

Port Zone (PORTZ)

Issues

The Port Zone (PORTZ) recognises the significance of the Whangārei Port (“Port”) and its importance to the Whangārei District and the Northland Region as [regionally significant infrastructure](#). The purpose of the Port Zone is:

- To enable the ongoing and future growth and development of the Port and any associated operational areas and facilities; and
- To provide for operations relating to the transportation of people and freight including within the Port Zone.
- To enable appropriate commercial and industrial development adjacent to Marsden Bay Drive, and to otherwise manage non-port related activities so as not to compromise or constrain the primary purpose of the zone.

The Port Zone only applies to the Port located at Marsden Point. The Port Zone covers three areas of [land](#): Port Operations Area A, Port Management Area B and Port Management Area C (see Appendix 1).

- Port Operations Area A contains and is limited to the functions and operations of the Port.
- Port Management Area B is managed to provide for the future expansion of the Port’s operations, together with interim uses that do not compromise or constrain the primary purpose of the zone.
- Port Management Area C provides for appropriate commercial and industrial activities 80m either side of adjacent to Marsden Bay Drive, buffering future Port operations from the public road.

The Port is currently managed and operated by Northport. The Port is a deep-water commercial port situated at the entrance to the Whangārei Harbour. It occupies a strategic location as the country’s northernmost multi-purpose Port and the closest to most of New Zealand’s international markets.

The Port is a major large-scale facility that comprises a range of activities. It is an important [physical resource](#) and contributes significant social and economic benefits to people and communities of the Whangārei District and the Northland Region. The Port facilities also create economic growth for the region by the provision of long-term [infrastructure](#) and employment opportunities.

It is expected that there will be future expansion and development within the Port Zone to respond to the future growth of the upper North Island. Flexibility to adapt and to develop the area in order to support the Port and its future operations is important. The unique operational needs and environmental [effects](#) associated with the Port necessitates a special purpose zone which is tailored to address those needs and [effects](#).

This chapter seeks to ensure that a balance is found between:

- The continued and future operation and development of the Port within Port Operations Areas A and Port Management Area B; and
- Appropriate Commercial and Industrial activities in Port Management Area C; and
- Managing effects on the environment.

Objectives

PORTZ-O1 – Regionally Significant Infrastructure

Recognise and provide for the importance of the Port as [regionally significant infrastructure](#) and the contribution it makes to the economic and social wellbeing of the District and Region.

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PORTZ-O2 – Current Operation and Future Development	<p>Recognise the unique characteristics of the Port and provide for:</p> <ol style="list-style-type: none"> 1. The efficient and effective ongoing operation of <u>Port activities</u> within the Port Zone without undue constraints; and 2. The future development and expansion of Port operations and activities within the Port Zone.
PORTZ-O3 – Adverse Effects	<p>Manage the adverse <u>effects</u> of the Port and <u>port activities</u> on the <u>environment</u>.</p>
PORTZ-O4 – Public Access to the Coastal Marine Area	<p>Maintain, and where practicable enhance, public <u>access</u>, use and enjoyment to and along the <u>Coastal Marine Area</u>, provided it does not adversely affect the efficient and safe operation of the Port.</p>
PORTZ-O5 – Fragmentation	<p>Avoid fragmentation of the Port Zone and potential <u>reverse sensitivity effects</u> associated with <u>subdivision</u> and <u>land</u> use.</p>
PORTZ-O6 – Cultural Values	<p>To recognise and provide for the relationship of Māori and their culture and traditions with their cultural landscapes in the future development and expansion of the Port.</p>

Policies

PORTZ-P1 – Regional Significance	<p>To recognise the regional significance of the Port by providing for a wide range of existing and future port operations and <u>port activities</u> within the Port Zone.</p>
PORTZ-P2 – Protection of Land for Port Activities within Port Operations Area A	<p>To avoid the establishment of non-port related or <u>sensitive activities</u> within Port Operations Area A unless such activities:</p> <ol style="list-style-type: none"> 1. Demonstrate a direct requirement to establish within proximity to the Port; and 2. Do not compromise or constrain the safe and efficient operation of current and future <u>port activities</u>.
PORTZ-P3 – Management of Land to provide for current and future Port Activities within Port Management Area B	<p>To manage the establishment of non-port related activities and avoid the establishment of <u>sensitive activities</u> within the Port Management Area B to ensure that activities do not compromise or constrain the safe and efficient operation of current and future port activities.</p>
PORTZ-P4 – Management of Land within Port Management Area C	<p>To enable appropriate commercial and industrial activities adjacent to Marsden Bay Drive while:</p> <ol style="list-style-type: none"> 1. Not compromising or constraining the safe and efficient operation of current and future port activities. 2. Managing reverse sensitivity. 3. Mapping Port Management Area C to preserve transport corridors for Port traffic. 4. Recognising that Marsden Bay Drive is a Primary Collector public road. 5. Not compromising the viability and vitality of the City Centre, Waterfront, Mixed Use, Local Centre, Neighbourhood Centre and Shopping Centre Zones.

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<p>PORTZ-P5 – Adverse Effects</p>	<p>To manage adverse <u>effects</u> of the Port and associated <u>port activities</u> by:</p> <ol style="list-style-type: none"> 1. Limiting the <u>height</u> of <u>buildings</u> and outdoor <u>storage</u> areas to minimise adverse visual amenity <u>effects</u> while recognising the operational requirements of the Port; 2. Minimising adverse <u>effects</u> of noise and light spill while recognising the operational requirements of the Port; and 3. Managing the <u>effects</u> of <u>earthworks</u> (other than <u>earthworks</u> associated with flood control works) to ensure such works do not divert flood flow onto neighbouring properties or deplete flood plain <u>storage</u> capacity.
<p>PORTZ-P6 – Public Access to the Coastal Marine Area</p>	<p>To manage public accessways to and along the <u>Coastal Marine Area</u> by:</p> <ol style="list-style-type: none"> 1. Recognising the need for public walking <u>access</u> to and along the <u>Coastal Marine Area</u>; and 2. Maintaining, enhancing and developing public accessways to and along the <u>Coastal Marine Area</u>. 3. Only restricting public accessways to and along the <u>Coastal Marine Area</u> where it is necessary to: <ol style="list-style-type: none"> a. Protect public health and safety; or b. Ensure the efficient and effective operation of the Port is not compromised. c. Meet the requirements of other regulations and legislation.
<p>PORTZ-P7 – Fragmentation</p>	<p>To retain large <u>sites</u> and <u>land</u> holdings by avoiding fragmentation of the Port Zone through inappropriate <u>subdivision</u> and <u>land</u> use.</p>
<p>PORTZ-P8 – Plant Nursery</p>	<p>To enable a small-scale plant nursery to establish in Port Management Area B.</p>
<p>PORTZ-P9 – Cultural Values</p>	<p>Ensure activities within the Port Zone are undertaken in a manner which recognises and provides for the cultural values associated with cultural landscapes by:</p> <ol style="list-style-type: none"> 1. Limiting the <u>height</u> of <u>buildings</u> and outdoor <u>storage</u> areas to minimise adverse <u>effects</u> on cultural landscapes; and 2. Requiring an assessment of cultural values where these may be adversely affected by future development within the Port Zone.

Rules

<p>PORTZ-R1</p>	<p>Any Activity Not Otherwise Listed in This Chapter</p>
<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. Resource consent is not required under any rule of the District Plan. 2. The activity is not prohibited under any rule of the District Plan. 	

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PORTZ-R2		Building and Major Structure Height
Port Operations Area A	Activity Status: Permitted	Activity Status when compliance not achieved with PORTZ-R2.3: Restricted Discretionary
	Where:	Matters of discretion:
	<ol style="list-style-type: none"> The maximum <u>building height</u> and <u>major structure height</u> (excluding public utilities, light towers, silos, <u>aerials</u>, cranes, containers and tanks) is 20m above <u>ground level</u>. The maximum <u>height</u> for public utilities, light towers, silos, <u>aerials</u> and tanks (excluding cranes and containers) is 60m above <u>ground level</u>. The maximum operational crane <u>height</u> is 85m above <u>ground level</u>. The maximum <u>height</u> for containers is 30m above <u>ground level</u>. 	<ol style="list-style-type: none"> Visual <u>effects</u> on Takahiwai marae and kāinga and other identified cultural <u>sites</u>. Location of the <u>buildings/structures</u>. Number of <u>buildings/structures</u>. Arrangement of <u>buildings/structures</u>.
Port Management Area B	Activity Status: Permitted	Activity Status when compliance not achieved with PORTZ-R2.1, R2.2, R2.4, R2.5, R2.6, R2.7 or R2.8: Discretionary
	Where:	
	<ol style="list-style-type: none"> The maximum building <u>height</u> and <u>major structure height</u> (excluding public utilities, light towers, silos, <u>aerials</u>, containers and tanks) is 20m above <u>ground level</u>. The maximum <u>height</u> for public utilities, light towers, silos, <u>aerials</u> and tanks is 40m above <u>ground level</u>. The maximum <u>height</u> for containers is 20m above <u>ground level</u>. 	
Port Management Area C	Activity Status: Permitted	
	Where:	
	<ol style="list-style-type: none"> The maximum building height and major structure is 15m above ground level. 	

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PORTZ-R3	Building and Major Structure Setbacks	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All <u>buildings</u> and <u>major structures</u> are set back at least: <ol style="list-style-type: none"> a. 10m from <u>road</u> boundaries. b. 3m from any Heavy Industrial or Light Industrial Zone <u>boundary</u>. c. 15m from any Open Space and Recreation or Residential Zone <u>boundary</u>, except in the Port Operations Area A. d. 27m from Mean High Water Springs or the top of the bank of any <u>river</u> that has a width exceeding 3m (excluding bridges, culverts and fences), except in the Port Operations Area A. 	<p>Activity Status when compliance not achieved with PORTZ-R3.1(a) – (c): Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The outlook and privacy of adjoining and adjacent properties. 2. <u>Effects</u> of shading and visual dominance on adjoining properties. 3. <u>Effects</u> on the streetscape character of the area. 4. <u>Effects</u> on the safety and efficiency of the transport network. <p>Activity Status when compliance not achieved with PORTZ-R3.1(d): Discretionary</p>
PORTZ-R4	Building and Major Structure Height in Relation to Boundary	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> 1. All <u>buildings</u> and <u>major structures</u> do not exceed a <u>height</u> equal to 3m above <u>ground level</u> plus the shortest horizontal distance between that part of the <u>building</u> or <u>major structure</u> and any Residential or <u>Open Space and Recreation Zone boundary</u>. 	<p>Activity Status when compliance not achieved: Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The outlook and privacy of adjoining and adjacent properties. 2. <u>Effects</u> of shading and visual dominance on adjoining and adjacent properties.
PORTZ-R5	Minor Buildings	
	<p>Activity Status: Permitted</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <u>Minor buildings</u> are exempt from rules PORTZ-R2 – R4. 	
PORTZ-R6	Port Activities	
PORTZ-R7	Helicopter Facilities – Including Helicopter Take-Off and Associated Fuelling and Service Facilities	
	Activity Status: Permitted	

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PORTZ-R8	Outdoor Areas of Storage or Stockpiles	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The outdoor area of <u>storage</u> or stockpile complies with rules PORTZ-R3 – R4. The maximum <u>height</u> of the outdoor area of <u>storage</u> or stockpile is 20m above <u>ground level</u>. 	<p>Activity Status when compliance not achieved with PORTZ-R8.1: Restricted Discretionary</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> <u>Effects</u> in relation to dust and odour. Visual amenity <u>effects</u>. The matters of discretion in PORTZ-R3 – R4. <p>Activity Status when compliance not achieved with PORTZ-R8.2: Discretionary</p>
PORTZ-R9	Plant Nursery	
	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> A maximum of two full-time equivalent employees are present on the <u>site</u> at any one time. Any <u>structures</u> are no greater than 5m in <u>height</u> and are capable of being relocated or removed. 	<p>Activity Status when compliance not achieved: Discretionary</p>
PORTZ-R10	Service Stations	
<p>Port Management Area C</p> <p>Port Operations Area A and Port Management Area B</p>	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. <p>Activity Status: Non-Complying</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. 	
PORTZ-R11	Trade Retail	
<p>Port Management Area C</p>	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. 	<p>Activity Status when compliance not achieved with PORTZ-R11.2-3: Discretionary</p>

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Port Operations Area B	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is an ancillary activity to Port activities. The activity is less than 100m² GFA.
Port Management Area A	<p>Activity Status: Non-Complying</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity.

PORTZ-R12		General Retail
Port Management Area C	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is an ancillary activity to an <u>industrial activity</u> in the same building. The maximum business net floor area of the general retail activity is 250m². 	<p>Activity Status when compliance not achieved with PORTZ-R12.1 – 2: Non-Complying</p>
Port Operations Area A and Port Management Area B	<p>Activity Status: Non-Complying</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. 	

PORTZ-R13		Commercial Services
Port Management Area C	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is an ancillary activity to an <u>industrial activity</u> in the same building. The maximum business net floor area of the commercial service is 250m². 	<p>Activity Status when compliance not achieved with PORTZ-R13.1 – 2: Discretionary</p>
Port Operations Area A and Port Management Area B	<p>Activity Status: Non-Complying</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. 	

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PORTZ-R14	Food and Beverage Activity	
PORTZ-R15	Drive Through Facilities	
Port Management Area B and Port Operations Area C	Activity Status: Permitted	Activity Status when compliance not achieved with with PORTZ-R14.1 – 3 or R15.1 – 3: Non-Complying
	Where: <ol style="list-style-type: none"> 1. The activity is a primary activity or ancillary activity. 2. The maximum business net floor area of each food and beverage activity and drive through facility is 250m². 3. There is a cumulative maximum of 10 food and beverage activities and drive through facilities in total across areas Port Management Area B and Port Management Area C. 	
Port Management Area A	Activity Status: Non-Complying	
	Where:	
	<ol style="list-style-type: none"> 4. The activity is a primary activity or ancillary activity. 	
PORTZ-R16	Any New, or Extension to an Existing, Public Accessway or Walkway to and Along the Coastal Marine Area	
	Activity Status: Restricted Discretionary Matters of discretion: <ol style="list-style-type: none"> 1. Location and design of the public accessway or walkway. 2. Degree of earthworks. 3. Effects on public safety. 4. Effects on port operations/activities. 5. Existing access to and along the Coastal Marine Area. 	
PORTZ-R17	Sea-Farers Mission and Managers Accommodation	
	Activity Status: Restricted Discretionary Matters of discretion: <ol style="list-style-type: none"> 1. Location. 2. Ground floor area. 3. Reverse sensitivity effects. 	
PORTZ-R18	Manufacturing (Excluding Storage for Port Activities)	
PORTZ-R19	Storage (Excluding Storage for Port Activities)	
PORTZ-R20	Repair and Maintenance Services (Excluding for Port Activities)	

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PORTZ-R21	Marine Industry
PORTZ-R22	Artisan Industrial Activities
PORTZ-R23	General Industry
PORTZ-R24	Waste Management Facilities (Excluding for Port Activities)

Port Management Area B	<p>Activity Status: Restricted Discretionary</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity. <p>Matters of discretion:</p> <ol style="list-style-type: none"> Ability to relocate the activity and/or building. Duration of the activity. Nature of the activity. Compatibility of activity with port operations and port activities. Effects on port operations and activities and whether they will remain viable in the long term. Size and location of the activity and/or building.
Port Operations Area A	<p>Activity Status: Non-Complying</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity.
Port Operations Area C	<p>Activity Status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> The activity is a primary activity or ancillary activity.

PORTZ-R25	Residential Activities
PORTZ-R26	Community Activities
PORTZ-R27	Landfill
PORTZ-R28	Rural Production Activities
PORTZ-R29	Entertainment Facilities
PORTZ-R30	Visitor Accommodation
PORTZ-R31	Grocery Store

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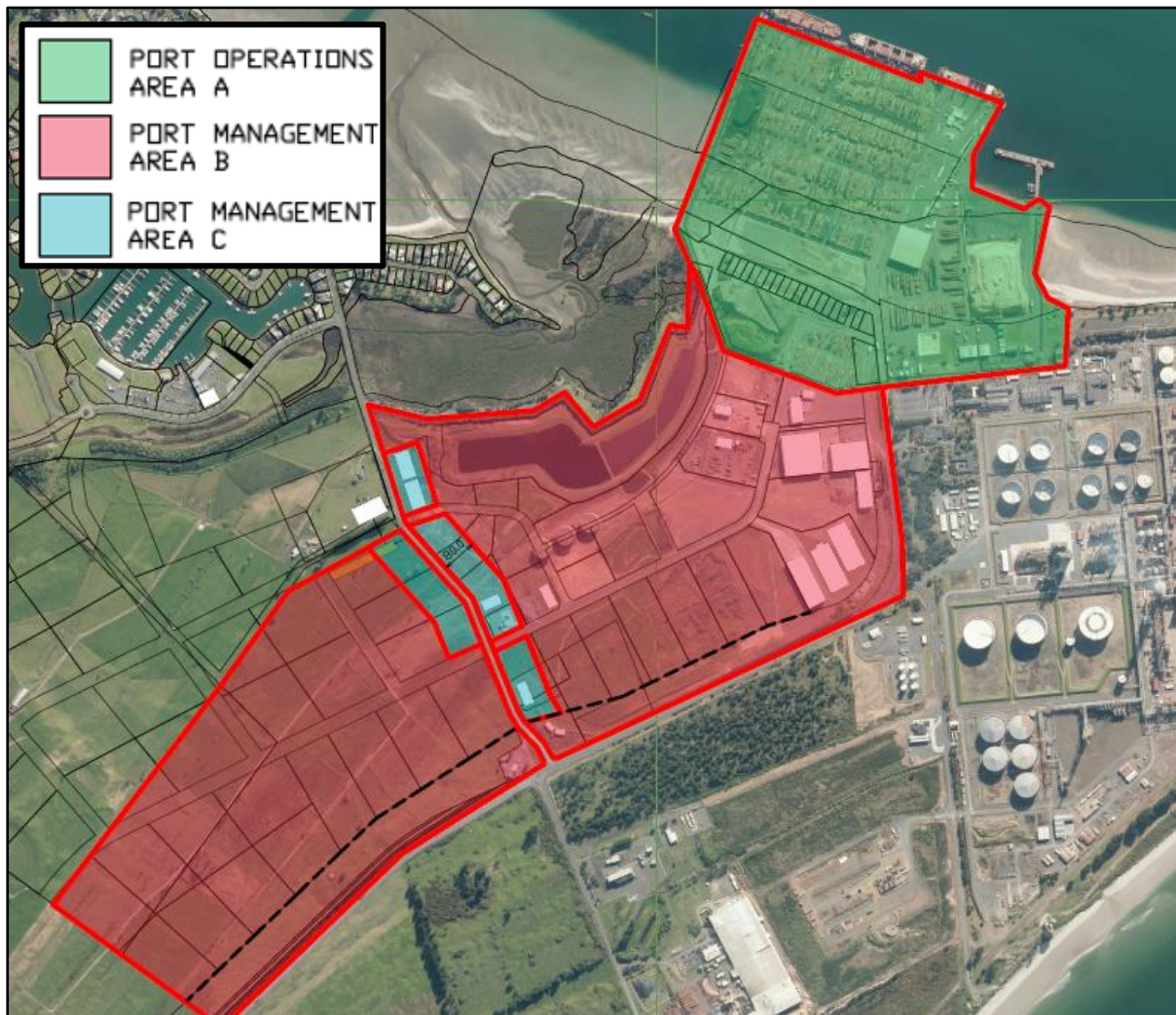


PORTZ-R32	Funeral Home
PORTZ-R33	General Commercial
Activity Status: Non-Complying	
Where:	
1. The activity is a primary activity or ancillary activity .	

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Appendix 1 – Port Operations Area A, Port Management Area B and Port Management Area C Image

Figure 1: Port Operations Area A, Port Management Area B and Port Management Area C areas subject to the PORTZ rules delineated on the image below.



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Revision and Sign-off Sheet

Editor	Paragraph	Change Reference	Council Decision Date	Operative Date	Approved By
AKM	Order of rules	Clause 16A Minor Amendments DSTPLN-659943184-396	21 February 2022	21 February 2022	DK

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