none"> 1. <u>achieve a reflectance value no greater than 30%; and</u> 2. <u>have an exterior finish within Groups A, B or C as defined within the BS5252 standard colour palette.</u> 	<p><u>Where the standard is not met, matters of discretion are restricted to: Not applicable</u></p>
MUZ-S12	Landscaping, revegetation and fencing	
Mixed Use zone – Opuia marine Business Park only (Appendix XX)	<ol style="list-style-type: none"> 1. <u>A landscape buffer strip of 15m metres wide must be established along the road frontage of the development area.</u> 2. <u>The landscape buffer must be planted with native species appropriate to the coastal/estuarine location, with a dominance of harakeke and tī kōuka, and include occasional groups of taller tree species such as kahikatea.</u> 3. <u>Native revegetation planting using locally appropriate species is required along the western, south-western, and southern edges of the development area.</u> 4. <u>The use of solid fences or walls along external site boundaries is prohibited.</u> 5. <u>Any fencing along the road boundary must be positioned to the rear of the landscape buffer strip and constructed</u> 	<p><u>Where the standard is not met, matters of discretion are restricted to: Not applicable</u></p>

	<p>from visually permeable materials.</p> <p>6. <u>Planting of locally appropriate native tree species that can achieve a large scale is required within the internal roading network.</u></p>	
MUZ-S13	Site amenity and design	
Mixed Use zone – Opua marine Business Park only (Appendix XX)	<ol style="list-style-type: none"> 1. <u>All external lighting must be fitted with shields to ensure light spill is focused downwards.</u> 2. <u>The scale, location, and appearance of all signage must be controlled through common design guidelines.</u> 3. <u>Low impact urban design principles must be utilized in the design of the development</u> 	<p>Where the standard is not met, matters of discretion are restricted to: Not applicable</p>