SMZ — Seaview Marina Zone

The purpose of the Seaview Marina Zone is to enable the continued operation of the Marina, and a compatible range of other activities subject to adequate management of reverse sensitivity risks, natural hazard risks, hazardous substances risks, and supporting the purpose of the commercial centres hierarchy. The Seaview Marina Zone, like the General Industrial Zone, also forms part of a buffer around the core of the Seaview industrial area (part of the Heavy Industrial Zone) from residential areas, to separate incompatible activities.

The planned urban environment for the Seaview Marina Zone is one that meets the operational needs of the marina while still providing a safe, functional, and attractive environment for workers and visitors. It is managed to protect amenity values in nearby residential areas and avoid unreasonable reverse sensitivity effects on the Heavy Industrial Zone.

Built development is provided for in the Seaview Marina Zone through a range of permitted activities and development standards that, with some exceptions, permit buildings designed for permitted land uses. Development standards also address:

a. The impacts of built development on adjoining sites and public space, including the street, and
b. Amenity and safety in public spaces.

If a proposed development does not meet one or more development or performance standard for the zone, or is for a land use that is not part of the core purpose of the zone, resource consent is required in order to:

a. Achieve a high-quality built environment,
b. Manage the effects of development on neighbouring sites and the street,
c. Avoid reverse sensitivity effects, and
d. Achieve attractive, safe, and comfortable streets and public spaces.

Developments that require resource consent will be assessed against the policy framework set out by the relevant zone and district-wide chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is necessary to meet the purpose of the zone. Council provides design guidance for developments through design guides that sit outside the plan.

While this chapter includes the core objectives, policies, and rules that apply to the Seaview Marina Zone, other chapters of the District Plan, including those that apply overlays across specified areas, may modify the type and form of development permitted in some areas of the zone. As such, this chapter should be read alongside the district-wide chapters of the District Plan.

Objectives

SMZ-O1	Purpose of the zone
The Seaview Marina area is used primarily to provide for the needs of marina activities. The area also provides for other compatible activities that support this role, or do not interfere with the primary purpose, including industrial activities, commercial activities, or community activities, that: 1. Do not undermine the purpose of the Local Centre Zone, Metropolitan Centre Zone, or City Centre Zone, and 2. Do not present significant reverse sensitivity effects on industrial activities, including heavy industrial activities, in the Heavy Industrial Zone and General Industrial Zone.	
SMZ-O2	**Activities in the zone**
The Seaview Marina Zone: 1. Primarily provides for marina activities, 2. Provides for other activities provided for in industrial zones, such as industrial activities, research activities, emergency facilities and trade and industrial training activities, 3. Is supported by other activities that: a. Are compatible with the purpose, the planned character, and the planned urban environment of the zone, b. Do not undermine the role of commercial centres, and c. Do not create unreasonable or excessive reverse sensitivity issues for industry in the Heavy Industrial Zone, and 4. Is not intended to provide for: a. Standalone residential activities that do not support an industrial activity, research activity, or emergency facility, or b. Activities (other than marina activities) that would be a city-wide or regional destination for significant numbers of visitors, or c. Heavy industrial activities.	

SMZ-O3	Provision of activity spaces
The Seaview Marina Zone provides for a variety of types and sizes of spaces that respond to the needs of activities provided for in the zone.	

SMZ-O4	Planned character and planned urban built environment of the zone
The built character of the Seaview Marina Zone balances the functional needs and operational needs of the primary activities in the zone, and the needs of visitors and employees, by contributing to a part of the urban environment that: 1. Appropriately balances its industrial, open space, and coastal marine area surroundings, 2. Positively contributes to the Seaview Marina, which is a public place and destination in its own right, 3. Comprises buildings and spaces surrounding buildings, sites, streets, and neighbourhoods that are designed to achieve the desired urban design outcomes for the zone, 4. Has an urban built environment that is characterised by flexibility of building densities and forms, 5. Is healthy, safe, attractive, and accessible, 6. Has good access within the Seaview Marina Zone, to and from surrounding neighbourhoods, and to and from other industrial and commercial areas, through active and public transport modes, providing for well-connected and low emission communities, 7. Is integrated with existing and planned infrastructure, and 8. Enhances co-location benefits.	

SMZ-O5	Character — Main through routes
Identified main through routes that pass through the Seaview Marina Zone are attractive and assist the city's sense of place and identity.	

SMZ-O6	Adverse effects
Adverse effects of activities and development are effectively managed within the zone, and at interfaces with other zones.	

Policies

SMZ-P1	Enabled activities
Enable: 1. Marina activities, 2. Activities that support marina activities, 3. Industrial activities, 4. Research activities, 5. Emergency facilities, 6. Trade and industrial training facilities, and 7. Commercial activities that do not undermine the purpose, vitality, vibrancy, and co-location benefits, while managing the reverse sensitivity effects of those on existing and potential activities in the General Industrial Zone and Heavy Industrial Zone.	

SMZ-P2	Residential activities and sensitive activities not related to the Seaview Marina
Avoid residential activities and other new sensitive activities not associated with the Seaview Marina unless they are: 1. Ancillary to and support an industrial activity, research activity, or emergency facility, 2. Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and 3. Managed to minimise reverse sensitivity effects for industry, including existing and enabled heavy industry.	

SMZ-P3	Residential activities and sensitive activities related to the Seaview Marina
Avoid: 1. Residential activities and other new sensitive activities associated with the Seaview Marina, and 2. Activities that primarily support or are ancillary to residential activities or other sensitive activities in the coastal marine area, unless they are: 3. Managed so that they do not adversely impact the long-term development capacity of the zone for marina development, including through managing the design of new buildings, and 4. Managed to avoid significant reverse sensitivity effects for industry, including existing and enabled heavy industry.	

SMZ-P4	Role in network of commercial and industrial areas
Manage the location and scale of commercial activities which could result in cumulative adverse effects on: 1. The viability, vibrancy, and co-location benefits of the City Centre, Metropolitan Centre, and Local Centre Zones, and	

2. The function of the transport network, particularly the ability of the public transport and active transport network to efficiently serve destinations.

SMZ-P5	Reverse sensitivity

Avoid any other activities that present significant and inadequately managed reverse sensitivity issues for industry, including existing and enabled heavy industry.

SMZ-P6	Existing activities

Provide for the ongoing operation of existing activities while managing their development to support the intended purpose and character of the zone.

SMZ-P7	Development capacity

Provide for the flexible use of the Seaview Marina area to respond to changing and unpredictable needs, and provide for activities that support the viability of the Seaview Marina.

SMZ-P8	Urban design outcomes (by meeting standard or assessment)

Built development is managed to achieve the outcomes in this policy through either meeting the relevant performance standards, or an alternative approach demonstrated in a resource consent when the relevant performance standards are not met.

Where specific existing site constraints (such as topography) or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.

The outcomes are:

1. Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety, comfort, dignity, and amenity.
2. The form and scale of development contributes to visual amenity in public space.
3. The form and scale of development protects access to sunlight and daylight in well-used streets and public spaces.
4. Ensure adequate privacy for activities sensitive to privacy intrusion, on the site and on adjacent sites.
5. Ensure adequate access to daylight for residential activities on adjacent residential zone sites.
6. Ensure adequate access to sunlight for existing outdoor living spaces on adjacent residential zone sites, and public open space.

Note:
The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.

SMZ-P9	Urban design outcomes (other than small-scale primary activities in the zone)

Built development for activities other than marina activities, industrial activities, and research activities, or over an identified threshold of scale, is managed to achieve the outcomes in this policy through an approach demonstrated in a resource consent.

Where specific existing site constraints or other unusual factors affect the ability for built development to achieve these outcomes, the development shall meet the outcomes to the greatest degree practical.

The outcomes are:

1. Create a safe and legible urban environment by:
    a. Providing easily visible, accessible, and sheltered main entrances to buildings (other than accessory buildings),
    b. Appropriately designing, demarcating, and lighting public, communal, and private spaces,
    c. Avoiding wasted space or space of unclear function, and
    d. Integrating other CPTED measures at a scale appropriate for the site.
2. Vehicle parking and loading areas, accessways, and garages are designed to provide for pedestrian safety, comfort, dignity, and amenity.
3. There is quality, legible, safe, and efficient circulation for pedestrians accessing the site and people within the site.
4. Ensure that on-site landscaping, if any is proposed, or required by SMZ-S5: Landscaping and screening:
    a. Retains healthy and mature vegetation,
    b. Uses planting that is appropriate for the climate and environment within the site, and
    c. Provides one or more of functional, aesthetic, stormwater management, ecological, or urban heat mitigation benefits.
5. Public and communal outdoor spaces are designed and landscaped to be comfortable for users in different climatic conditions.
6. Ensure adequate privacy and access to daylight for residential activities on the site.

7. Ensure residential units have access to adequate outlook.

Note:
The council will publish design guidance with examples of ways these outcomes can be achieved. This guidance does not form part of the District Plan and applicants can also demonstrate how these outcomes have been met in other ways.

SMZ-P10	Urban design outcomes (exclusions)

For the avoidance of doubt, when applying the standards and urban design policies of this chapter, the following are not controlled, encouraged, anticipated as mitigation, or otherwise provided for by the plan:

a. The protection of scenic views from private property,
b. The protection of scenic views from any part of a road where pedestrians cannot stop,
c. The protection of the visibility of commercial signage or advertising,
d. The protection of sunlight access to solar panels, where the height standard is met, even if other standards are not met,
e. Limiting the height, scale, or density of developments where the height, setback, site coverage, height in relation to boundary, and density standards are met, and
f. The use of techniques such as modulation of building form or variation of building materials to reduce the perceived scale of buildings, where the height, setback, and height in relation to boundary standards are met.

SMZ-P11	Managing adverse effects at zone interfaces

Manage activities to mitigate adverse effects on other zones by:

1. Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and
2. Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.

Rules

Note:
Resource consent may be required under rules in this chapter as well as other chapters. Unless specifically stated, resource consent is required under each relevant rule. The steps to determine the relevant rules and activity status of an activity are set out in the General Approach chapter.

Buildings and structures

SMZ-R1	Repair and maintenance of buildings and structures

1. **Activity status:** Permitted

SMZ-R2	Demolition or removal of buildings and structures

1. **Activity status:** Permitted

SMZ-R3	Construction of new buildings and structures and alterations and additions to existing buildings and structures

1. **Activity status:** Permitted

   Where:
   a. Compliance is achieved with:
      i. SMZ-S1: Height,
      ii. SMZ-S2: Height in relation to boundary — Seaview Beach Reserve,
      iii. SMZ-S3: Setbacks — Seaview Beach Reserve, and
      iv. SMZ-S4: Landscaping and screening,
   b. The new buildings, new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules SMZ-R4 through SMZ-R22, and
   c. The new building, or resulting building after additions and alterations, has a gross floor area of no more than 500m², or the gross floor area is not increased.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with SMZ-R3.1.

   Matters of discretion are restricted to:
   1. The matters of discretion in any standards not met.
   2. If SMZ-R3.1b or c are not met: the urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes

(exclusions).
3. If SMZ-R3.1b is not met: the impact of the design of the building and any associated subdivision on the long-term development capacity of the zone for marina, industrial, research, and supporting purposes, including the expected lifespan of the building and the ability of the building to be converted to marina or industrial use.

Notification:
Public notification and limited notification are precluded where the only non-compliance is SMZ-R3c.

Land use activities

SMZ-R4	**Marina activities**
1. **Activity status:** Permitted	
SMZ-R5	**Industrial activities, other than heavy industrial activities**
1. **Activity status:** Permitted	
SMZ-R6	**Research activities**
1. **Activity status:** Permitted	
SMZ-R7	**Emergency facilities**
1. **Activity status:** Permitted	
SMZ-R8	**Motor vehicle servicing activities**
1. **Activity status:** Permitted	
SMZ-R9	**Marine servicing activities**
1. **Activity status:** Permitted	
SMZ-R10	**Carparking activities**
1. **Activity status:** Permitted	
SMZ-R11	**Grocery stores and supermarkets**
1. **Activity status:** Permitted Where: a. The activity has a gross floor area of no more than 500m^2.	
2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with SMZ-R13.1. **Matters of discretion are restricted to:** 1. The matters in: a. SMZ-P4: Role in network of commercial and industrial areas, b. SMZ-P5: Reverse sensitivity, c. SMZ-P6: Existing activities, and d. SMZ-P7: Development capacity. 2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions). 3. Co-location benefits from locating in the Seaview Marina Zone. 4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone. 5. Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones. 6. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future. **Notification**: Public notification is precluded for applications under this rule.	
SMZ-R12	**Food and beverage activities**
1. **Activity status:** Permitted	

SMZ-R13	Service stations, including ancillary retail activities

1. **Activity status:** Permitted

   Where:
   a. The ancillary retail activities have a gross floor area of no more than 200m^2.

2. **Activity status:** Restricted discretionary

   Where:
   a. Compliance is not achieved with SMZ-R13.1.

   Matters of discretion are restricted to:
   1. The matters in:
      a. SMZ-P4: Role in network of commercial and industrial areas,
      b. SMZ-P5: Reverse sensitivity,
      c. SMZ-P6: Existing activities, and
      d. SMZ-P7: Development capacity.
   2. The urban design matters in SMZ-P9: Urban design outcomes (other than small-scale primary activities in the zone), and exclusions in SMZ-P10: Urban design outcomes (exclusions).
   3. Co-location benefits from locating in the Seaview Marina Zone.
   4. Foregone co-location benefits from not locating in a Commercial and Mixed Use Zone.
   5. Development capacity for business uses across Commercial and Mixed Use Zones and Industrial Zones.
   6. Any legal, economic, and physical obstacles to repurposing the site for marina or industrial activity in the future.

   Notification:
   Public notification is precluded for applications under this rule.

SMZ-R14	Recreation activities

1. **Activity status:** Permitted

SMZ-R15	Yard-based retailing

1. **Activity status:** Permitted

SMZ-R16	Trade supply retail activities

1. **Activity status:** Permitted

SMZ-R17	Marine supply commercial activities

1. **Activity status:** Permitted

SMZ-R18	Community facilities

1. **Activity status:** Permitted

SMZ-R19	Commercial activities not otherwise provided for

1. **Activity status:** Permitted

   Where:
   a. The commercial activity has a gross floor area of no more than 100m^2.

2. **Activity status:** Discretionary

   Where:
   a. Compliance is not achieved with SMZ-R21.1, but
   b. The commercial activity has a gross floor area of no more than 500m^2, or
   c. The commercial activity is ancillary to marina activities.

3. **Activity status:** Non-complying

   Where:
   a. Compliance with SMZ-R21.1 or SMZ-R21.2 is not achieved.

SMZ-R20	Other activities not otherwise provided for

1. **Activity status:** Permitted

Where:
a. The activity is ancillary to a permitted activity, or
b. The activity has a gross floor area of no more than 100m^2.

2. **Activity status:** Discretionary

Where:
a. Compliance is not achieved with SMZ-R22.1.

SMZ-R21	Heavy industrial activities

1. **Activity status:** Non-complying

SMZ-R22	Residential activities

1. **Activity status:** Non-complying

Notification:
Public notification is required for any application under this rule.

SMZ-R23	Activities sensitive to industry, other than community facilities and residential activities

1. **Activity status:** Non-complying

Notification:
Public notification is required for any application under this rule.

General rules

SMZ-R24	Outdoor storage and work areas

1. **Activity status:** Permitted

Where:
a. The outdoor storage and work areas are screened from the Seaview Beach Reserve (excluding the groyne) by a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height above ground level, and
b. Standard SMZ-S4 is met.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with SMZ-R26.1.

Matters of discretion are restricted to:
1. Visual amenity from the Seaview Beach Reserve (excluding the groyne), and
2. Any positive effects that can only be achieved through non-compliance with SMZ-R26.1 or SMZ-S4.

SMZ-R25	Servicing

1. **Activity status:** Permitted

Where:
a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone, or Marae Zone, or within 40 metres of the notional boundary of a sensitive activity in a Rural Zone, or
b. The servicing occurs only between 7:00am and 10:00pm.

In applying condition a, any part of a site in a Residential Zone, Mixed Use Zone, Marae Zone, or Rural Zone, that is within a risk management overlay (see Hazardous Substances chapter) may be disregarded.

2. **Activity status:** Restricted discretionary

Where:
a. Compliance is not achieved with SMZ-R27.1.

Matters of discretion are restricted to:
1. The night-time amenity of sensitive activities in the surrounding area in Residential Zones, the Mixed Use Zone, the Marae Zone, and Rural Zones.

Notification:

Public notification is precluded for applications under this rule.

Standards

SMZ-S1	Height

1. Buildings and structures must not exceed a maximum height above ground level of 22m.

Matters of discretion if the standard is breached:

1. Urban design outcomes 2, 3, 5, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
2. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S2	Height in relation to boundary - Seaview Beach Reserve

1. Buildings and structures must meet a height in relation to boundary limit of 4m + 60° on any boundary with the Seaview Beach Reserve (excluding the groyne).

Matters of discretion if the standard is breached:

1. Urban design outcomes 2, 3, 4, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
2. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S3	Setback - Seaview Beach Reserve

1. Buildings and structures must be set back 3 metres from any boundary with the Seaview Beach Reserve (excluding the groyne).

This standard does not apply to boundary fences of no more than 2 metres in height above ground level.

Matters of discretion if the standard is breached:

1. Access for repairs and maintenance to buildings and structures on the site.
2. Urban design outcomes 2, 3, 4, and 6 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
3. Any positive effects that can only be achieved through non-compliance with the standard.

SMZ-S4	Landscaping and screening

1. Landscaping is required on the front 3 metres of any site fronting on to a street with the Industrial Main Through Route Frontage overlay.
2. Landscaping is required on a 3 metre buffer on any boundary with the Seaview Beach Reserve (excluding the groyne), except on portions of the boundary that provide pedestrian access across the boundary or are screened with a solid or close-boarded fully opaque fence on the boundary of at least 1.8 metres in height above ground level.
3. Landscaping required by this standard must:
    a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways,
    b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and
    c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity.

Matters of discretion if the standard is breached:

1. Visual amenity from the road subject to the Industrial Main Through Route Frontage Overlay or the Seaview Beach Reserve (excluding the groyne), as relevant.
2. Urban design outcomes 1 and 2 in SMZ-P8: Urban design outcomes (by meeting standard or assessment), and the exclusions in SMZ-P10.
3. Any positive effects that can only be achieved through non-compliance with the standard.