

Appendix 1 - Evaluation of Rezoning Submissions - Far North Holdings Limited S320

Submission No/Point No.	Site Address	Decision Requested	Submitter Reasons	Nature of pre-hearing correspondence or submitter pre-circulated evidence (if any)	Rezoning Criteria	Officer's Comment	Costs and Benefits of accepting rezoning request
S320.004 and 005	Bay of Islands Marina	Insert a Bay of Islands Marina Development Area overlay at the Bay of Islands Marina and reinsert the Maritime Exemption Area overlay from the ODP back into the PDP over the Bay of Islands Marina.	<p>The Proposed District Plan (PDP) does not promote a modern, world class marine or enable a transition towards this outcome. FNHL also consider that it is appropriate to rezone this area as:</p> <ul style="list-style-type: none"> The Marina already contains existing commercial and marine-based commercial activities There is ample area available to promote a more mixed-use environment, including an enhanced public realm The marine-related industry and a marine character of the marina will be retained alongside the more mixed-use environment. <p>The Maritime Exemption Overlay is fundamental to retaining and growing the maritime industry within this location as it will enable buildings in the marina with a functional need to be located close to the Coastal Marine Area.</p>	<p>Pre-hearing meetings Refer section 2.5.1 in the section 42A report.</p> <p>Pre-circulated evidence Mr Sanson provided planning evidence on behalf of FNHL which addresses the criteria in Minute 14 and matters that Mr Sanson considers unresolved from Hearing 4. Mr Sanson's Evidence also includes 6 attachments.</p> <ul style="list-style-type: none"> Mr Sanson, Planning Evidence <ul style="list-style-type: none"> Annexure 1 – Master Plan Annexure 2 – Transportation Assessment Annexure 3- Strategic Direction Assessment Annexure 4- Alignment with Zone Outcomes Annexure 5 – Colenzo Triangle Consents Annexure 6 – Marine Business Park Consents <p>Following a pre-hearing meeting between FNDC and FNHL, and written feedback provided to FNHL by FNDC, FNHL provided further updated documents on 7 July 2025 as follows:</p> <ul style="list-style-type: none"> Revised provisions for a “Bay of Islands Marina Precinct” (BOIMP). Memorandum, “<i>RE: Submission 320 – Far North Holdings Limited on the Proposed Far North District Plan</i>”, Mr Sanson. This memo provides a high-level explanation to the BOIMP provisions and issues raised. Memorandum, “<i>Proposed Bay of Islands Marina Precinct and Mixed-Use Zoning</i>”, Simon 	Strategic direction	Refer paragraph 36, pg. 7 and 8, Mr Sanson, Planning Evidence and Annexure 3 to S Sanson Planning Evidence.	<p>Costs: The proposed Bay of Islands Marina Precinct provisions need to be refined further before the Precinct can be supported. The two key overarching issues to resolve are:</p> <ul style="list-style-type: none"> Ensuring there is appropriate consideration of the Precinct Plan and Development Schedule and Development Guidelines when development is proposed in each character area through a consenting process and avoiding the risk of piecemeal permitted development. In this respect, the thresholds for resource consent, applicable standards, and matters of discretion all need to work together to ensure development proposals are well designed and can be appropriately assessed. The Precinct Plan and Development Schedule need to be refined to clearly delineate each character area spatially, and more clearly describe the outcomes sought for each character area. The precinct plan also needs to be refined to remove development located in the Coastal Marine Area (CMA) which is outside the jurisdiction of the PDP (i.e. the development proposed in “The Garden Pier” character area). Ideally, the Precinct Plan and Development Schedule would also be amended to respond to specific urban design issues raised by Ms Rennie, including providing a clearer overall precinct plan, improving provision for open space in the northern extent of the precinct and improved integration of carparking. <p>In addition, numerous other refinements to the provisions, Precinct Plan and Development Schedule and Development Guidelines have been identified to address workability issues and to respond to some specific landscape, transport and urban design issues and concerns raised by Council appointed experts.</p>
					Alignment with zone outcomes	Refer paragraph 37, pg. 8, Mr Sanson, planning evidence and Annexure 4 to S Sanson, Planning Evidence.	
					Higher order direction	Refer paragraphs 28 & 39, pg.8 Mr Sanson, Planning Evidence and Section 4 (pgs. 8 to 11) of the Section 32 Report attached to FNHL submission.	
					Reasons for the request	Refer paragraph 40, Pg.8, Mr Sanson, Planning Evidence and the FNHL original submission letter outlining the reasons and rationale for the rezoning request.	
					Assessment of site suitability and potential effects of rezoning	Refer paragraphs 41 to 47, pgs. 8 and 9, Mr Sanson, Planning Evidence.	
					Infrastructure (three waters) servicing	Refer paragraphs 48 to 50, pg.9, Mr Sanson, Planning Evidence. Refer to section 42A report (section 3.2.1 and 3.2.1).	
					Transport infrastructure	Refer Paragraphs 51 to 55, pgs. 9 & 10, Mr Sanson, Planning Evidence. Submission contains Traffic Assessment. Annexure 5 to S Sanson, Planning Evidence also contains information relating to the consented development at Colenzo Triangle. Refer to section 42A report (section 3.2.1 and 3.2.1) and transport advice in Appendix 5.	
S320.001, 002, 003, 006, 007, 008	Opua Marine Business Park, Colenzo Triangle, and Commercial Estate	Amend zoning of all Far North Holding Limited (FNHL) landholding sites outlined in their submission to Mixed Use Zone (MUZ).	FNHL consider that MUZ zoning for their landholdings better reflects the existing, consented, and proposed land uses undertaken within these holdings. Particular reasons for retaining MUZ or rezoning to MUZ, provided by FNHL include:		Consultation and further submissions	Refer paragraphs 56 to 64, pgs. 10 and 11, Mr Sanson, Planning Evidence and document titled ‘4.0 Stakeholder Consultation 2025’ provided by FNHL on 7 July 2025.	
					Other relevant matters	N/A	

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			<ul style="list-style-type: none"> The proposed MUZ at Opua Commercial Estate is supported as the site may contain uses such as boat and trailer storage and maritime industry activities which are supported by the MUZ provisions. Colenzo Triangle is already consented for a mixture of uses that are not necessarily rural in nature and MUZ will better reflect the consented environment. The Opua Marine Business Park is currently vacant but can promote the transition required for the Bay of Islands Marina to be more mixed use in nature. It will enable the marina to free up existing space for additional activities by providing space for the existing Opua businesses to relocate and grow. 	<p>Cocker, 7 July 2025. This memo primarily responded to landscape issues raised by Ms Absolum in her initial memo.</p> <ul style="list-style-type: none"> Stakeholder Consultation 2025. 	<p>Section 32AA evaluation</p>	<p>FNHL provided a Section 32AA Evaluation for their rezoning requests as Attachment 2 of their submission, dated October 2022. No further s32AA evaluation was provided by FNHL of the updated “<i>Bay of Islands Marina Precinct</i>” provisions that FNHL provided on 7 July 2025.</p> <p>Refer to the section 32AA evaluations undertaken in the section 42A report, noting that this has yet to be undertaken for the proposed BOIMP and MUZ at Opua Marine Business Park as my position on these requests is not confirmed.</p>	<p>There are also outstanding issues to address from a transport and landscape perspective at Opua Marine Business Park.</p> <p>The potential costs of including the BOIMP without addressing these issues include poor developments with adverse ecology, landscape, transport and urban design effects and economic and social costs to FNDC and the community, including through infrastructure issues and constraints.</p> <p>A final assessment of anticipated costs from the BOIMP can be provided once these identified issues have been responded to.</p> <p>Benefits: FNHL’s intent for the Bay of Islands Marina to transition to a more mixed-use environment has the potential to deliver a range of positive economic, social, cultural, and environmental outcomes for the Far North District. Rezoning the Bay of Islands Marina to MUZ will better provide for the future development anticipated within this area.</p> <p>Risks of acting or not acting</p> <p>As highlighted in the section 42A report, there are a number of outstanding matters and uncertainties in relation to the proposed BOIMP and MUZ at Opua Marine Business Park. The risks of acting through the provisions without adequately addressing these issues is poor development with adverse ecology, landscape, transport and urban design effects and economic and social costs to FNDC and the community, including through infrastructure issues and constraints.</p>
<p>Recommendations</p> <ul style="list-style-type: none"> Rezone all of the FNHL landholdings at Opua marina to MUZ (a change from Light Industrial and General Residential in some areas). Accept in part original submissions and further submissions. Accept <u>in principle</u> the requested BOIMP, subject to a number of issues being adequately addressed as detailed in the section 42A report. My position on this submission will be confirmed in response to rebuttal evidence from FNHL. Extent the exemption from MUZ zoning at Opua to coastal environment rules CE-R1 and CE-S1 to FNHL’s landholdings at Opua Commercial Estate, Colenzo Triangle, and Opua Marine Business Park. Accept in part original submission and further submissions. Reject the request to reinstate the Marine Exemption Area at the BOIMP (or exempt the BOIMP from the MHWS setbacks in CE-S4). Reject original submission. Accept <u>in principle</u> the requested BOIMP, subject to a number of issues being adequately addressed as detailed in the section 42A report. My position on this submission will be confirmed in response to rebuttal evidence from FNHL. Retain MUZ at the Opua Commercial Estate, and rezone Colenzo Triangle to MUZ. Accept original submissions and further submissions in support. Reject further submissions in opposition. Accept in principle the requested MUZ at Opua Marine Business Park, subject to a number of issues being adequately addressed as detailed in the section 42A report. My position on this will be reconsidered at the hearing, in light of the updated provisions and plans for Opua Marine Business Park provided through rebuttal evidence from FNHL. 							