

MEMORANDUM

To: Steve Sanson

Bay of Islands Planning Ltd.

From: Simon Cocker

Simon Cocker Landscape Architecture Ltd.

Date: 18 August 2025

Subject: Proposed Bay of Islands Marina Precinct and Mixed-Use Zoning and Mixed

Use Zoning.

Ref #: 25061_01

Dear Steve,

I have been engaged to review the matters raised by Council with regard to the above submission, and specifically those raised in the memo prepared by Melean Absolum dated 22 May 2025. Some of the issues highlighted within the memo related to details of the Landscape Assessment of the Natural Character of the Coastal environment, Opua Marina, prepared by WSP and dated 19 July 2024 (in support of the FNHL submission for Hearing 4. I have reproduced (in red) those parts of the Absolum memo below which raise matters of significance to the proposed Marina precinct and other aspects of the submission.

Absolum Memo: URBAN OR NOT

The L&VA appears to adopt the opinion of John Lonink, urban designer, who claims that the settlement of Opua stretches from Commercial Estate in S to Waimangaroa Road in NW. Urban character of the individual sites is then seen as appropriate within the 'settlement area'.

Comment – Character of the Opua settlement and its landscape setting

The Urban Design report notes that

"As can be seen from the urban design analyses map in Figure 2 of Appendix 1 the urban fabric shows a relative fine grain predominately defined by single to two storey detached dwellings.

Opua has one primary school and 3 mixed use/ commercial areas in close proximity to the town of which two of those are within the site extends. One being Opua Commercial estate and the other the Opua Marina"¹

Further, in the Evidence in Chief of John Lonink, he opines the following:

¹ WSP Opua Marina PDP Hearing. Urban Design Assessment. 22 July 2024. P6.



"When looking at the figure 5 of Appendix 1 attached to my evidence the extent of Opua settlement in my view goes beyond the zones currently highlighted as Urban. First of all the Opua Commercial Estate is located at the fringe of the township. It bookends the extent of the Opua settlement area to the south. When looking north, a small mixed-use area along SH11 bookends the northern extent of the Opua settlement area"

The above referenced figure is reproduced as Plate 1 below.

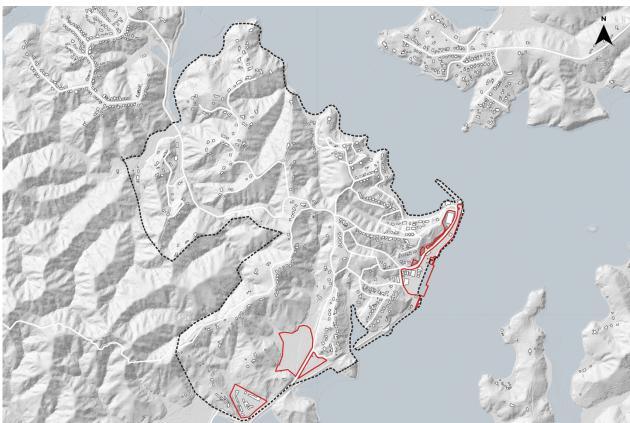


Plate 1. Opua Settlement Extents (reproduced from Urban Design Evidence).

Mr Lonink argues that his analysis shows that the urban extent of the Opua Settlement does not fully align with the proposed zoning.

The Landscape and Visual Assessment does not spell out what is considered to be the extent of the Opua settlement. It identifies and describes the mixed use area to the south of the settlement (Opua Commercial Estate), and also described the proposed Opua Marine Park and Colenso Triangle site but does not provide an indication about how these sites relate to the Opua settlement. Contrary to the assumption stated in Melean Absolum's memo, the LVA attributes a natural but (variously) modified setting to both the Commercial Estate and the proposed Marine Park. The potential natural character effect generated by the Marine Park is described thus:

".... the [nearby] Marina Park is severed by SH11 causeway and is not expressive of dynamic coastal processes. Unlike the Commercial Estate, this parcel of land is contained in pasture for rural production. Modification to the landform has occurred to drain the site to surrounding channels with an elevated plateau in the centre. As a filled coastal inlet, the area shows signs of reverting to its original wetland condition, with native wetland plants and wetland bird species present.

² John Lonink, EIC. 22 July 2024. Para 28.



Furthermore, the vegetated hillslopes flanking the west and north of this land parcel provide a vivid coastal setting that contributes to the natural character of the site."

The approach to assessing the urban extent of the Opua settlement adopted by John Lonink has been to evaluate lot size and built density. In my view this is a little misleading. My perception of the character of the Opua settlement is based on observation of landscape character and is principally informed by the relationship of built form to the topography and vegetation patterns.

Figure 1 in my attachments is a modified version of Figure 5 of Appendix 1(attached to the evidence of John Lonink). This figure illustrates how the settlement pattern of Opua are strongly influenced by the terrain, with dwellings constructed along, or close to the ridge crests, whilst the intervening gulleys are retained in native vegetation. Generally, dwellings have located to benefit from views to the Bay, Veronicas Channel or Waikare Inlet and this is reflected in the large proportion of dwellings being located on ridges and spurs to the east of the main north – south aligned catchment boundary ridge. Where dwellings are located to the west of this ridge, these often 'sneak' views to the water, or are elevated sufficiently to gain distant views (such as properties along Oromahoe Road).

The perceptual 'hub' of the settlement is associated with the foreshore; the marina and associated commercial and light industrial development, ferry 'terminal' and retail activity (refer to photo 1). The backdrop to this foreshore strip is populated by dwellings of various scales and typologies set within a vegetated framework (refer to photo 2).

Viewed from the water – the ferry – Okiato and from the foreshore strip, this backdrop built form imparts a settled residential character however, when experienced from the road network (which generally traces the ridge and spur crests), the dominance of built form is variable. As is illustrated by photos.3.2 and 4, in some locations, dwellings are clustered and constructed close to the road corridor and impart an urban character. In other locations (refer to photos.2), built form is situated above, or below the road and screened by vegetation. In these situations, the presence of settlement is signalled by entranceways, driveways and mailboxes.

Despite the separation offered by vegetation along the roadside, or within the intervening gulleys, the individual is repeatedly informed by visual cues to development that they are travelling through a settled area.

In contrast, the landscape character of the southern (SH11) approach to the is predominantly influenced by a rural or natural context – from the indigenous forest and plantation forest when traversing Lemons Hill to the pastoral pockets and estuarine glimpses when traveling along the north western edge of the Whangae River. Scattered and a low density of built development is evident as a part of this sequence of views then, and as the road negotiates a sharp right hand bend at the mouth of the Whangae River. Here, a pocket of commercial and light industrial development – the Opua Commercial Estate – has been established adjacent to the road (refer to photos 6 and 7). Although the built structures within this development are visible from the road, its dominance is mitigated to some degree by the 30 – 40m set back from the road, with the intervening space occupied by stormwater ponds and associated riparian vegetation.

This area of development is contained by spurs on its western and eastern sides (refer to <u>Figure 1</u>). Located on the western spur, a motel complex (Pine Lodge) is elevated above, but is largely hidden from the road.

The eastern spur is occupied by a dwelling which – like the motel – offers fragmented views to the east and north east (Kawakawa River).

Sidling around the toe of the eastern spur, State Highway 11 enters an enclosed valley and, tracing the low-lying floor of this valley, adopts a northerly alignment. The character of this valley is predominantly rural. The low-lying pastured valley floor hints at coastal / alluvial origins, but has been reclaimed and drained for pasture (refer to photo 5) whilst the



steep valley sides, which rise to a height of some 60m, are for the most part vegetated with native forest and shrubland. Defined by the containing ridges as depicted in <u>Figure 1</u>, the valley forms a discrete character area.

Despite the presence of settlement along the western (Oromahoe Road) and eastern (Ross Road / Marina Drive) ridges, this built form is largely screened by vegetation, although glimpses of dwellings are evident, separated by some 400m. Detracting for the rural character to some degree, a triangle of land sandwiched between the road and the old rail embankment (now forming the Coast to Coast Cycleway) is used for the storage of materials linked to the operation of the marina. This area – identified as the Colenso Triangle – is subject to a consent for activities associated with the construction and operation of a railway terminus including earthworks over a 3,200m² area and the construction of a railway terminus structure and associated car parking (refer to Figures .

Also forming part of the 'environment' is a consent which applies to the aforementioned low-lying valley floor (identified as Lot 12 DP 200225 Blk V Russell, and occupying the area of the proposed Opua Marine Park), to the west of the Colenso Triangle to undertake the following activities associated with the placement of dredging spoil and cleanfill. The consented volume of cleanfill is 45,000m³ and the works also include drainage.

The existing and consented environment described above has / will detract from the rural and natural character of the character area. In conjunction with the car parking and associated infrastructure, construction of the railway terminus has the potential to introduce an urban focus into the character area (noting that the Colenso Triangle is currently buffered from the road by weed and native vegetation, and is unlikely to be so screened in the future), whilst the placement of cleanfill and spoil on the valley floor has the potential to temporarily detract from rural character.

I am of the view that although this character area forms an part of the Opua settlement in terms of its settlement and subdivision patterning, it is separate from the settlement in terms of its landscape character. As described previously, residential development along the crests of the ridges which define this valley character area is not visually dominant and the valley retains a rural and natural character, notwithstanding the modifications resulting from drainage of the historic saltmarsh, and more recent built development.

In my view, perceptually, when approaching along the State Highway from the south, there is a transition from rural to urban along the section of the State Highway where it climbs along a vegetated corridor from the floor of the valley to the Franklin Street junction, with 'urban' Opua being fully apparent at the SH11 / Franklin Street junction.

Assessment of the Opua Commercial Estate, proposed Opua Marine Park and Colenso development.

The proposed Opua Marine Park development – as presented under Hearing 4 – is included as <u>Figure 2a</u>. It is recognised that the concept presented to date is not appropriate and FNHL are working on a revised concept and provisions following feedback. Proposed mitigation measures were described in section 7.1 of the WSP landscape assessment, but these were relatively generic, and not obviously site specific, although some broad mitigation measures such as a restriction on the external finishes of buildings would have the potential to reduce the prominence of built form within the Opua Marine Park to some degree.

The Absolum memo has flagged a level of concern with this development:

"Development along the lines sought by FNHL would need very careful management to ensure appropriate mitigation that successfully integrates any development into this more rural setting."³

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³ Melean Absolum. Memorandum dated 22 May 2025. P3



The preliminary proposal is that a suite of mitigation measures, partially facilitated via a conceptual development plan and development guidelines (refer to <u>Figures 2b and 2c</u> and <u>Table 1</u> below), and also via modified standards for the MUZ (to be developed) be employed.

The development concept seeks to integrate future development into its landscape setting. The proposed development area occupies the majority of the valley floor to the west of State Highway 11. In conjunction with the consented development within the Colenso Triangle site, it will form a gateway development to Opua, and will be experienced in conjunction with the Opua Commercial Estate situated on the State Highway to the south west.

The following mitigation measures have been prepared as an outline list and may be subject to refinement following more detailed site investigation.

Mitigation Measure	Purpose
30m building set back from road boundary.	It is envisaged that the roadside 15m width of this strip will be occupied by stormwater detention / wetland and riparian planting and it is anticipated that the proposed development area will be buffered from view by this landscape buffer strip. It is recommended that the species mix reference the coastal / estuarine location, and that a dominance of species such as harakeke and tī kōuka be included, with occasional groups of taller tree species such as kahikatea. It is intended that the planting design ensure that views of the setback area, and much of the built form beyond are buffered, but glimpse views to the backdrop vegetated ridge flank will be allowed. [Overrides MUZ-S8] The distance of the proposed setback reflects the set back of built form within the consented Colenso development (an area occupied by car parking), and will mitigate the potential for dominant built form along the road corridor, and will ensure that views to the backdrop vegetated ridge flank will be retained. [Overrides MUZ-S3]
Native revegetation planting	Wrapping around the western, south western and southern edges of the development area, this area of revegetation planting will comprise locally appropriate species, and will 'extend' the existing native forest up to the boundary of the development area. This will assist with the integration of the development with its vegetated setting.
Maximum building height 'plane'	The portion of the development site that will be subject to built form will be subject to height restrictions that ensure that views from the road to the backdrop vegetated ridge will be maintained. (OMBP) Area B-8 will be closest to the road and within this area building



	heights will be limited to 8m. (OMBP) Area A-12 will permit maximum heights of 12m. These graduated height restrictions will be reflected in a modified <i>MUZ-S1</i> .
Prohibition on solid boundary delineation along external site boundaries.	Solid fence or wall structures have the potential to impart an urban character that will detract from landscape values. It is recommended that – if fencing is proposed along the road boundary, that it be aligned to the 'rear' of the landscape buffer strip, and that it be constructed from visually permeable materials. [Overrides MUZ-S9].
Requirement for internal streetscape planting using native tree species	For the purpose of visual softening and fragmentation of built form (over the longer term), it is proposed that the planting of locally appropriate tree species that will have the ability to achieve an appropriately large scale be required within the internal site roading network. [Overrides MUZ-S10]
Exterior finishes of all buildings shall have a reflectance value of less than 30% and is within Groups A, B or C of the BS5252 colour palette.	This measure will ensure that the external colours of built form is 'muted', thereby reducing their degree of prominence within the wider landscape.
A requirement to control the scale, location and appearance of signage	A profusion and mix of signage typology has the potential to detract from landscape values. It is recommended that design guidelines be prepared and imposed to require a commonality of signage in terms of its location, and presentation.
External lighting shall be fitted with shields to ensure that light spill is focused downwards,	This measure seeks to ensure that the night time prominence of the development will be minimised.
Requirement to utilise low impact design (LIUDD) principles in the design of the development.	Consistency with MUZ-P08

Table 1: Proposed Marine Park Mitigation Measures

Recommendations

Steve, my key points bulleted below to be filled out with additional discussion

In conjunction with the consented Colenso Triangle development, the proposed Opua Marine Park development will result in a shift in the landscape character of the valley character area (refer to <u>Figure 3</u>). Further, this shift in landscape character will be seen in the context of the existing Commercial estate (to the south west). The proposal seeks to reduce the buildings within this site, and use the area principally for boat storage (refer to <u>Figures 4a, 4b and 4c</u>). The site – populated by a single building and (presumably), numerous boats – will retain an urban character.

Such a shift in character will occur as a result of the Colenso Triangle development (refer to Figure 5), this imparting a more urban character to the eastern edge of the State Highway where it passes through the valley however, on its own, the Colenso Triangle development will not affect the open, unbuilt and pastured character of the valley, with its containing vegetated ridge flank.



The consented earthworks on this western side of the State Highway corridor within the valley will result in a temporary adverse effect on rural character during, and for a brief period following the placement of this fill, but subsequently, once the fill area is regrassed, the essential attributes will be retained.

Together, the consented Colenso Triangle development will form a gateway development for the Opua settlement. This will result in a marked change in the character of the valley character area, but taking into account the proposed development controls, the external visibility (when experienced from the State Highway), will be limited. Road users will – once the landscape buffer has developed – be aware of the presence of the Opua Marine Park development, but the external appearance of the development will display a high level of amenity, with an awareness of the essential attributes of the landscape being retained.

Views to the Opua Marine Park development have the potential to be possible from elevated residential properties located on Oromahoe Road to the north west (71, 73, 75A and 75B, , west (105A and 105B, and 113), and south west (75D, E, F and H), a dwelling accessed from Paihia Road to the south (957), dwellings to the north west on Marina Rise (2A), Beaufort Street (2A and 2B) and Ross Street (3, 5, 7, 7A and 16).

The identified properties on Ross Street and Beaufort Street afford views from elevated locations, over the State Highway to the west and south west (to and over the proposed Opua Marine Park development)

Properties on Oromahoe Road offer a variety of views from elevated locations to the Kawakawa River and Whangae River over the proposed Opua Marine Park development. For the majority, the proposed development will form a recessive midground element due to the level difference, but for properties at lower elevations (75D, E, F and H), the proposed development will form a more dominant midground element.

The dwelling accessed from Paihia Road to the south (957) will be located relatively close to the proposed development, but direct views will be largely screened by vegetation. The main focus of views from this property are to the Kawakawa River.

Key Points:

- In conjunction with the Colenso Triangle development, the proposed Opua Marine Park development will result in the creation of a new 'gateway' to Opua on the approach from the south;
- It has the potential to result in the loss of a rural and natural character within the valley character area;
- The existing vegetation on the containing valley sides is key to retaining an element of that defining character to the area, and maintaining a sense of place;
- The development has the potential to detract from the entrance to Opua if built form is overly dominant, or
 presents a hard / utilitarian edge to the road (note MUZ-P04, P05 and P-08);
- The proposal has the potential to create a visually intrusive feature on the valley floor when viewed from the elevated properties to the south, west and east, including at night. (note *MUZ-P04*, *P05* and *P-08*).
- Recommended additional controls on road setbacks and landscape buffering, edge treatments (fencing / landscape screening), and signage (note MUZ-P04, P05 and P-08);
- Recommend consideration be given to building maximum heights with respect to views from the road and maintenance of a vegetated backdrop (note MUZ-P04, P05 and P-08). Need to determine height planes

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• The above can be achieved via an Outline Development Plan (which will prescribe mitigation measures – refer to Figure 2d), and minor amendments to MUZ-S1, MUZ-S2 MUZ-S3, MUZ-S7, MUZ-S8 MUZ-S9.

Absolum Memo: ASSESSMENT REPORT

The differences between the 4 sites are acknowledged, but then ignored in the summaries of landscape, visual and natural character effects. Indeed drawing overall conclusions across landscape visual and natural character effects, ignores the differences which, in my view, are important.

The backdrop of 'non-urban' land at Marine Park & Commercial Estate is acknowledged, but then loss of this backdrop as a result of screening by buildings is ignored in both the landscape and visual assessments.

Comment:

This matter has been addressed in the previous section.

Some of the sites are omitted from the discussion of Benefits to Landscape Character and Benefits to Landscape Values, pp19-20.

The explanation of the Landscape Effects assessment conclusions is omitted, p20.

The mitigation described, (p29) is very much a 'once over lightly', with an emphasis on what's proposed for the marina. There is no apparent attempt within the mitigation listed at integration of the other 3 sites into their landscape setting.

Comment:

These matters have been addressed in the previous section.

Marina

I am generally supportive of the changes in the Marina area. A change from light industrial to mixed use does provide the opportunity to create residential and commercial activities that create a destination with higher amenity than exists today. But this relies on some of the existing land-uses being moved elsewhere, hence the other zone changes sought.

I have some concerns with the building heights in the northern end of the Marina area. While 16m may be acceptable in parts of the Marina, where the coastal escarpment would form a visual backdrop to new buildings, 16m high buildings on the whole of the north-western site would intrude into views of Opua, particularly from the north-west. See VP4 for the arrival at the wharf experience. A building form which stepped up from say 8m at the northern edge would be more acceptable in this location.

While a 16m height limit is being sought across the whole of the proposed MUZ area, the graphics provided suggest that only a few buildings are proposed to be that tall. How is this proposed to be managed? Some sort of Outline Development Plan with corresponding provisions including, assessment criteria, could work.



Comment:

<u>Figure 6</u> details the maximum building heights for the Opua Marina Development Area and it is intended that the information illustrated in this figure be included in the proposed Bay of Islands Marina Precinct (PRECX) provisions.⁴. The provisions list matters for Council's discretion and assessment criteria which provide for the assessment of adverse effects of relevance to this memo.

PRECX-S7 requires that:

Any application for a resource consent in the precinct must be accompanied by and consider the following:

Urban Design and Open Space

An assessment is to be provided, prepared by a suitably qualified person detailing general urban design elements that are to be applied to the development, including:

- i. Specific recommendations to be applied within the Character Area associated with bulk and location, height, and prescribing any further amenity controls specific to each area;
- ii. Urban design assessment and recommendations associated with access, including the pedestrian, cycle and public transport provision.
- iii. Design standards for streetscapes, including the design of street furniture;
- iv. Specific details for the servicing of buildings including rubbish, storage and mail deliveries and overall signage;
- Specific details of the open space and / or the reserve network to be created within the Character Area.

.....

Landscape, Visual Amenity, and Natural Character

a. An assessment prepared by a suitably qualified person which considers the potential effects to landscape, visual amenity, and natural character of the coastal environment.

Cultural Values

a. A Cultural Impact Assessment prepared by a suitably qualified person.

All assessments must consider the extent to which the proposal adheres to the Development Guidelines.

The Absolum memo makes specific reference to the '16m' building located adjacent to Franklin Street. It is recognised that a building in this location will serve a key function as a 'gateway' element for the Opua Marina Development Area, and therefore, a considered design response in this location will be important. It is proposed that development guidelines (referenced above under PRECX-S7) be developed, to ensure that the building in this location will to designed with an appropriately proportioned and modulated form that is appropriate to its location. Potential matters that are likely to be discussed within the guidelines are the need to address:

- active public edges
- front doors and entrances
- façade design and materials
- balconies

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⁴ Note. Under PRECX-S1.



Guidance will include the need to address both frontages ensure that the building overlooks, and has a visual relationship with, the streets / public spaces. In addition, the building should include some high-quality architectural features to reinforce the corner and the building's visual prominence. These features should be three dimensional and not limited to standard fixings or features such as windows

Marine Park

While this site is not in its natural state, I think it retains a degree of rural character. It also sits in front of attractive pasture and bush clad hills, when viewed from SH11. Development along the lines sought by FNHL would need very careful management to ensure appropriate mitigation that successfully integrates any development into this more rural setting.

Colenso Triangle

I accept that Rural Production is not an appropriate zone given the current land-use of this site.

Do we have any idea if the EC consented carpark and station development is still proposed to be undertaken? The NRC consent and EC consent order date from April 2018, with the former due to expire in 2027.

Overall, there is some merit in what I think is trying to be achieved. However, careful management will be required by way of appropriate DP provisions with an Outline Development Plan, or similar, to ensure that all four sites are developed appropriately.

Commercial Estate

Redevelopment in line with the 3D images provided in the Masterplan (Sanson Annexure 1, p40) would be an improvement on the current situation, so long as appropriate mitigation were included, as suggested in the image.

The L&VA viewpoints suggest the possibility of buildings along the road frontage. Again, some means of managing building location and mitigation is required.

Comment:

The above matters have been addressed in previous sections. With regard to the consented Colenso Triangle development, it is my understanding that the carpark and station development is still proposed to be undertaken

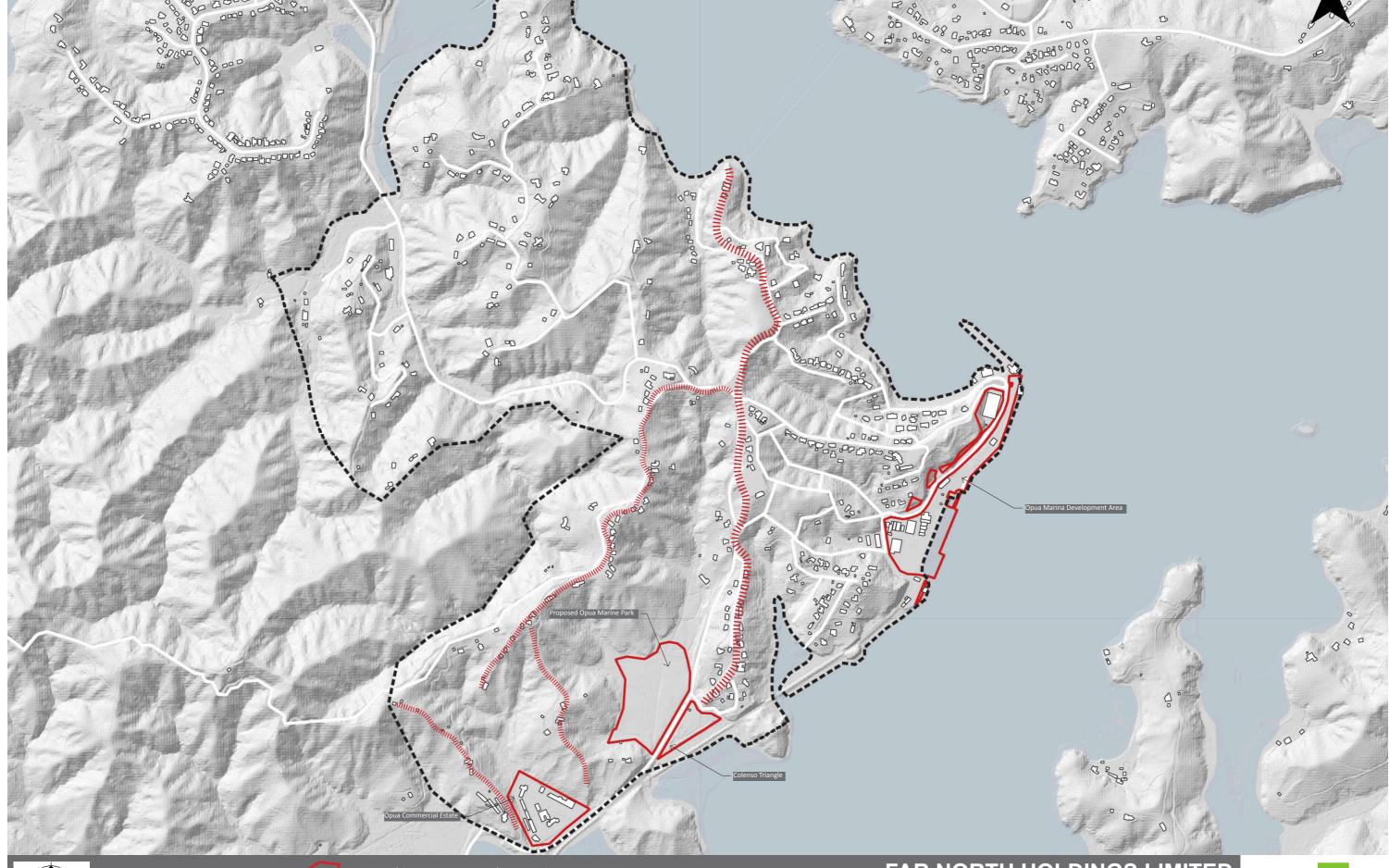
Yours sincerely,

Simon Cocker





ATTACHMENT 1 – Figures

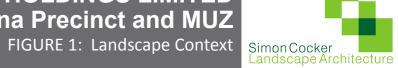






Location of the component marina / commercial sites

Catchment boundary ridge



MARINE PARK PROPOSED PLAN

MARINE PARK PRECEDENTS









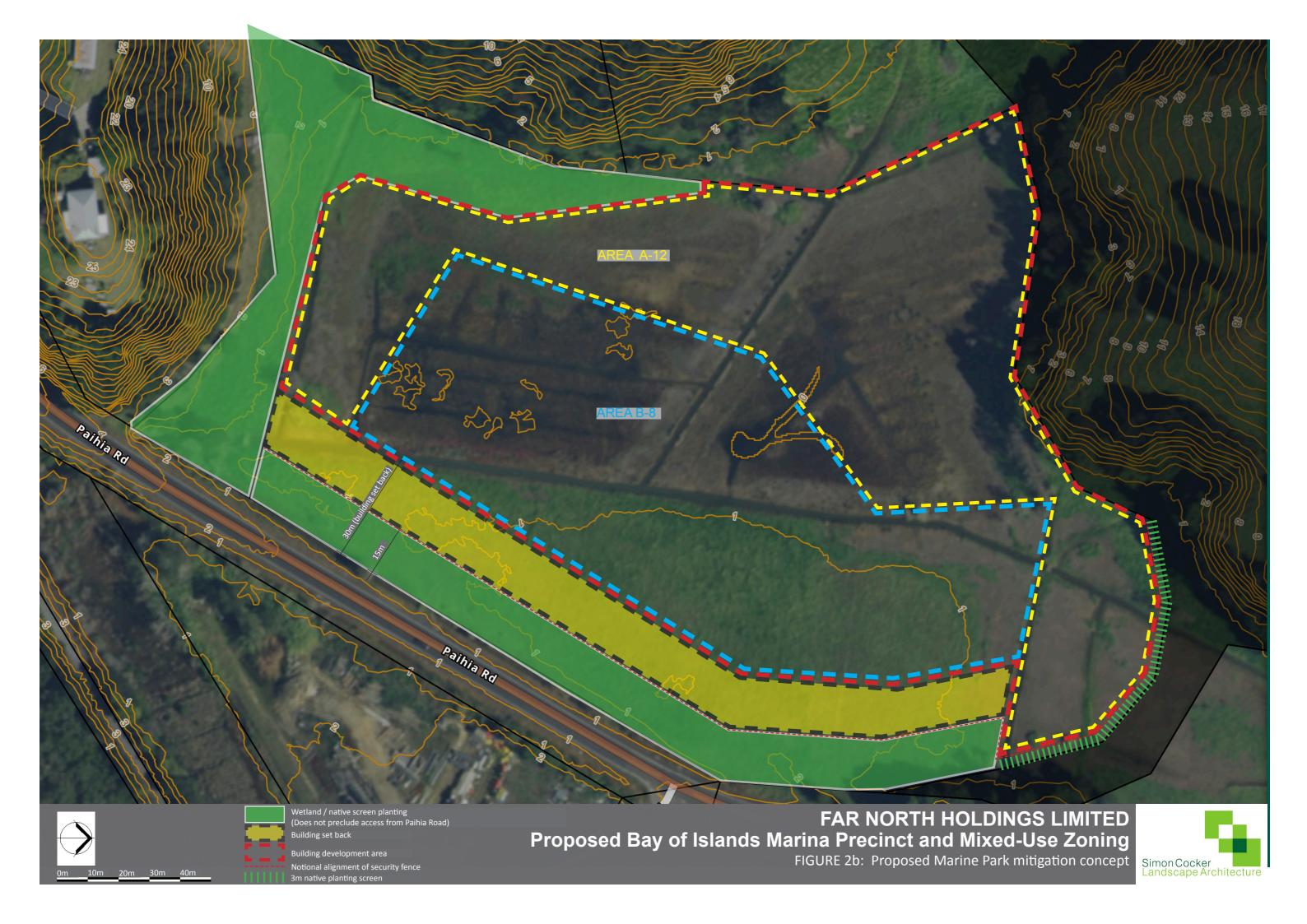


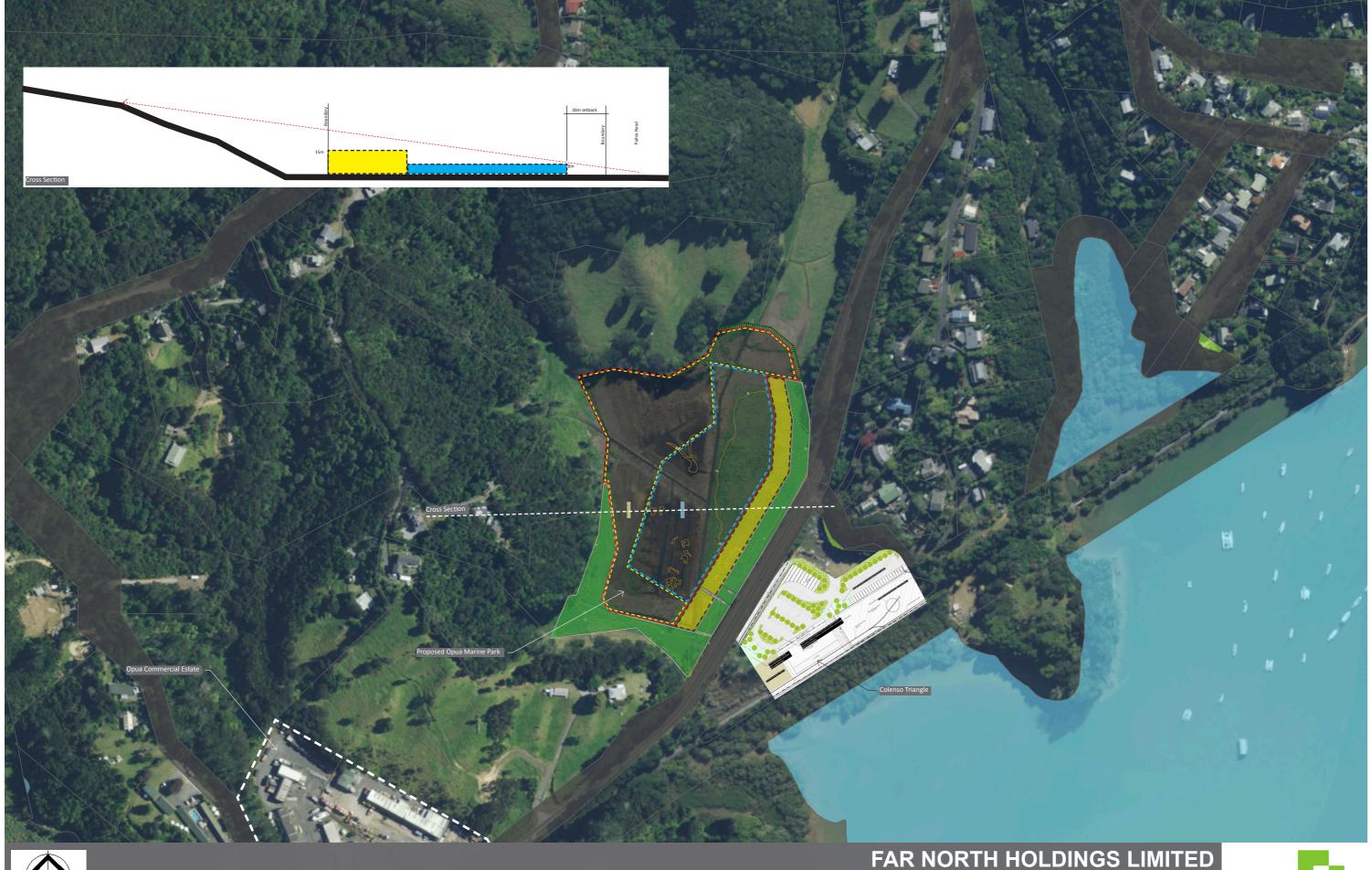














FAR NORTH HOLDINGS LIMITED
Proposed Bay of Islands Marina Precinct and Mixed-Use Zoning
FIGURE 3: Opua Commercial Estate, Opua Marine Park and Colenso development in context



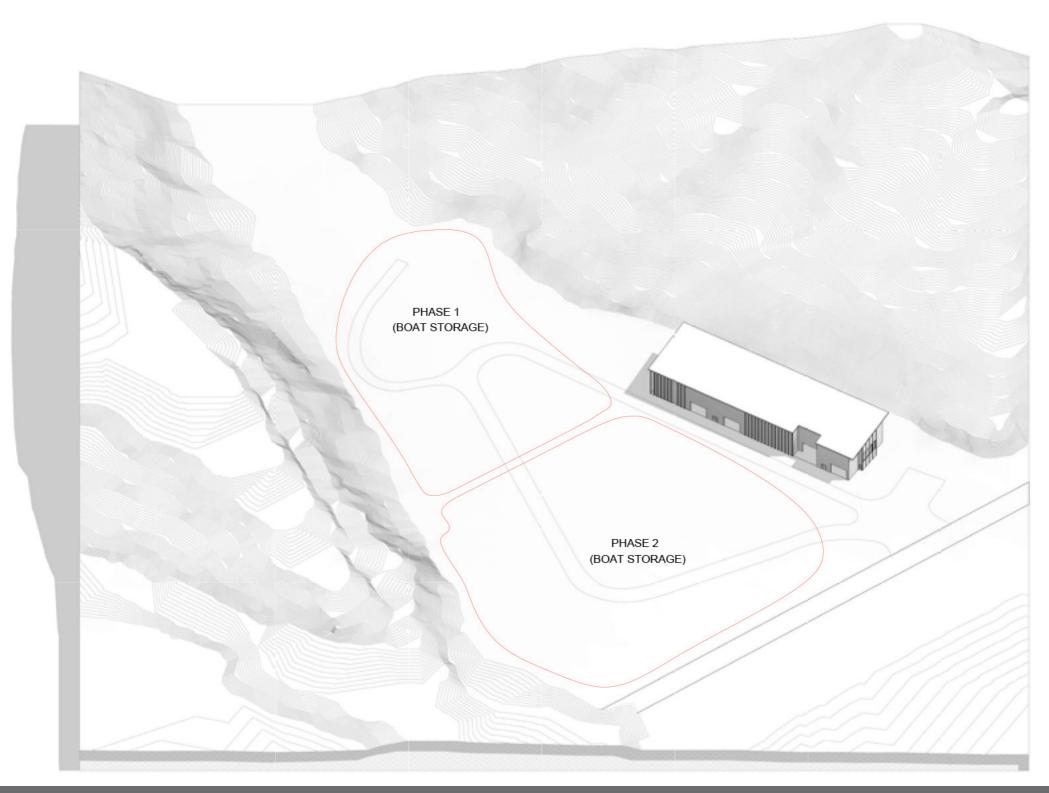
COMMERCIAL ESTATE PROPOSED PLAN







MARINE PARK 3D

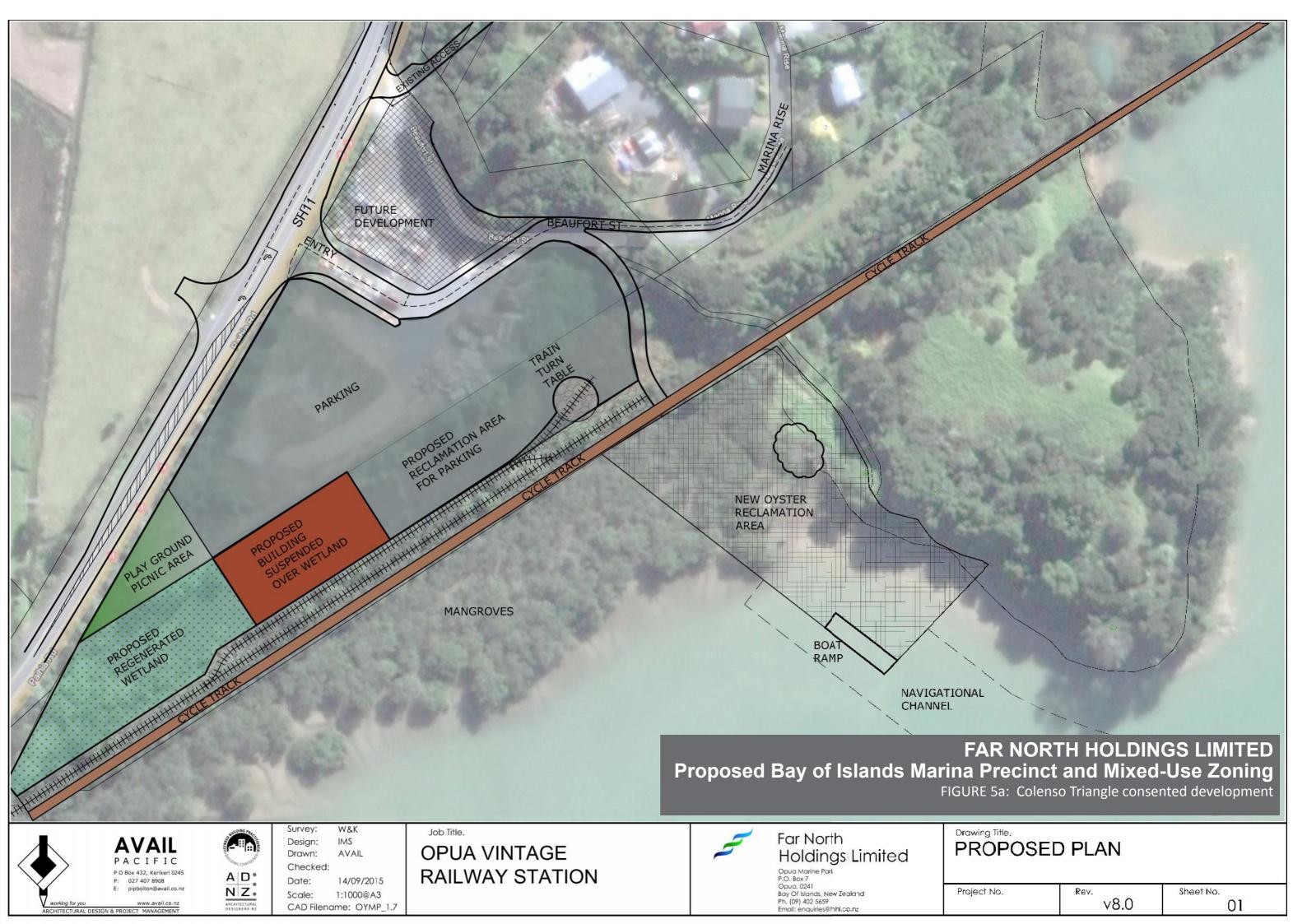


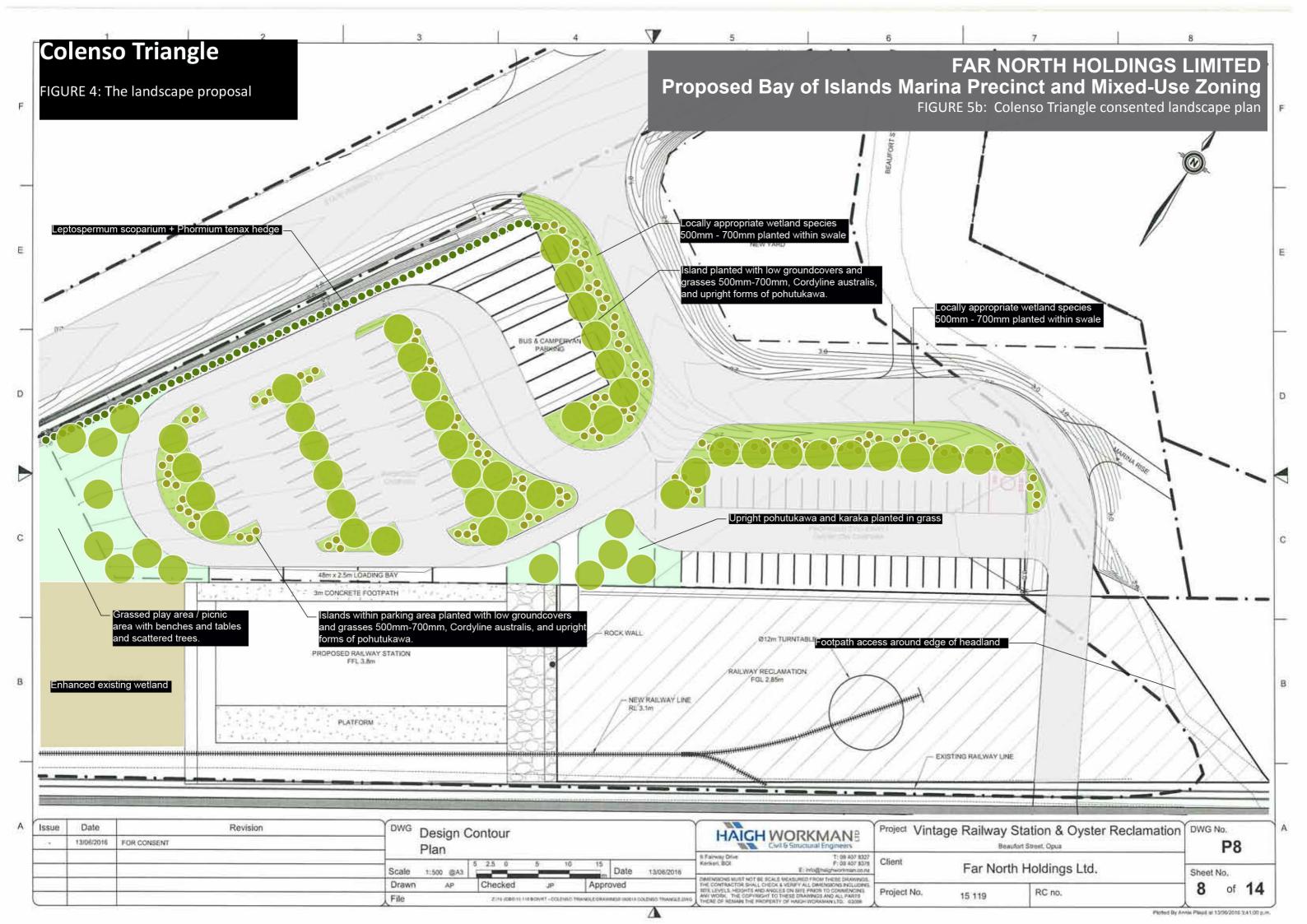


MARINE PARK 3D INDICATIVE RENDER











COLOUR	BUILDING HEIGHT
	5-6 levels
	4 levels
	3 levels
	2 levels
	1 level







Photo 1: Drone view of Opua Marina Development Area (view to south)

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Simon Cocker Landscape Architecture



Photo 2: View west from 'Garden Jetty'





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Photo 3: Google StreetView to south west along Kennedy Street



Photo 4: Google Street to south along Oromahoe Road

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Photo 5: Google StreetView to north along Sir George Back Street





Photo 6: View to north along State Highway 11 from Opua Commercial Estate





Photo 7: View west across State Highway 11 to Opua Commercial Estate





Photo 8: View to north along State Highway 11 showing valley character area

FAR NORTH HOLDINGS LIMITED Proposed Bay of Islands Marina Precinct and Mixed-Use Zoning Photos taken with digital equivalent of 50mm focal length unless otherwise specified. Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm





Photo 9: View to south along State Highway 11 showing valley character area





Photo 10: View south to Colenso Triangle

FAR NORTH HOLDINGS LIMITED Proposed Bay of Islands Marina Precinct and Mixed-Use Zoning Photos taken with digital equivalent of 50mm focal length unless otherwise specified. Photos represent a 124° horizontal and 55° vertical field of view, and should be read at a distant of 400mm

