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## SUBMISSION ON A PROPOSED PLAN PURSUANT TO CLAUSE 6 OF SCHEDULE 1 OF THE RESOURCE MANAGEMENT ACT 1991

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**Local authority:** Hutt City Council  
Private Bag 31-912  
Lower Hutt 5040  
  
Attention: District Plan Team  
  
Email: [district.plan@huttcity.govt.nz](mailto:district.plan@huttcity.govt.nz)

**Submission on:** Proposed Lower Hutt District Plan

**Submitter:** Z Energy Limited  
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(Hereafter referred to as **Z Energy**)

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**Date:** 2 May 2025

SLR Ref No.: Submission - Z Energy Limited - Proposed Hutt City District Plan  
SLR Project No.: 810.031439.00001



## INTRODUCTION

1. The Hutt City Council (**the Council**) has publicly notified the Proposed Lower Hutt District Plan (**the PDP**) pursuant to clause 5 of Schedule 1 of the Resource Management Act 1991 (**the RMA**). This is the submission of Z Energy Limited (**Z Energy**) pursuant to clause 6 of Schedule 1 of the RMA.
2. Z Energy is a publicly listed company on the Australian and New Zealand stock exchanges with around 10,000 shareholders. Z Energy's primary business includes a fuel retail network, pipelines, terminals and bulk storage terminal infrastructure situated around the country.
3. Z Energy owns and manages:
  - a 15.4 per cent stake in Refining NZ which runs New Zealand's only oil refinery. Refining NZ was renamed Channel Infrastructure from April 2022, and now operates as an import terminal from Marsden Point under long-term contracts with its three customers, BP Oil New Zealand, Mobil Oil New Zealand Limited, and Z Energy;
  - a 25 per cent stake in Loyalty New Zealand which run Fly Buys;
  - approximately 200 service stations;
  - approximately 140 truck stops; and
  - pipelines, terminals and bulk storage terminal infrastructure around the country.
4. Z Energy has business interests in the City; it operates a range of service stations and truck stops as well as the Z Energy bulk fuel storage terminal in Seaview. It is a joint owner of the Hutt City Wharfline, together with bp Oil New Zealand Limited (bp) and Mobil Oil New Zealand Limited (Mobil), which conveys fuel products from the tanker berth at Seaview Wharf to the Seaview Terminals. Z Energy supplies fuel to retail customers and large commercial customers like airlines, trucking companies, mines, shipping companies and vehicle fleet operators. It also provides bitumen to roading contractors.
5. In June 2016, Z purchased the assets of Chevron New Zealand, which sees Z as the wholesale fuel supplier to the network of Caltex-branded service stations. Most of the Caltex-branded retail network remains independently owned and operated, with the operators setting their own retail fuel prices.
6. Z Energy's fuel distribution network including the bulk storage terminal at Seaview as well as individual service station and truckstops are important to the social and economic success of the City. It is important that the management of these facilities is appropriately addressed in the PDP to ensure fuel supply for the district and beyond. The PDP addresses a wide range of topics. This submission is focused on those issues that Z Energy perceives may inappropriately restrict or limit its existing operations. Broader environmental management concerns and concerns relating to the management of terminal assets are addressed in a separate submission lodged by the Fuel Companies, which is a cross industry group representing Z Energy, bp and Mobil.

## SCOPE OF THIS SUBMISSION

7. Schedule A details the provisions that this submission relates to, the reasons for this submission and the relief sought by this submission. Z Energy supports alternative relief that achieves the same outcomes.



8. In addition to the specific outcomes and relief sought by this submission, the following general relief is sought:
- 8.1. That the PDP achieves the following:
- a. the purpose and principles of the RMA and consistency with the relevant provisions under sections 6 to 8 of the RMA;
  - b. give effect to the National Policy Statement on Urban Development and the Regional Policy Statement for the Wellington Region;
  - c. avoid duplication with, the Natural Resources Plan for the Wellington Region;
  - d. assist the Council to carry out its functions under section 31 of the RMA;
  - e. meet the requirements of the statutory tests under section 32 of the RMA;
  - f. avoid, remedy or mitigate any relevant and identified environmental effects;
- 8.2. Make any alternative or consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the document that are not specifically subject of this submission but where consequential changes are required to ensure a consistent approach is taken throughout the document; and
- 8.3. Any other relief required to give effect to the issues raised in this submission.

### ADMINISTRATIVE MATTERS

9. Z Energy could not gain an advantage in trade competition through this submission.
10. Z Energy is directly affected by an effect of the subject matter of this submission that:
- 10.1. adversely affects the environment; and
  - 10.2. does not relate to trade competition or the effects of trade competition.
11. Z Energy wishes to be heard in support of this submission.
12. If others make similar submissions, Z Energy may be prepared to consider presenting a joint case with them at any hearing.

Signed on behalf of Z Energy Limited

PP:



**Thomas Trevilla**


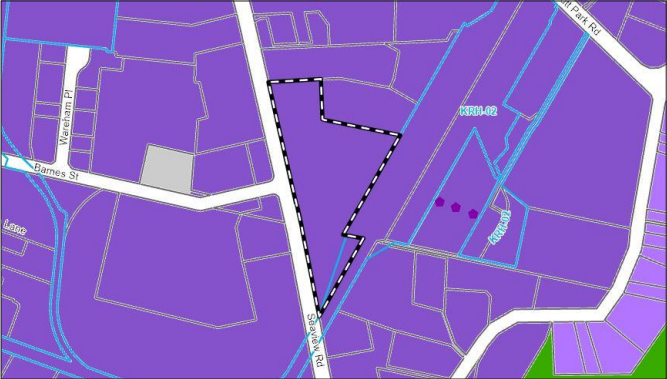
Senior Planner

SLR Consulting New Zealand Limited





SCHEDULE A


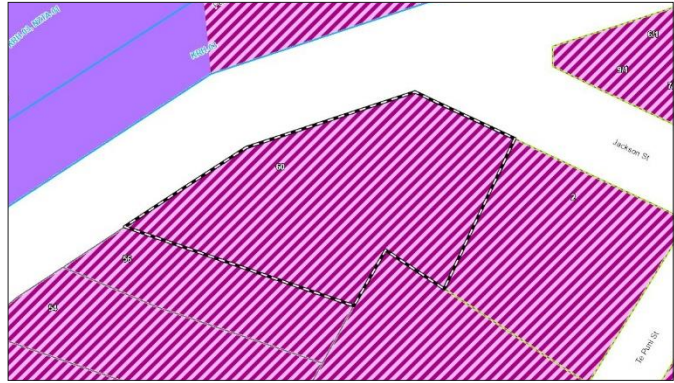
Schedule A.1 - Z Energy’s submission points on PDP mapping

Mapping	Position	Reason for this submission	Relief sought by this submission
<div><div>Z Hutt Road (service station) - 453 Hutt Road</div><div></div><div><ul style="list-style-type: none"><li>• Light Industrial Zone</li><li>• Highway and Railway Noise (Moderate, High)</li><li>• Fault Location Area</li><li>• Flood Hazard (Low, Medium)</li></ul></div></div>	Support	Z Energy supports the mapping of 453 Hutt Road.	<b>Retain</b> the mapping of 453 Hutt Road as notified.
<div><div>Z Seaview Terminal - 55-59 Seaview Road</div><div></div><div><ul style="list-style-type: none"><li>• Heavy Industrial Zone</li><li>• Industrial Main Through Route Frontage</li><li>• Sites and Areas of Significance to Māori</li><li>• Flood Hazard (Low, Medium, High)</li><li>• Hazardous Substances Risk Management</li><li>• Liquefaction Hazard</li><li>• Tsunami Hazard (Low, Medium)</li><li>• Designation KRH-02</li></ul></div></div>	Support	Z Energy supports the mapping of 55-59 Seaview Road.	<b>Retain</b> the mapping of 55-59 Seaview Road as notified.



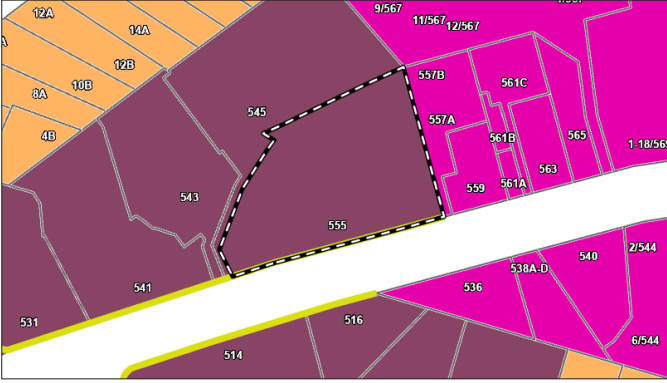

Mapping	Position	Reason for this submission	Relief sought by this submission
<div>Caltex Seaview Truck Stop - 59 Seaview Road</div> <div></div> <div><ul style="list-style-type: none"><li>• Heavy Industrial Zone</li><li>• Industrial Main Through Route Frontage</li><li>• Sites and Areas of Significance to Māori</li><li>• Flood Hazard (Low, Medium, High)</li><li>• Hazardous Substances Risk Management</li><li>• Liquefaction Hazard</li><li>• Tsunami Hazard (Low, Medium)</li><li>• Designation KRH-02</li></ul></div>	Support	Z Energy supports the mapping of 59 Seaview Road.	<b>Retain</b> the mapping of 59 Seaview Road as notified.
<div>Z Seaview (Truck Stop) - 58 Seaview Road</div> <div></div> <div><ul style="list-style-type: none"><li>• Heavy Industrial Zone</li><li>• Industrial Main Through Route Frontage</li><li>• Medium Coastal Inundation Hazard</li><li>• Flood Hazard (Medium, High)</li><li>• Hazardous Substances Risk Management</li><li>• Liquefaction Hazard</li><li>• Tsunami Hazard (Low, Medium)</li></ul></div>	Support	Z Energy supports the mapping of 58 Seaview Road.	<b>Retain</b> the mapping of 58 Seaview Road as notified.



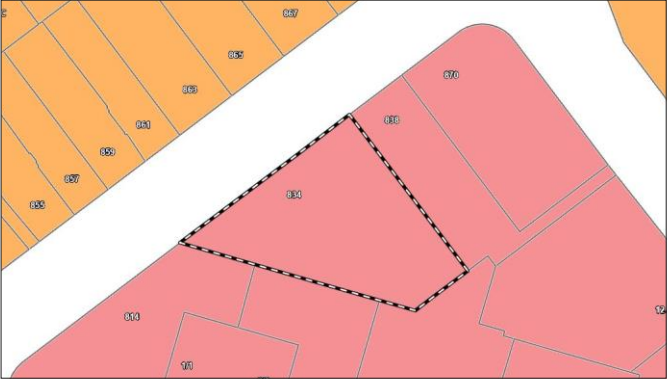
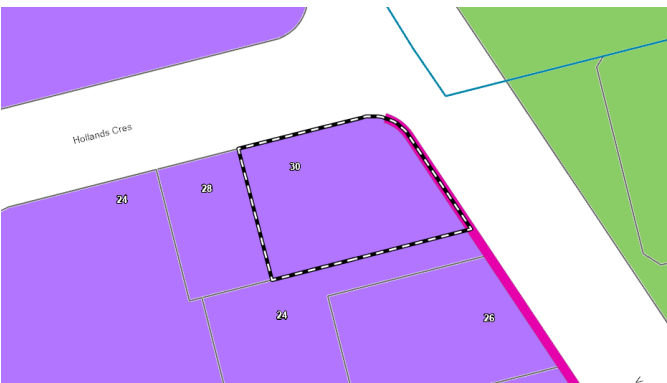
Mapping	Position	Reason for this submission	Relief sought by this submission
<p>Z Seaview (Service Station) - 11 Seaview Road</p>  <ul style="list-style-type: none"> <li>General Industrial Zone</li> <li>Industrial Main Through Route Frontage</li> <li>Sites and Areas of Significance to Māori</li> <li>Medium Coastal Inundation Hazard</li> <li>High Flood Hazard</li> <li>Liquefaction Hazard</li> <li>High Tsunami Hazard</li> </ul>	Support	Z Energy supports the mapping of 11 Seaview Road.	<b>Retain</b> the mapping of 11 Seaview Road as notified.
<p>Z Petone (Service Station and Truck Stop) - 60 Hutt Road</p>  <ul style="list-style-type: none"> <li>Metropolitan Centre Zone</li> <li>Jackson Street Character Transition Precinct</li> <li>Active Street Frontage (B, C)</li> <li>Sites and Areas of Significance to Māori</li> <li>Highway and Railway Noise (Moderate)</li> <li>Low Flood Hazard</li> <li>Liquefaction Hazard</li> <li>Low Tsunami Hazard</li> </ul>	Support	<p>Z Energy supports the mapping of 60 Hutt Road, with the exception of the Active Street Frontage C applying to the northern boundary of the site.</p> <p>The service station site together with the entire block of properties to the west of the service station are occupied by activities with car parking on the road frontage. That is none of the existing properties currently meet the requirements of the Active Street Frontage C provisions, and significant redevelopment of those sites would be required to change site layouts to that extent that compliance could be achieved.</p> <p>On that basis, Z Energy considers the Active Street Frontage C applying to the southern side of Hutt Road between The Esplanade and Jackson Street should be removed.</p>	<p><b>Remove</b> the Active Street Frontage C applying to the southern side of Hutt Road between The Esplanade and Jackson Street.</p> <p>And otherwise <b>retain</b> the mapping of 60 Hutt Road as notified.</p>
Z VIC Corner - 555 High Street	Support in part	<p>Z Energy supports the City Centre Zone mapping of 555 High Street, however, it opposes the imposition of the Active Street Frontage Overlay (ASFO) along the frontage of the site and seeks that it be removed, for the following reasons:</p> <ul style="list-style-type: none"> <li>The intent of the ASFO is identified as protecting frontages as attractive, pedestrian-focused environments through land use and design controls. This is at odds with the existing, and well-established use of the site as a service station, which is a vehicle-oriented activity.</li> </ul>	<b>Amend</b> the mapping of 555 High Street to remove the Active Street Frontage Overlay.





Mapping	Position	Reason for this submission	Relief sought by this submission
<div></div> <div><ul style="list-style-type: none"><li>City Centre Zone</li><li>Low Flood Hazard</li><li>Liquefaction Hazard</li><li>Active Street Frontage (C)</li></ul></div>		<div><ul style="list-style-type: none"><li>The Z VIC Corner service station is located at the eastern edge of the town centre. It is not located within an area of traditional retail street frontages, with the main retail area being located further to the west. On its' western boundary is a large format retail development, currently occupied by Pete's Emporium, Animates and Ideal Electric, which has large areas of parking on the road frontage of the site. On the opposite side of the road is a drive-thru KFC restaurant and a real estate agent, both of which have parking on the front boundary. Such activities are located beyond the main shopping strip, where pedestrians might be inclined to browse along the retail frontage, and have particular operational and functional building and site layout requirements.</li><li>Z VIC Corner is a well-established activity and includes a shop and car wash, both of which are set back from the road, adjoining drive-thru restaurant offering, refuelling areas under a canopy and associated parking and manoeuvring, including to accommodate tankers refuelling the site. Whilst modern service stations have a tidy, utilitarian appearance, the design and layout of service stations is largely dictated by their function, as they are, by definition, vehicle rather than pedestrian orientated.</li><li>In principle, Z supports the tiered approach set out in the PDP to Active Street Frontages, whereby more flexibility is provided around vehicle crossings, manoeuvring and parking in the Active Street Frontage Overlay C, which applies to the Z VIC Corner site, as opposed to in Overlays A and B. However, service station activities, and in particular additions and alterations to existing service station facilities, which are likely to trigger the Active Street Frontage Overlay provisions, will essentially never be able to comply. Removal of the ASF Overlay from the service station will ensure that the ASF Overlay is appropriately applied to areas west of the site that are pedestrian focussed areas, and that its integrity is maintained.</li></ul></div> <div></div>	



Mapping	Position	Reason for this submission	Relief sought by this submission
<div>Z High Street - 834 High Street</div> <div></div> <div><ul style="list-style-type: none"><li>Local Centre Zone</li><li>Active Street Frontage (B)</li></ul></div>	Support	<p>Z Energy supports the mapping of 834 High Street, with the exception of the Active Street Frontage (B) overlay.</p> <p>The requirements of the Active Street Frontage Overlay (ASFO) B include no vehicle crossings across the ASFO as well as the provision of a sheltered pedestrian environment, suggesting a requirement for provision of verandahs. Given the Z High Street site has only a single site frontage, there is no alternative way of accessing this site other than across the ASFO. Nor do the specific functional and operational site layout requirements of service stations enable the provision of verandahs. It is unreasonable to set an expectation of no vehicle access and provision of verandahs in relation to any minor works or development at the Z High Street site, particularly in the context that it is a well established activity that has been present on the site for many years.</p> <p>On this basis, Z Energy seeks to remove the ASFO overlay, or as a minimum amend the ASFO (B) overlay to an ASFO (C) overlay in recognition that a vehicle crossing, parking and manouvring are integral to the operation of this site, as well as the neighbouring site to the west, also located within the ASFO (B) overlay.</p>	<p><b>Retain</b> the zoning of 834 High Street as notified.</p> <p><b>Amend</b> the planning maps to uplift the ASFO from the site at 834 High Street, together with adjoining sites.</p>
<div>Caltex Naenae - 30 Hollands Crescent</div> <div></div> <div><ul style="list-style-type: none"><li>General Industrial Zone</li><li>Low Flood Hazard</li><li>Liquefaction Hazard</li><li>Industrial Main Through Route Frontage</li></ul></div>	Support	<p>Z Energy supports the mapping of 30 Hollands Crescent.</p>	<p><b>Retain</b> the mapping of 30 Hollands Crescent as notified.</p>

Schedule A.2 - Z Energy’s submission points on PDP provisions

Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
Definitions			
<ul style="list-style-type: none"><li>Accessory building</li><li>Activity sensitive to hazardous substance risks</li><li>Activity sensitive to light</li><li>Activity sensitive to noise</li></ul>	Support	<p>Z Energy supports the intent of these provisions and seeks that it is retained as notified.</p>	<p><b>Retain</b> these definitions as notified:</p> <ul style="list-style-type: none"><li>Accessory building</li><li>Activity sensitive to hazardous substance risks</li><li>Activity sensitive to light</li><li>Activity sensitive to noise</li><li>Activity sensitive to privacy intrusion</li><li>Addition</li><li>Alteration</li></ul>





Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
<ul style="list-style-type: none"> <li>Activity sensitive to privacy intrusion</li> <li>Addition</li> <li>Alteration</li> <li>Ancillary activity</li> <li>Ancillary building</li> <li>Best practicable option</li> <li>Building</li> <li>Building coverage</li> <li>Building footprint</li> <li>Carparking</li> <li>Commercial activity</li> <li>Construction activity</li> <li>Sensitive activities</li> <li>Sign</li> <li>Structure</li> <li>Transport facilities</li> </ul>			<ul style="list-style-type: none"> <li>Ancillary activity</li> <li>Ancillary building</li> <li>Best practicable option</li> <li>Building</li> <li>Building coverage</li> <li>Building footprint</li> <li>Carparking</li> <li>Commercial activity</li> <li>Construction activity</li> <li>Sensitive activities</li> <li>Sign</li> <li>Structure</li> <li>Transport facilities</li> </ul>
Activity sensitive to industry	Oppose	<p>The term “activity sensitive to industry” does not currently appear to be used in any parts of the PDP, in which case it is creates unnecessary complexity in the PDP and should be deleted.</p> <p>However, Z Energy has suggested this term could be used in relation to provisions in the industrial zones that seek to manage land use compatibility issues at the boundary between industrial zones and zones used for more sensitive activities (namely Residential, Mixed Use, Marae and Rural zones). In particular, given the Mixed Use zone provides for a broad range of activities, including light manufacturing and servicing, Z Energy considers it is unduly onerous to restrict servicing of activities in industrial zones that adjoin the Mixed Use zone, where existing Mixed Use zone activities are not sensitive to the effects generated by servicing of industrial activities.</p> <p>On that basis, Z Energy could support retention of a definition of ‘activity sensitive to industry’ subject to the following changes:</p> <p>It is not uncommon to see ‘community facilities’ and ‘places of assembly’ in or adjacent to industrial areas. These activities often occur outside standard working hours, and so do not necessarily result in a direct conflict. In some cases, these types of activities are drawn to industrial locations where they won’t disturb residential neighbours as a result of traffic generation or noise, and due to the availability of comparatively cheaper and larger sites.</p> <p>On that basis, the Z Energy considers ‘community facilities’ and ‘places of assembly’ should be excluded from the definition of “activity sensitive to industry”.</p>	<p><b>Amend</b> the definition “activity sensitive to industry” as follows:</p> <p><i>Activity sensitive to industry:</i> <i>means a:</i></p> <ol style="list-style-type: none"> <li>1. <i>residential activity, or</i></li> <li>2. <i>retirement village, or</i></li> <li>3. <i>supported residential care facility, or</i></li> <li>4. <i>marae, or</i></li> <li>5. <i>healthcare activity, or</i></li> <li>6. <del>community facility, or</del></li> <li>7. <i>custodial corrections facility, or</i></li> <li>8. <i>visitor accommodation activity,</i><del> or</del></li> <li>9. <del>place of assembly.</del></li> </ol>
Drive-through activity	Support	The definition is appropriate, including the exclusion of service stations as it is separately defined.	<b>Retain</b> the “drive-through activity” definition as notified.
Earthworks	Oppose	<p>The definitions for “earthworks”, “land disturbance” and “minor earthworks” are related terms, but with some differences. Land disturbance applies where the profile, contour or height of the land is not permanently altered, while minor earthworks applies to a list of specific activities. All other modifications or excavation of earth materials fall within the meaning of earthworks.</p> <p>However, the PDP deliberately manages activities differently depending on whether it is “earthworks”, “land disturbance” or “minor earthworks”. For example:</p>	<p><b>Amend</b> the “earthworks” definition as follows:</p> <p><i>means the <del>alteration or disturbance</del> <u>modification</u> of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes <u>land disturbance, minor earthworks</u>, gardening, cultivation, and disturbance of land for the installation of fence posts.</i></p>
Land disturbance	Support		<b>Retain</b> the “land disturbance” and as notified.
Minor earthworks	Support in part		<b>Amend</b> the “minor earthworks” definition as follows:



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
		<ul style="list-style-type: none"> <li>Within the Earthworks (EW) chapter, policy EW-P1 and rule EW-R1 deals specifically with “minor earthworks”, while all other EW policies and EW rules apply to “earthworks” and by inference excludes minor earthworks.</li> <li>“Land disturbance” is essentially only relevant in the context of Sites and Areas of Significance to Māori (SASM) chapter. Policy SASM-P8 references both “earthworks” and “land disturbance”; rule SASM-R2 relates only to land disturbance; while the earthworks chapter policy EW-P10 and rule EW-R10 apply specifically to earthworks on Sites and Areas of Significance to Māori.</li> </ul> <p>These examples indicate that the 3 terms are intended to be applied differently in the PDP. However, the “earthworks” and “land disturbance” definitions are confusing as they both mean the “<i>the alteration or disturbance of land...</i>” and as a consequence any land disturbance may also be earthworks. The implication of this is that land disturbance may be permitted under SASM-R2 but the same activity may be restricted discretionary under earthworks rule EW-R10.2 within Sites and Areas of Significance to Māori. The same activities within the same overlay should not be regulated by different rules.</p> <p>These matters can be addressed by amending the “earthworks” definition to clearly differentiate it from the “land disturbance” and “minor earthworks” definitions, including:</p> <ul style="list-style-type: none"> <li>Phrasing the earthworks definition similar to the corresponding definition in the operative District Plan to refer to “any modification of land...”</li> <li>Expressly exclude “land disturbance” and “minor earthworks” from the earthworks definition.</li> </ul> <p>Z Energy supports the “minor earthworks” definition and particularly its inclusion of the replacement or removal of underground petroleum storage systems, which are regulated under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS). However, they consider that it should also apply to contaminated land investigations (also regulated by the NES-CS, which involve soil sampling, similar to geotechnical investigations), the replacement or removal of underground drainage devices, such as the oil-water interceptors necessary for service station / truck stop stormwater management.</p>	<p><i>means earthworks for the purposes of piling, trenching, geotechnical investigations, <u>contaminated land investigations</u>, interments within existing cemeteries or urupā, soakpits, stormwater detention tanks, rainwater tanks, wastewater mitigation tanks, and the replacement or removal of underground petroleum storage systems <u>and stormwater treatment devices</u>.</i></p>
Existing Activities	Oppose	The definition is unnecessary and potential cuts across the interpretation of existing use rights under section 10 RMA. If there are any specific rules that rely on the existence of the activity as of 25 February 2025, the appropriate place to address that would be in the rule itself.	<p>Delete the definition of ‘existing activities’, as follows:</p> <p><del><i>means, in relation to a site, an activity that has been taking place on that site since 6 February 2025, with no interruption of greater than 12 months.</i></del></p>
High trip generating activity	Oppose in part	Z Energy opposes any service station being considered a high trip generating activity (HTGA). They consider that this is not an effects-based approach, and it is inappropriate to single out and treat any instance of a particular activity as a HTGA irrespective of its vehicle movements and traffic effects. Identification of service stations, per se, as a HTGA suggests any changes to an existing service station may also be considered a HTGA irrespective of the nature and scale of works and whether or not additional traffic is generated. For example, routine upgrade and maintenance works, such as replacement of underground tanks, may be considered a HTGA under this definition and trigger the associated requirements for traffic assessment. That is inappropriate as retanking does not typically result in additional traffic generation, and frequently results in reduced tanker deliveries to a site.	<p><b>Amend</b> the “high trip generating activities” definition as follows:</p> <p><i>means:</i></p> <p><del><i>a. a service station,</i></del>  <del><i>b. a drive-through activity, or</i></del>  <del><i>c. any other activity which exceeds a threshold in TR-Table 8 High trip generating activity thresholds, including when assessed cumulatively with all other activities with which on-site motor vehicle access spaces are shared.</i></del></p>
Minor building/ minor structure	Oppose	The definition of minor building / minor structure refers to meeting the relevant conditions for that rule. That approach is opposed. Definitions should provide clarity, certainty and consistency. If a minor building is different depending on the rule that applies to it, that’s not a useful definition.	<p><b>Delete</b> the definition of minor building / minor structure on the basis it does not provide the certainty require for a definition:</p> <p><del><i>minor building / minor structure</i></del>  <del><i>means, in a rule referring to a minor building or minor structure, a building or structure meeting the relevant conditions for that rule.</i></del></p>
Reverse sensitivity	Oppose in part	The definition has significant issues:	<b>Delete</b> the definition of “reverse sensitivity” and replace it with the following wording, or wording to the same effect:



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		<ul style="list-style-type: none"> <li>It is very difficult to read due to its structure, length and complexity compared to other planning documents where reverse sensitivity is either undefined, with reliance placed on case law, or, are defined by one sentence or a short paragraph.</li> <li>Several clauses are unclear and/or require a high degree of discretion / assessment; this is inappropriate for a definition. The meaning of “predominant activity” is also unclear as it is not explained in the definition or separately defined.</li> <li>Some of the clauses seem to rely on the concept of “reverse sensitivity” itself, making the definition circular.</li> <li>Clause (11) introduces further ambiguity as it enables the consideration of “all other relevant matters” not specified.</li> <li>The final sentence introduces commentary on civil rights which is not relevant to the meaning of reverse sensitivity in the context of district plan provisions.</li> </ul> <p>The basis for this definition is not apparent in the s 32 evaluation reports.</p> <p>Z Energy requests a simpler and clearer definition that is more in line with other “new generation” district plans; the recommended definition is adopted from the Proposed Porirua City District Plan (Appeals Version 2024).</p>	<p><u>means the potential for the development, upgrading, operation and maintenance of an existing lawfully established activity to be compromised, constrained or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived environmental effects generated by the existing activity. ‘Development’ and ‘upgrading’ of an existing activity in this definition are limited to where the effects are the same or similar in character, intensity, and scale to those which existed before the development or upgrade.</u></p>
No definition for outdoor storage and work areas	Oppose in part	Several zones propose outdoor storage and work areas rules and without a definition, it is currently unclear what would be considered as such. Additionally, “new generation” district plan rules also only relate to “outdoor storage areas” so it is unclear what is considered and “works areas” and the need to manage them. The basis for “works areas” is unclear from the section 32 evaluation reports. To provide certainty to plan users, the Council should consider the insertion of an “outdoor storage areas” definition.	<p>(1) <b>Insert</b> a definition of “outdoor storage areas”.</p> <p>AND</p> <p>(2) <b>Amend</b> all existing references in the remainder of the PDP from “outdoor storage and works areas” to refer to “outdoor storage areas” instead.</p>
Service station	Support in part	The definition is generally appropriate; however, it lacks reference to electric vehicle (EV) charging which is a service that is increasingly being provided as part of service station activities. Z Energy appreciates that an EV charging station in isolation might not be a service station per se, and seeks clarification from the Council that, if an EV facility were proposed at an existing service station site, the facility would fall to be part of the service station activity.	<p><b>Amend</b> the “service station” definition as follows:</p> <p><i>means a commercial activity of the refuelling, refilling, cleaning, pressurising of tyres, or fitting of end user-replaceable parts (e.g. wiper blades) to motor vehicles, or the retail sale of fuels and oils (other than in sealed containers) <u>and/or the charging of electric vehicles</u>. An electric vehicle charging station is not, in itself, a service station.</i></p>
Servicing	Oppose in part	The proposed definition changes the ordinary understanding of ‘servicing’ which is essentially deliveries that are ancillary to the primary operation. In this case, the definition includes <u>any</u> movements of heavy motor vehicles. That would then mean activities such as trucks visiting a truck stop to refuel or the Terminals or distribution centres would be caught by the term ‘servicing’, notwithstanding that the activity relies on heavy vehicle movements.	<p><b>Amend</b> the “servicing” definition as follows:</p> <p><i>means deliveries to and collections from a site, including of products, supplies, raw materials, refuse, mail, and packages, <del>and includes any movements of heavy motor vehicles</del>.</i></p>
Noise			
NOISE-P3 Reverse sensitivity	Support in part	The intent of the policy is supported. However, Z Energy notes that reverse sensitivity effects can also be generated by development of noise sensitive activities on land adjoining zones that anticipate higher levels of noise. For example, the development of new or intensification of residential development adjoining a zone occupied by existing high noise generating activities can result in reverse sensitivity effects on existing activities. The policy should be amended to recognise this.	<p><b>Amend</b> Policy NOISE-P3, as follows:</p> <p><b>NOISE-P3</b> <i>Reverse sensitivity</i></p> <p><i>Require sound insulation where practical for activities sensitive to noise:</i></p> <ol style="list-style-type: none"> <li>Near the rail network,</li> <li>Near major highways, including State Highways, and</li> <li>Within <u>or adjoining</u> zones that anticipate higher levels of noise.</li> </ol>
NOISE-R8 New buildings, or alterations and additions to existing buildings, to be used by an activity sensitive to noise New NOISE standard	Support in part	Z Energy acknowledges the need to manage land use compatibility between more and less sensitive activities but notes that the PDP as notified (particularly in the industrial zones, as set out in its submissions on the LIZ, GIZ and HIZ chapters) places an inequitable onus for mitigation to be achieved by the activity generating the nuisance.	<p>(1) <b>Amend</b> NOISE-R8 as follows:</p>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )								
		<p>intensification of residential development immediately adjacent to the zone boundary, with no comparable requirement to include noise attenuation in new residential development, which would assist in managing land use compatibility issues associated with the close proximity of commercial / industrial activities and residential / sensitive activities. .</p> <p>Z Energy supports the noise attenuation requirements of NOISE-R8, NOISE-S7 and NOISE-S8 but notes that these would not apply to a noise sensitive activity that is not in a “high noise zone” or “moderate noise zone” but nevertheless adjoins or is opposite to an industrial zone.</p> <p>The Council should consider requiring noise attenuation requirements for the above circumstances. This could be achieved by amending NOISE-R8 and inserting a new standard. The standard could be based on NOISE-S7 which applies to noise sensitive activities within the Industrial Zones.</p>	<table><tr><td><u>All other zones not listed under NOISE-R8.1 or NOISE-R8.2</u></td><td><u><b>3. Activity status: Permitted</b></u> <u>Where:</u> <u>a. Compliance is achieved with NOISE-S9: Acoustic insulation and ventilation for activities sensitive to noise on sites adjoining or opposite to Industrial Zones. or</u> <u>b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater on sites adjoining or opposite to Industrial Zones.</u></td></tr><tr><td><del>City Centre Zone</del> <del>[...]</del> <u>All zones</u></td><td><b>1. Activity status:</b> Restricted discretionary Where: <u>a. Compliance is not achieved with NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3.</u></u>  Matters of discretion are restricted to: <ol style="list-style-type: none"><li>Any positive effects of the activity that cannot be achieved while meeting the standard.</li><li>Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people’s health and wellbeing.</li><li>Ambient noise levels and any special character of noise from any existing activities, and the likely noise levels and special character of noise from likely future activities in the area.</li><li>Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general.</li><li>Special constraints on achieving NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3</u>, such as being a heritage item.</li></ol> Public notification is precluded for any application under this rule.</td></tr></table> <p>(2) AND <b>Insert</b> NOISE-S9 as follows:</p> <table><tr><td><b><u>NOISE-S9</u></b></td><td><b><u>Acoustic insulation and ventilation for activities sensitive to noise on sites adjoining or opposite to Industrial Zones</u></b></td></tr><tr><td><u>All other zones not listed under NOISE-S7 or NOISE-S8</u></td><td><ol style="list-style-type: none"><li><u>Any building accommodating an activity sensitive to noise on a site adjoining or opposite to an Industrial Zone must either:</u> <ol style="list-style-type: none"><li><u>Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP5: Minimum construction schedule for noise insulation (to achieve Dtr,2m,nTw &gt; 35dB), or</u></li><li><u>Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of Dtr,2m,nTw &gt; 35dB assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation, and this certification is provided in writing to the Council before the activity commences.</u></li></ol></li><li><u>Where compliance with this standard is met through NOISE-S9.1.a, or where the acoustic performance of NOISE-S9.1.b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.</u></li></ol></td></tr></table>	<u>All other zones not listed under NOISE-R8.1 or NOISE-R8.2</u>	<u><b>3. Activity status: Permitted</b></u> <u>Where:</u> <u>a. Compliance is achieved with NOISE-S9: Acoustic insulation and ventilation for activities sensitive to noise on sites adjoining or opposite to Industrial Zones. or</u> <u>b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater on sites adjoining or opposite to Industrial Zones.</u>	<del>City Centre Zone</del> <del>[...]</del> <u>All zones</u>	<b>1. Activity status:</b> Restricted discretionary Where: <u>a. Compliance is not achieved with NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3.</u></u>  Matters of discretion are restricted to: <ol style="list-style-type: none"><li>Any positive effects of the activity that cannot be achieved while meeting the standard.</li><li>Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people’s health and wellbeing.</li><li>Ambient noise levels and any special character of noise from any existing activities, and the likely noise levels and special character of noise from likely future activities in the area.</li><li>Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general.</li><li>Special constraints on achieving NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3</u>, such as being a heritage item.</li></ol> Public notification is precluded for any application under this rule.	<b><u>NOISE-S9</u></b>	<b><u>Acoustic insulation and ventilation for activities sensitive to noise on sites adjoining or opposite to Industrial Zones</u></b>	<u>All other zones not listed under NOISE-S7 or NOISE-S8</u>	<ol style="list-style-type: none"><li><u>Any building accommodating an activity sensitive to noise on a site adjoining or opposite to an Industrial Zone must either:</u> <ol style="list-style-type: none"><li><u>Be designed, constructed, and maintained in accordance with the minimum construction schedule in appendix NOISE-APP5: Minimum construction schedule for noise insulation (to achieve Dtr,2m,nTw &gt; 35dB), or</u></li><li><u>Be designed, constructed, and maintained in accordance with a design that is certified by a qualified acoustic expert as meeting an acoustic performance of Dtr,2m,nTw &gt; 35dB assessed in accordance with ISO 717-1:2020 Acoustics — Rating of sound insulation in buildings and of building elements — Part 1: Airborne sound insulation, and this certification is provided in writing to the Council before the activity commences.</u></li></ol></li><li><u>Where compliance with this standard is met through NOISE-S9.1.a, or where the acoustic performance of NOISE-S9.1.b can only be met with the windows closed, ventilation, heating, and cooling must be provided in accordance with appendix NOISE-APP7: Ventilation.</u></li></ol>
<u>All other zones not listed under NOISE-R8.1 or NOISE-R8.2</u>	<u><b>3. Activity status: Permitted</b></u> <u>Where:</u> <u>a. Compliance is achieved with NOISE-S9: Acoustic insulation and ventilation for activities sensitive to noise on sites adjoining or opposite to Industrial Zones. or</u> <u>b. An existing activity sensitive to noise is replaced with a different activity sensitive to noise with a gross floor area that is no greater on sites adjoining or opposite to Industrial Zones.</u>										
<del>City Centre Zone</del> <del>[...]</del> <u>All zones</u>	<b>1. Activity status:</b> Restricted discretionary Where: <u>a. Compliance is not achieved with NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3.</u></u>  Matters of discretion are restricted to: <ol style="list-style-type: none"><li>Any positive effects of the activity that cannot be achieved while meeting the standard.</li><li>Alternative means of achieving noise levels and ventilation in habitable spaces that are adequate to provide for people’s health and wellbeing.</li><li>Ambient noise levels and any special character of noise from any existing activities, and the likely noise levels and special character of noise from likely future activities in the area.</li><li>Whether any special nature of the activity means that protection from noise is of lesser importance than it would be in general.</li><li>Special constraints on achieving NOISE-R8.1, <del>or</del> NOISE-R8.2 <u>or NOISE-R8.3</u>, such as being a heritage item.</li></ol> Public notification is precluded for any application under this rule.										
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NOISE-S7	Support	The acoustic insulation and ventilation requirements for activities sensitive to noise in the specified high noise zones is supported.	Retain <b>NOISE-S7</b> as notified.
NOISE-S8	Support	The acoustic insulation and ventilation requirements for activities sensitive to noise in the specified moderate noise zones is supported.	Retain <b>NOISE-S8</b> as notified.
Light Industrial Zone			
LIZ-O1	Support	Objective LIZ-O1 should be amended to focus on what can appropriately establish in the Light Industrial Zone that is consistent with the zone and doesn't compromise the purpose or integrity of the zone. As currently worded Objective LIZ-O1 appears to suggest the LIZ is simply a default zone for activities that aren't appropriate in commercial centres. That could suggest an assessment of the activity is required in relation to the commercial centres zone provisions to discount why it has not been located in an alternative zone, and or an assessment of alternative sites that may be available in the commercial centres and justification as to why they haven't been selected. The primary objective of the LIZ should focus on the purpose and intent of the LIZ itself.	<p><b>Amend LIZ-O1</b> as follows:</p> <p><i>The Light Industrial Zone is used primarily to meet the needs of industrial <u>and research activities</u>, and compatible activities such as commercial, community, or government activities that <u>do not compromise the efficiency and functionality of the zone for light industrial activities</u> <del>are not appropriately located in commercial centres</del>. The Light Industrial Zone is usually located next to or near residential, commercial, and other zones that provide for activities sensitive to industry, and activities in the zone are managed to be compatible with this.</i></p>
LIZ-O2 Activities in the Zone	Support	As per LIZ-O2, the objective should be amended to focus on activities supporting the role and purpose of the Light Industrial Zone. As currently wording, the emphasis on maintain the centres hierarchy essentially provides for activities that are incompatible with the Light Industrial Zone to establish in the zone, provided the role of commercial centres is protected. That's inappropriate. It also continues the approach of suggesting assessment of alternative options and sites in other zones will be required and could then be used as justification for an activity that compromises other Light Industry activities.	<p><b>Amend LIZ-O2</b> as follows.</p> <p><i>The Light Industrial Zone:</i></p> <ol style="list-style-type: none"> <li><i>Primarily provides for industrial activities and research activities,</i></li> <li><i>Provides for emergency facilities and trade and industrial training activities,</i></li> <li><i>Is supported by other activities that:</i> <ol style="list-style-type: none"> <li><i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</i></li> <li><i>Do not undermine the role of <u>the light industrial zone</u> <del>commercial centres</del>, and</i></li> <li><i>Support the industrial activities and research activities in the zone, including the needs of workers at those activities.</i></li> </ol> </li> <li><i>Provides for other activities that:</i> <ol style="list-style-type: none"> <li><i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone, <u>and</u></i></li> <li><i>Do not result in reverse sensitivity effects that may constrain the establishment and operation of light industrial and research activities. <del>undermine the role of commercial centres, and</del></i></li> <li><i><del>Are of a nature and scale that does not undermine the hierarchy of centres. One or more of the following:</del></i> <ol style="list-style-type: none"> <li><i><del>Have a functional need or operational need to locate in an Industrial Zone, or</del></i></li> <li><i><del>Have significant co-location benefits when located in the area, or</del></i></li> <li><i><del>Are a commercial activity that is compatible with the light industrial zone not suited to being in a commercial centre, or</del></i></li> <li><i><del>Due to the size, layout, or operation of the activity, would have difficulty finding a suitable site in any other zone, or</del></i></li> <li><i><del>Are otherwise better located in an Industrial Zone than in any other type of zone, or</del></i></li> <li><i><del>Are an interim use and do not create obstacles to re-using their sites for industrial activities or research activities in future.</del></i></li> </ol> </li> </ol> </li> <li><i>Is not intended to provide for:</i> <ol style="list-style-type: none"> <li><i>Standalone residential activities that do not support an industrial activity, research activity, or emergency facility, or</i></li> <li><i>Activities that would be a city-wide or regional destination for significant numbers of visitors.</i></li> </ol> </li> </ol>
LIZ-O4	Support	The objective is appropriate, particularly regarding the balancing of planned character with the functional and operational needs of primary activities in the zone.	Retain LIZ-O4 as notified.





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LIZ-O5	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> LIZ-O5 as notified.
LIZ-O6	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> LIZ-O6 as notified.
LIZ-P2	Support	<p>Policy LIZ-P2 should be amended. Commercial activities (addressed in Policy LIZ-P4) are far more likely to be compatible with and not result in reverse sensitivity effects in a Light Industry zone than residential activities. The balance between LIZ-P2 and LIZ-P4 should be reversed so that the presumption is that residential activities are avoided unless certain circumstances exist (rather than provided for), and commercial activities are provided for where adverse effects, including reverse sensitivity effects, can be appropriately managed.</p> <p>Nor is the wording of Policy LIZ-P2 and Policy LIZ-P4 consistent with the activity status of these rules where residential activities require restricted discretionary activity consent, at least, in all situations, while provision is made for commercial activities as a permitted activity.</p>	<p><b>Amend</b> LIZ-P2 as follows.</p> <p><i>LIZ-P2 Residential activities and other activities sensitive to industry</i></p> <ol style="list-style-type: none"> <li><del>Provide for Avoid</del> new residential activities <u>unless where they are:</u> <ol style="list-style-type: none"> <li><del>Are Ancillary</del> to or associated with an industrial activity, research activity, or emergency facility, or</li> <li>Create a more efficient use of an existing residential activity, and</li> </ol> </li> <li><del>Provide for Avoid</del> other new activities sensitive to industry <u>unless where they are:</u> <ol style="list-style-type: none"> <li>Primarily serve the immediate area within the zone, or</li> <li>Have similar adverse effects and requirements to industrial activities that mean they are better located in a Light Industrial Zone than in a commercial centre, or</li> <li>Have appreciable co-location benefits in the Light Industrial Zone in particular.</li> </ol> </li> <li>Recognise that residential activities and other activities sensitive to industry are not primary uses in the zone and that amenity values in the zone are governed primarily by industrial needs.</li> </ol> <p><del>4. Where these activities are not avoided they are Managed residential activities and other activities sensitive to industry to mitigate avoid</del> reverse sensitivity effects for industry.</p>
LIZ-P4	Support in part	<p>As above, the balance between LIZ-P2 and LIZ-P4 should be reversed so that the presumption is that residential activities are avoided unless certain circumstances exist (rather than provided for), and commercial activities are provided for where adverse effects, including reverse sensitivity effects, can be appropriately managed.</p> <p>Commercial activities (addressed in Policy LIZ-P4) are far more likely to be compatible with and not result in reverse sensitivity effects in a Light Industry zone than residential activities (addressed in Policy LIZ-P2).</p>	<p><b>Amend</b> LIZ-P4 as follows.</p> <p><i>LIZ-P4 Other potentially incompatible activities</i></p> <p><del>Avoid Provide for</del> commercial and community activities <u>where unless</u> they:</p> <ol style="list-style-type: none"> <li>Are ancillary to a permitted activity and support the purpose of the zone, or</li> <li><del>Primarily serve the immediate area within the zone, or</del></li> <li>Have <del>similar</del> adverse effects and requirements <u>of a nature and scale that is compatible with the to industrial activities that mean they are located in a Light Industrial Zone than in a commercial centre</u> (for example, vehicle-oriented businesses, trade supply retail activities and yard-based retail activities), or</li> <li><del>Primarily serve surrounding suburbs but a suitable available site is unlikely to be available for the activity in a commercial centre (for example, supermarkets)</del> <u>Are of a nature and scale that does not undermine the hierarchy of Centres,</u> or</li> <li>Have appreciable co-location benefits with existing industrial activities or research activities in an Industrial Zone; <u>and.</u></li> </ol> <p><del>6. When these activities are not avoided, they are Are</del> managed to avoid <del>significant</del> reverse sensitivity issues for industry.</p>
LIZ-P5	Support in part	The policy intent is appropriate, particularly regarding providing for the ongoing operation of existing activities while managing development to support the zone's planned character and purpose. Specific recognition should be provided for ongoing maintenance of existing activities, in the context that 'development' will otherwise be managed.	<p><b>Amend</b> LIZ-P5 as follows.</p> <p><i>LIZ-P5 Existing activities</i></p> <p>Provide for the ongoing operation <u>and maintenance</u> of existing activities while managing their development to support the intended purpose and character of the zone.</p>



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LIZ-P6	Support in part	The suitability of a commercial activity proposed for a commercial centre should be addressed in the policy framework for Commercial Centres. It is inappropriate to require a resource consent application lodged for an activity in the Light Industry Zone to be considered in terms of whether or not it is suitability for a commercial centre location. The centres hierarchy approach is adequately addressed by way of LIZ-P7 and does not need to be repeated in LIZ-P6.	<p><b>Amend LIZ-P6 as follows:</b></p> <p><i>LIZ-P6 Role in network of commercial and industrial areas</i></p> <p>Recognise Light Industrial areas as providing for commercial activities that are <u>ancillary to industrial activities or are of a nature and scale that does not undermine the hierarchy of Centres not well suited in commercial centres because of their adverse effects, or co-location benefits with industrial or research activities, or inherent less efficient use of land.</u></p>
LIZ-P9	Support in part	Z Energy supports the seeking of good urban design outcomes in the zone but considers that the functional and operational needs of activities, particularly in an industrial zone, are recognised. Z Energy acknowledges the reference to functional and operational needs under LIZ-O4, which it supports, but considers it should also be recognised in the policy which implements it.	<p><b>Amend LIZ-P9 as follows:</b></p> <p>[...] Where <u>functional and operational needs</u>, 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. [...]</p>
LIZ-P10	Support in part	Much of the policy is inappropriate and unnecessary for an industrial zone. Notwithstanding this, it is not opposed, with the exception that: <ul style="list-style-type: none"> <li>- Specific recognition should be provided for the functional and operational needs of industrial activities, in balancing urban design aspirations; and</li> <li>- Outcome 6 should be deleted. It is completely out of context with the generally lower amenity expectations for a light industrial zone.</li> </ul>	<p><b>Amend LIZ-P10 as follows:</b></p> <p>[...] Where <u>functional and operational needs</u>, 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. [...]</p> <p>The outcomes are:</p> <p>1....</p> <p><del>6.—New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.</del></p>
LIZ-P11	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain LIZ-P11 as notified.</b>
LIZ-P12	Support in part	Z Energy supports the intent of this policy but amendments are required in relation to the managing effects on the Mixed Use Zone, per its reasoning in its submission on LIZ-R23 and LIZ-R24.	<p><b>Amend LIZ-P12 as follows:</b></p> <p>Manage activities to mitigate adverse effects on other zones by:</p> <ol style="list-style-type: none"> <li>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to industry</u>), Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</li> <li>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to noise</u>), Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.</li> </ol>
LIZ-R1	Support	The rule is appropriate as it permits repair and maintenance without any conditions.	<b>Retain LIZ-R1 as notified.</b>
LIZ-R2	Support	The rule is appropriate as it permits demolition or removal without any conditions.	<b>Retain LIZ-R2 as notified.</b>
LIZ-R3	Oppose in part	Z Energy acknowledges the intent of this rule, however, there are various issues: <ul style="list-style-type: none"> <li>As the definition of “alteration” is a modification that does not increase the gross floor area, footprint, or height of the building or structure, the need for these works, in an industrial zone, to comply with the standards is unclear and the basis for this is not apparent in the s 32 evaluation report. As such, some exceptions should be provided to alterations. The only standard that could be potentially relevant is LIZ-S4 as an alteration might not change GFA, footprint or height but may result in new windows that overlook an adjoining sensitive zone.</li> <li>Clause (1)(b) requires that the development is for a permitted activity under LIZ-R4 to LIZ-R17. It is unclear why this clause is necessary, as the zone’s urban design outcomes are a matter of discretion for all restricted discretionary activities in this zone and all other activities are either discretionary or non-complying. As such, this clause is not necessary.</li> </ul>	<p>(1) <b>Amend LIZ-R3.1 as follows:</b></p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is achieved with: <ol style="list-style-type: none"> <li>LIZ-S1: Height,</li> <li>LIZ-S2: Height in relation to boundary – Adjoining zones,</li> <li>LIZ-S3: Setbacks – Adjoining zones,</li> <li>LIZ-S4: Overlooking – Adjoining zones, <u>and</u></li> <li>LIZ-S5: Landscaping and screening, <u>and</u></li> </ol> </li> <li><del>The new buildings, new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules LIZ-R4 through LIZ-R17.</del></li> </ol> <p><u>Except that:</u></p>



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		<ul style="list-style-type: none"> <li>It would be onerous to require small buildings or structures (for example, with gross floor areas up to 50m<sup>2</sup>), in an industrial zone, to comply with LIZ-S5 and install a 3 m landscaping buffer or 1.8 m screening fencing. Exceptions should be provided for these.</li> </ul> <p>Z Energy recommends amendments to LIZ-R3.1 based on the above. If Z Energy's requested amendments to LIZ-R3.1 are not made, it requests that service stations are excluded from this rule as alternative relief.</p>	<p><del>a. LIZ-S1, LIZ-S2, LIZ-S3 and LIZ-S5 do not apply to alterations to existing buildings and structures.</del></p> <p><del>b. LIZ-S5 does not apply to new buildings or structures, or additions to existing buildings and structures, with a gross floor area up to 50m<sup>2</sup>.</del></p> <p>OR, if (1) is not made: (2) <b>Amend</b> LIZ-R3 so that LIZ-R3.1 does not apply to service stations.</p>
LIZ-R12	Support in part	Z Energy supports the recognition of service stations and ancillary retail as a permitted activity.	<b>Retain</b> LIZ-R12 as notified
LIZ-R18 Residential activities	Support in part	<p>Z Energy is not opposed to provision being made for ancillary residential activities in the LIZ. However, 50% is not ancillary. Ancillary activity is defined in the national standards as 'an activity that supports and is subsidiary to a primary activity', which suggests a threshold of significantly less than 50% is appropriate.</p> <p>Residential activities should generally be discouraged in the LIZ. However, it is acknowledged that in some cases ancillary residential activities, such as for site security staff can be appropriate. A threshold of 15% would be more appropriate, and does not preclude applications being made for additional residential activity, but where full discretion can be exercised as to the appropriateness or otherwise of residential activity in the LIZ.</p>	<p><b>Amend</b> LIZ-R18 as follows:</p> <p><b>LIZ-R18 Residential activities</b></p> <p>1. <b>Activity status:</b> <i>Restricted discretionary</i></p> <p>Where:</p> <p>a. <i>The residential activity is ancillary to an industrial activity, research activity, or emergency facility, and</i></p> <p>b. <i>Residential activities and other sensitive activities account for no more than <del>15%</del> 50% of the gross floor area of all buildings on site.</i></p>
LIZ-R19 Activities sensitive to industry, other than residential activities	Support in part	LIZ-R19 should be amended for the same reasons set out in relation to changes sought to LIZ-R18	<p><b>Amend</b> LIZ-R19 as follows:</p> <p><b>LIZ-R19 Activities sensitive to industry, other than residential activities</b></p> <p>1. <i>Activity status: Restricted discretionary</i></p> <p>Where:</p> <p>a. <i>The residential activity is ancillary to an industrial activity, research activity, or emergency facility, and</i></p> <p>b. <i>Residential activities and other activities sensitive to industry account for no more than <del>15%</del> 50% of the gross floor area of all buildings on site.</i></p>
LIZ-R23	Oppose in part	<p>Regarding clause (1)(a):</p> <ul style="list-style-type: none"> <li>The identification of the Mixed Use Zone is questioned as the zone permits many activities that are not defined as being sensitive to industry; those specifically provided for include light manufacturing and servicing, carparking, offices, supermarkets, and food and beverage. The zone also has "catch all" rules that provide a permitted pathway for any other activity not otherwise provided for. Hence, for the Mixed Use Zone, it would be reasonable to only have regard to "activities sensitive to industry".</li> <li>On-site screening may not be able to fully screen views from the upper floors of buildings on adjoining sites. Hence, outdoor storage screening should be limited to ground level view, in accordance with LIZ-P12(1) which seeks that such areas are "screened from level view".</li> <li>In the absence of "outdoor storage and work areas" being clearly defined or explained: <ul style="list-style-type: none"> <li>A building or 1.8 m tall fence may not be necessary in all cases and screening could be provided by landscaping instead, also noting that it is visual amenity and not noise that is of concern for this rule (per the matters of discretion).</li> <li>A requirement for fencing along a site frontage (if a sensitive zone is opposite) does not seem to be necessary or justified, particularly if the opposite site is used for a non-</li> </ul> </li> </ul>	<p><b>Amend</b> LIZ-R23 as follows:</p> <p>1. <i>Activity status: Permitted</i></p> <p>Where:</p> <p>a. <i>The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone (<u>where a site is used for an activity sensitive to industry</u>) by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height, and</i></p> <p>b. <i>Compliance is achieved with <del>LIZ-S5: Landscaping</del> <u>LIZ-S5.1 and LIZ-S5.3</u>.</i></p> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <p>1. <i>Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition LIZ-R23.1 or LIZ-S5: Landscaping and screening but are not.</i></p> <p>2. <i>The urban design outcomes in LIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in LIZ-P11.</i></p> <p>3. <i>Any positive effects that can only be achieved through non-compliance with LIZ-R23.1 or LIZ-S5: Landscaping and screening.</i></p> <p>4. <u><i>The functional and operational needs of the activity.</i></u></p>





Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
		<p>sensitive activity. Z Energy opposes it applying to a service station or truck stop due to operational and traffic safety issues.</p> <p>Regarding clause (1)(b):</p> <ul style="list-style-type: none"> <li>Requiring compliance with the entirety of LIZ-S5 creates a potential contradiction. Clause (1)(a) only requires the outdoor storage area to be screened from a specified zone, however, LIZ-S5.2 is more onerous and would require, irrespective of the location of the outdoor storage area relative to the boundary: <ul style="list-style-type: none"> <li>a 3 m landscape buffer along a boundary that adjoins a specified zone; or</li> <li>a 1.8 m tall fence along a boundary that adjoins a specified zone.</li> </ul> </li> </ul> <p>As such, it would be more appropriate for clause (1)(b) to only require compliance with LIZ-S5.1 and LIZ-S5.3.</p> <p>Regarding the matters of discretion of LIZ-R23.2, it should recognise the functional and operational needs of activities, as well as site constraints that affect their ability to comply with the rule.</p>	<p>5. <u>Site constraints that affect the activity's ability to comply with LIZ-R23.1.</u></p>
LIZ-R24	Oppose in part	<p>Z Energy raises the following issues:</p> <ul style="list-style-type: none"> <li>In conjunction with the "servicing" definition, which is very broad, the rule would capture any activity of delivering or collecting the specified items, irrespective of the specific activity's frequency, duration and potential adverse effects (if any) on amenity. The rule, for example, would treat an occasional delivery by one person or personal vehicle, and the delivery of supplies by trucks, as the same.</li> <li>Leading on from this, both permitted activity pathways are onerous: <ul style="list-style-type: none"> <li>For the setback distance pathway, a 40 m setback from the specified zones is significant and may be impossible for many sites that are in proximity to those zones.. The setbacks could also lead to the underutilisation, or vacancy, of land on sites.</li> <li>For the servicing hours pathway, it is inappropriate as activities in industrial areas often need to operate late or 24/7. Activities might also require delivery / dispatch times to be during the night / early morning to avoid day-time traffic congestion.</li> </ul> </li> <li>In addition, it is unclear if and how this rule might apply to existing lawfully established activities and whether a requirement to comply would be triggered by changes to buildings and structures at an existing activity, or at the time a new business might move into an existing premise.</li> <li>The identification of the Mixed Use Zone is questioned as the zone permits many activities that are not identified as being sensitive to industry or noise, those specifically provided for light manufacturing and servicing, carparking, supermarkets, food and beverage and offices. It also has "catch all" rules that provide a permitted pathway for any other activity not otherwise provided for.</li> </ul> <p>Overall, the rule as notified appears to be contrary to the zone's purpose to provide for industrial activities and activities that support them, such as service stations and truck stops. The basis for this rule is not apparent in the s 32 evaluation report.</p> <p>As with other district plans, if necessary, it would be more appropriate for servicing and operational hours to be considered through the zone's policy framework and/or matters of discretion.</p> <p>Z Energy requests that service stations are excluded from LIZ-R24.1. Alternatively, Z Energy requests amendments based on the issues above.</p>	<p>(1) <b>Amend</b> LIZ-R24 so that LIZ-R24.1 does not apply to service stations.</p> <p>OR, if (1) is not made:</p> <p>(2) <b>Amend</b> LIZ-R24 as follows:</p> <p>1. <i>Activity status: Permitted</i></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone (<u>where a site used for an activity sensitive to noise</u>), or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or</li> <li>The servicing occurs only between 7:00am and 10:00pm.</li> </ol> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zones, and Marae Zones.</li> <li><u>The functional and operational needs of the activity.</u></li> <li><u>Site constraints that affect the activity's ability to comply with LIZ-R24.1.</u></li> </ol> <p>[...]</p>
LIZ-S5	Oppose in part	<p>Z Energy acknowledges the intent of the rule but is considered that requiring a 3 m landscape buffer to internal boundaries under LIZ-S5.2 could be particularly onerous for many activities anticipated in the zone, particularly on smaller sites, and therefore contrary to the zone's purpose. The basis for this standard, and specifically a minimum 3 m landscape buffer, is not apparent in the s 32 evaluation report.</p>	<p><b>Amend</b> LIZ-S5 so that it does not apply to service stations.</p>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
<b>General Industrial Zone</b>			
GIZ-O1	Support in part	Objective GIZ-O1 should be amended to focus on what can appropriately establish in the General Industrial Zone (GIZ) that is consistent with the zone and doesn't compromise the purpose or integrity of the zone. As currently worded Objective GIZ-O2 appears to suggest that the GIZ is a default location for commercial activities generating amenity effects on zones other than the GIZ. The primary objective of the GIZ should focus on the purpose and intent of the GIZ itself.	<p><b>Amend GIZ-O1 as follows:</b></p> <p>GIZ-O1 Purpose of the zone</p> <p><i>The General Industrial Zone is used primarily to meet the needs of industrial and research activities and their supporting activities, particularly those activities that due to their adverse effects should be separated from residential activities and other activities sensitive to industry.</i></p> <p><i>The Zone also provides for other compatible activities that that support this role <u>and do not compromise the efficiency and functionality of the zone for general industrial activities.</u> <del>or do not interfere with the primary purpose, including commercial activities that are not appropriately located outside industrial areas because of their effects on amenity values or co-location benefits with industrial and research activities.</del></i></p>
GIZ-O2	Support in part	<p>The intent of the objective is supported. However, it is not clear what a 'reasonable' reverse sensitivity effect would be and the concept of only managing 'unreasonable' reverse sensitivity effects is opposed. The word 'unreasonable' should be deleted.</p> <p>As per the submission on LIZ-O2, Objective GIZ-O2 objective should be amended to focus on activities supporting the role and purpose of the GIZ. As currently wording, the emphasis on maintain the centres hierarchy essentially provides for activities that are incompatible with the GIZ to establish in the zone, provided the role of commercial centres is protected.</p> <p>That's inappropriate. It also continues the approach of suggesting assessment of alternative options and sites in other zones will be required and could then be used as justification for an activity that compromises other General Industrial Zone activities.</p>	<p><b>Amend GIZ-O2 as follows:</b></p> <p><b>GIZ-O2 Activities in the zone</b></p> <p><i>The General Industrial Zone:</i></p> <ol style="list-style-type: none"> <li>1. <i>Primarily provides for industrial activities and research activities,</i></li> <li>2. <i>Provides for emergency facilities and trade and industrial training activities,</i></li> <li>3. <i>Is supported by other activities that:</i> <ol style="list-style-type: none"> <li>a. <i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</i></li> <li>b. <i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the General Industrial Zone for industrial activities and research activities,</i></li> <li>c. <i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the Heavy Industrial Zone for heavy industrial activities,</i></li> <li>d. <i>Do not undermine the role of the <u>general industrial zone commercial centres,</u> and</i></li> <li>e. <i>Support the industrial activities and research activities in the zone, including the needs of workers at those activities.</i></li> </ol> </li> <li>4. <i>Provides for other activities that:</i> <ol style="list-style-type: none"> <li>a. <i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</i></li> <li>b. <i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the General Industrial Zone for industrial activities and research activities,</i></li> <li>c. <i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the Heavy Industrial Zone for heavy industrial activities,</i></li> <li>d. <i><u>Are of a nature and scale that does</u> <del>Do</del> not undermine the <del>role of commercial centres hierarchy,</del> and</i></li> <li>e. <del>One or more of the following:</del> <ol style="list-style-type: none"> <li>i. <del>Have a functional need or operational need to locate in the General Industrial Zone, or</del></li> <li>ii. <del>Have significant co-location benefits when located in the area, or</del></li> <li>iii. <del>Are better located in an Industrial Zone than in any other zone, or</del></li> </ol> </li> </ol> </li> </ol>





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			<p><del>iv. — Due to the size, layout, or operation of the activity, would have difficulty finding a suitable site in any other zone, or</del></p> <p><del>v. — Are an interim use and do not create obstacles to re-using their site for industrial activities or research activities in future.</del></p> <p>5. Is not intended to provide for:</p> <ol style="list-style-type: none"> <li>Residential activities,</li> <li>Other activities sensitive to industry, and</li> <li>Activities that would be a city-wide or regional destination for significant numbers of visitors.</li> </ol>
GIZ-O3	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> GIZ-O3 as notified.
GIZ-O4	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> GIZ-O4 as notified.
GIZ-O6	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> GIZ-O6 as notified.
GIZ-P2  Residential activities and other activities sensitive to industry	Support in part	The intent of the policy is supported. However, Z Energy considers reverse sensitivity effects on industry should be avoided entirely, not simply minimised.	<p><b>Amend</b> GIZ-P2 as follows:</p> <p><b>GIZ-P2 Residential activities and other activities sensitive to industry</b></p> <p>Avoid new residential activities and other activities sensitive to industry unless they are:</p> <ol style="list-style-type: none"> <li>Ancillary to and support an industrial activity, research activity, or emergency facility,</li> <li>Managed so that they do not adversely impact the long-term development capacity of the zone for industrial development, including through managing the design of new buildings, and</li> <li>Managed to <u>avoid minimise</u> reverse sensitivity effects for industry, including existing heavy industry.</li> </ol>
GIZ-P4 Other potentially incompatible activities	Support in part	<p>As per the submission on GIZ-O2, Policy GIZ-P4 should be amended to focus on activities supporting the role and purpose of the GIZ. As currently wording, the emphasis on maintaining the centres hierarchy essentially provides for activities that are incompatible with the GIZ to establish in the zone, provided the role of commercial centres is protected.</p> <p>That's inappropriate. It also continues the approach of suggesting assessment of alternative options and sites in other zones will be required and could then be used as justification for an activity that compromises other General Industrial Zone activities.</p> <p>All reverse sensitivity effects should be avoided, not just significant reverse sensitivity effects.</p>	<p><b>Amend</b> GIZ-P4 as follows:</p> <p><b>GIZ-P4 Other potentially incompatible activities</b></p> <p>Avoid commercial and community activities unless they:</p> <ol style="list-style-type: none"> <li>Are ancillary to a permitted activity and support the purpose of the zone, or</li> <li><del>Primarily serve the immediate area within the zone, or</del></li> <li>Have <u>similar</u> adverse effects and requirements <u>of a nature and scale that is compatible with the General to industrial activities that mean they are better located in an Industrial Zone than anywhere else</u> (for example, trade supply retail activities and yard-based retail activities), or</li> <li><del>Primarily serve surrounding suburbs but a suitable available site is unlikely to be available for the activity in a commercial centre (for example, supermarkets)</del> <u>Are of a nature and scale that does not undermine the hierarchy of Centres, or</u></li> <li>Have significant co-location benefits with existing industrial activities or research activities in an Industrial Zone.</li> </ol> <p>When these activities are not avoided, they are managed to avoid <u>significant</u> reverse sensitivity issues for industry, including heavy industry that is an existing activity.</p>



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GIZ-P5 - Existing activities	Support in part	The intent of the policy is supported. However, it should be qualified to ensure the expectation associated with any 'redevelopment' is to improve compatibility with the GIZ.	Amend GIZ-P5 as follows: <i>GIZ-P5 Existing activities</i>  <i>Encourage the redevelopment of existing activities that are incompatible with the purpose of the zone <u>in a manner that minimises land use compatibility and reverse sensitivity effects.</u></i>
GIZ-P6  Role in network of commercial and industrial areas	Support in part	The policy should be amended to focus on the suitability of activities for the general industrial zone. The current wording suggests the GIZ will be a default location for activities that have not been able to find a suitable site in other locations, without necessarily ensuring the activity proposed will not compromise the role and purpose of the GIZ itself.	Amend GIZ-P6 as follows:  <i>GIZ-P6 Role in network of commercial and industrial areas</i> <i>Recognise General Industrial areas as providing for commercial activities that <u>are ancillary to industrial activities or are of a nature an scale that does compromise the role and purpose of the General Industrial Zone</u> <del>can only effectively locate in Industrial areas because of their adverse effects, or co-location benefits with industrial and research activities.</del></i>
GIZ-P9	Support in part	Z Energy supports the seeking of good urban design outcomes in the zone but considers that the functional and operational needs of activities, particularly in an industrial zone, are recognised. Z Energy acknowledges the reference to functional and operational needs under GIZ-O4, which it supports, but considers it should also be recognised in the policy which implements it.	<b>Amend</b> GIZ-P9 as follows: <i>[...] Where <u>functional and operational needs</u>, 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. [...]</i>
GIZ-P10	Support in part	Much of the policy is inappropriate and unnecessary for an industrial zone. Notwithstanding this, it is not opposed, with the exception that: <ul style="list-style-type: none"> <li>- Specific recognition should be provided for the functional and operational needs of industrial activities, in balancing urban design aspirations; and</li> <li>- Outcome 6 should be deleted. It is completely out of context with the generally lower amenity expectations for a light industrial zone.</li> </ul>	<b>Amend</b> GIZ-P10 as follows: <i>[...] Where <u>functional and operational needs</u>, 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. [...]</i>  <i>The outcomes are:</i> 1.... <del>6. New developments display aesthetic value, by responding to existing buildings, providing interesting contrast to existing buildings, or establishing positive new or evolved architectural themes and traditions, and in doing so positively contribute to place and local identity and community pride, particularly on prominent sites such as corners or terminated vistas.</del>
GIZ-P12	Oppose in part	Z Energy supports the intent of this policy but amendments are required in relation to the managing effects on the Mixed Use Zone. The Mixed Use Zone permits many activities that are not defined as being sensitive to industry; those specifically provided for include light manufacturing and servicing, carparking, offices, supermarkets, and food and beverage. The zone also has "catch all" rules that provide a permitted pathway for any other activity not otherwise provided for. Hence, for the Mixed Use Zone, it would be reasonable to only have regard to "activities sensitive to industry".	<b>Amend</b> GIZ-P12 as follows: <i>Manage activities to mitigate adverse effects on other zones by:</i> <ol style="list-style-type: none"> <li><i>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones <u>(where a site is used for an activity sensitive to industry)</u>, Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</i></li> <li><i>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones <u>(where a site is used for an activity sensitive to noise)</u>, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.</i></li> </ol>
GIZ-R1	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> GIZ-R1 as notified.
GIZ-R2	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> GIZ-R2 as notified.
GIZ-R3	Oppose in part	For reasons similar to that identified in the submission on LIZ-R3.	(1) <b>Amend</b> GIZ-R3.1 as follows: 1. Activity status: Permitted Where: <ol style="list-style-type: none"> <li><i>Compliance is achieved with:</i> <ol style="list-style-type: none"> <li><i>GIZ-S1: Height,</i></li> <li><i>GIZ-S2: Height in relation to boundary – Adjoining zones,</i></li> <li><i>GIZ-S3: Setbacks – Adjoining zones,</i></li> <li><i>GIZ-S4: Overlooking – Adjoining zones, <u>and</u></i></li> </ol> </li> </ol>



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			<p>v. <del>GIZ-S5: Landscaping and screening, and</del></p> <p><del>b. The new buildings, the new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules GIZ-R4 through GIZ-R17, or a heavy industrial activity.</del></p> <p><u>Except that:</u></p> <p>a. <u>GIZ-S1, GIZ-S2, GIZ-S3 and GIZ-S5 do not apply to alterations to existing buildings and structures.</u></p> <p>b. <u>GIZ-S5 does not apply to new buildings or structures, or additions to existing buildings and structures, with a gross floor area up to 50m².</u></p> <p>OR, if (1) is not made: (2) <b>Amend</b> GIZ-R3 so that GIZ-R3.1 does not apply to service stations.</p>
GIZ-R12	Support in part	Z Energy supports the recognition of service stations and ancillary retail as a permitted activity.	<b>Retain</b> GIZ-R12 as notified
GIZ-R23	Oppose in part	For reasons similar to that identified in the submission on LIZ-R23.	<p><b>Amend</b> GIZ-R23 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone <u>(where a site is used for an activity sensitive to industry)</u> by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height, and</p> <p>b. Compliance is achieved with <del>LIZ-S5: Landscaping</del> <u>GIZ-S5.1 and GIZ-S5.3.</u></p> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <p>c. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition GIZ-R23.1 or GIZ-S5: Landscaping and screening but are not.</p> <p>d. The urban design outcomes in GIZ-P10: Urban design outcomes (other than industrial activities and research activities), and exclusions in GIZ-P11.</p> <p>e. Any positive effects that can only be achieved through non-compliance with GIZ-R23.1 or GIZ-S5: Landscaping and screening.</p> <p>f. <u>The functional and operational needs of the activity.</u></p> <p>g. <u>Site constraints that affect the activity's ability to comply with GIZ-R23.1.</u></p>
GIZ-R24	Oppose in part	For reasons similar to that identified in the submission on LIZ-R24.	<p>(1) <b>Amend</b> GIZ-R24 so that GIZ-R24.1 does not apply to service stations.</p> <p>OR, if (1) is not made:</p> <p>(2) <b>Amend</b> GIZ-R24 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p>a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone <u>(where a site used for an activity sensitive to noise)</u>, or Marae Zone, and is not within 40 metres of the notional boundary of an activity sensitive to noise in a Rural Zone, or</p> <p>b. The servicing occurs only between 7:00am and 10:00pm.</p> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <p>1. The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zones, and Marae Zones.</p> <p>2. <u>The functional and operational needs of the activity.</u></p> <p>3. <u>Site constraints that affect the activity's ability to comply with GIZ-R24.1.</u></p> <p>[...]</p>



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GIZ-S5	Oppose in part	For reasons similar to that identified in the submission on LIZ-S5.	<b>Amend</b> GIZ-S5 so that it does not apply to service stations.
<b>Heavy Industrial Zone</b>			
HIZ-O1 Purpose of the zone	Support	Z Energy supports the intent of this issue.	<b>Retain</b> HIZ-O1 as notified.
HIZ-O2 Activities in the zone	Support	<p>Z Energy supports the general intent of this objective. However, it is unclear what an 'unreasonable' reverse sensitivity effect is. In Z Energy's opinion, all reverse sensitivity effects should be avoided in this zone, noting that the availability of suitable locations for heavy industrial activities to occur is limited and should not be compromised by encroachment of more sensitive activities.</p> <p>It is unclear what the difference is between 'other activities' that support the Heavy Industrial Zone (clause 2) and 'other activities' that are provided for in the Heavy Industrial Zone (clause 3), particularly in the context that clauses a. and c. of both clause 2 and 3 are the same. Z Energy assumes this is intended to reflect a formatting rule for the PDP, but would urge the Council to consider consolidating the wording for readability and relevance.</p>	<p><b>Amend</b> HIZ-O2 as follows.</p> <p><i>HIZ-O2</i></p> <p><i>Activities in the zone</i></p> <p><i>The Heavy Industrial Zone:</i></p> <ol style="list-style-type: none"> <li><i>Primarily provides for industrial activities and research activities,</i></li> <li><i>Is supported by other activities that:</i> <ol style="list-style-type: none"> <li><i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</i></li> <li><i>Support the industrial activities and research activities in the zone, including the needs of workers at those activities, and</i></li> <li><i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the Heavy Industrial Zone for heavy industrial activities, and</i></li> </ol> </li> <li><i>Provides for other activities that:</i> <ol style="list-style-type: none"> <li><i>Are compatible with the purpose, the planned character, and the planned urban environment of the zone,</i></li> <li><i>Have a functional or operational need to locate in the Heavy Industrial Zone, and</i></li> <li><i>Do not create <del>unreasonable</del> reverse sensitivity effects that constrain the use of the Heavy Industrial Zone for heavy industrial activities.</i></li> </ol> </li> </ol>
HIZ-O4 Planned character and planned urban built environment of the zone	Support	Z Energy supports the intent of this issue.	<b>Retain</b> HIZ-O4 as notified.
HIZ-O6 Adverse effects	Support	Z Energy supports the intent of this issue.	<b>Retain</b> HIZ-O6 as notified.
HIZ-P2 Residential activities and other activities sensitive to industry	Oppose	Z Energy is concerned that this policy, as drafted, provides a pathway for residential activities to occur in the Heavy Industry Zone. It is unclear what <i>significant</i> reverse sensitivity issues are in this context. This wording is also inconsistent with the introduction of this chapter which states the need for other activities to 'avoid reverse sensitivity effects' (no reference to significant).	<p><b>Amend</b> HIZ-P2 as follows:</p> <p><i>Do not allow residential activities and other activities sensitive to industry unless:</i></p> <ol style="list-style-type: none"> <li><i>They are ancillary to and critical to the functioning of an industrial activity, research activity, or emergency facility, which itself is an existing activity or has a functional <u>need</u> or operational need to be located in the Heavy Industrial Zone, and</i></li> <li><i>They are managed to avoid <del>significant</del> reverse sensitivity <u>effects issues that constrain the use of</u> <del>for</del> industry, including heavy industrial <u>activities</u>.</i></li> </ol>
HIZ-P3 Other incompatible or potentially incompatible activities	Support	Z Energy is concerned that this policy, as drafted, is not sufficiently directive regarding the need to avoid reverse sensitivity effects. Changes are sought to ensure that there is a clear directive to for other activities to avoid reverse sensitivity effects that constrain the use of heavy industrial activities.	<p><b>Amend</b> HIZ-P3 as follows:</p> <p><i>Other incompatible or potentially incompatible activities</i></p> <p><i>Avoid activities other than industrial activities or research activities unless they:</i></p> <ol style="list-style-type: none"> <li><i>Are ancillary to an industrial or research activity and support the purpose of the zone, or</i></li> <li><i>Primarily serve the immediate area within the zone and support industrial activities or research activities (including by providing services useful for workers and visitors), or</i></li> <li><i>Have similar effects and requirements to industrial activities, or</i></li> </ol>





Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
			<p>4. Have significant co-location benefits with existing industrial activities or research activities in the Heavy Industrial Zone, or</p> <p>5. Have a functional need or operational need to locate in the Heavy Industrial Zone.</p> <p>6. <u>Avoid reverse sensitivity effects that constrain the use of industry, including heavy industrial activities.</u></p> <p><del>When these activities are not avoided, they are managed to avoid significant reverse sensitivity issues for industry, including heavy industry.</del></p>
HIZ-P5 Role in network of commercial and industrial areas	Oppose	Heavy Industrial Zone land is a scarce resource and should only be available for activities that are compatible with the industrial uses the zone is intended to provide for. The inability to find an available site for an activity in an alternative zone is irrelevant. The policy is unnecessary and should be deleted.	<p><b>Delete</b> HIZ-P5 as follows:</p> <p><del>HIZ-P5 Role in network of commercial and industrial areas</del></p> <p><del>Recognise special circumstances where land uses may not be suitable in any other zone but are compatible with the intended purpose and character of the Heavy Industrial Zone.</del></p>
HIZ-P6 Support of centres hierarchy	Oppose	HIZ-P6 is unnecessary. Any commercial activity of a scale that could undermine the purpose, viability or vibrancy of the City Centre, Metropolitan or Local Centre Zone, will also be inherently inconsistent with the integrity of the Heavy Industry Zone. The focus of the Heavy Industry Zone policies should be on enabling activities appropriate to the Heavy Industry Zone, which by their nature will only be able to establish in a limited number of locations, and ensuring the integrity of the zone is not undermined by encroachment of incompatible activities.	<p><b>Delete</b> HIZ-P6 as follows:</p> <p><del>HIZ-P6 Support of centres hierarchy</del></p> <p><del>Manage the scale and location of commercial activities to avoid negative impacts on the intended purpose, viability, vibrancy, and co-location benefits of centres in the City Centre Zone, Metropolitan Centre Zone, and Local Centre Zone.</del></p>
HIZ-P8	Support in part	For reasons similar to those identified in the submission on LIZ-P9.	<p><b>Amend</b> HIZ-P8 as follows:</p> <p>[...] Where <u>functional and operational needs</u>, 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. [...]</p>
HIZ-P9	Support in part	For reasons similar to those identified in the submission on LIZ-P9.	<p><b>Amend</b> HIZ-P9 as follows:</p> <p>[...] Where <u>functional and operational needs</u>, 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. [...]</p>
HIZ-P11	Oppose in part	For reasons similar to those identified in the submission on LIZ-P12.	<p><b>Amend</b> HIZ-P11 as follows:</p> <p>Manage activities to mitigate adverse effects on other zones by:</p> <ol style="list-style-type: none"> <li>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to industry</u>), Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</li> <li>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to noise</u>), Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.</li> </ol>
HIZ-R1	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> HIZ-R1 as notified.
HIZ-R2	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> HIZ-R2 as notified.
HIZ-R3	Oppose in part	For reasons similar to those identified in the submission on LIZ-R3.	<p>(1) <b>Amend</b> HIZ-R3.1 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ol style="list-style-type: none"> <li>Compliance is achieved with: <ol style="list-style-type: none"> <li>HIZ-S1: Height,</li> <li>HIZ-S2: Height in relation to boundary – Adjoining zones,</li> <li>HIZ-S3: Height in relation to boundary – Owhiti Urupā,</li> <li>HIZ-S4: Setbacks – Adjoining zones,</li> <li>HIZ-S5: Setbacks – Owhiti Urupā,</li> <li>HIZ-S6: Overlooking – Adjoining zones, and</li> <li>HIZ-S7: Landscaping – Main through routes,</li> </ol> </li> </ol>





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			<p><del>b. The new buildings, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules HIZ-R4 through HIZ-R16, or a heavy industrial activity, and</del></p> <p>c. Either:</p> <ul style="list-style-type: none"> <li>i. The site is not adjacent to a site in the Marae Zone, Mixed Use Zone <u>(where a site is used for an activity sensitive to industry)</u>, Open Space and Recreation Zone, Residential Zone, or Rural Zone, or</li> <li>ii. The new buildings, additions, and alterations are all screened from that adjacent site by existing buildings <del>and</del> structures <u>or landscaping</u>.</li> </ul> <p><u>Except that:</u></p> <ul style="list-style-type: none"> <li>a. <u>HIZ-S1, HIZ-S2, HIZ-S4 and HIZ-S7 do not apply to alterations to existing buildings and structures.</u></li> <li>b. <u>HIZ-S7 does not apply to new buildings or structures, or additions to existing buildings and structures, with a gross floor area up to 50m².</u></li> </ul> <p>OR, if (1) is not made: (2) <b>Amend</b> HIZ-R3 so that HIZ-R3.1 does not apply to service stations.</p>
HIZ-R12	Support in part	Z Energy supports the provision of a permitted activity pathway for service stations subject to compliance with the ancillary retail GFA limit of 100m².	1. <b>Retain</b> HIZ-R12 as notified.
HIZ-R22 Outdoor storage and work areas	Oppose in part	<p>Z Energy supports the principal of screening rubbish / servicing areas, but are opposed to this rule for the following reasons:</p> <ul style="list-style-type: none"> <li>- It is unclear what is meant by 'outdoor storage and work areas', as this / these terms are not defined, nor does there appear to be any explanation in the s32 reporting. It is unclear, for instance, whether outdoor storage areas include any parts of sites where there is any element of outdoor storage. Similarly, work areas could include any parts of sites where workers are present.</li> <li>- The requirement for screening of these areas from the listed zones where these are 'adjoining' the boundary is not opposed, however requiring screening where 'opposite' the listed zones is not supported as this is inconsistent with other provisions in the chapter which only apply in relation to where the boundary adjoins a zone (height in relation to boundary, landscaping standards). In circumstances where the site is 'opposite' another zone, there will be a road which provides appropriate and effective screening, noting the Heavy Industrial Zone context.</li> <li>- The requirements for 'screening' are overly prescriptive. In some instances, a site will already be screened from adjoining or opposite sites, without the need to have buildings or fencing in place. For example, the Open Space Zone (comprising bush / vegetation) is located on the opposite side of Seaview Road to the Mobil Seaview Terminal. 'Screening' of views to the Mobil site is already provided by way of the vegetation in the Open Space Zone site, the road in between, and street trees.</li> </ul>	<p><b>Amend</b> HIZ-R22 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <ul style="list-style-type: none"> <li>a. The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone <u>(where a site is used for an activity sensitive to industry)</u> by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height, and</li> <li>b. Compliance is achieved with <del>HIZ-S7: Landscaping</del> <u>HIZ-S7.1.a and HIZ-S7.2.</u></li> </ul> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>a. Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by condition HIZ-R22.1 or HIZ-S7: Landscaping but are not.</li> <li>b. The urban design outcomes in HIZ-P9: Urban design outcomes (other than industrial activities and research activities).</li> <li>c. Any positive effects that can only be achieved through non-compliance with HIZ-R21.1 or HIZ-S7: Landscaping.</li> <li>d. <u>The functional and operational needs of the activity.</u></li> <li>e. <u>Site constraints that affect the activity's ability to comply with HIZ-R22.1.</u></li> </ul>
HIZ-R23 Servicing	Oppose	<p>Z Energy is opposed to this rule. As drafted, the rule limits servicing irrespective of adjoining zoning, thereby unnecessarily restricting night-time servicing at sites that are not close to any sensitive zones. It is also inconsistent with Policy HIZ-P11 which seeks to restrict servicing hours but only where these are near the boundaries with Residential Zones, Mixed Use Zones, Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones. Finally, the restriction of all servicing is inconsistent with the matter of discretion for HIZ-R23 which refers specifically to night-time amenity of sensitive receivers.</p> <p>Fuel deliveries commonly occur during the night-time at service stations, as this is when there are fewer people refuelling at service stations making it safer from a traffic perspective. In Z Energy's experience, deliveries pose limited disruption from an amenity perspective, given that delivery points are typically setback from boundaries and a landscaping buffer will often sit along the boundaries, particularly when adjoining residential or other sensitive activities. For this reason, a 40m setback is considered to be unnecessarily onerous.</p>	<p>(1) <b>Amend</b> HIZ-R24 so that HIZ-R24.1 does not apply to service stations.</p> <p>OR, if (1) is not made:</p> <p>(2) <b>Amend</b> HIZ-R24 as follows:</p> <p>1. Activity status: Permitted</p> <p>Where:</p> <p><del>a. The servicing is not within 40 metres of a</del> <u>For sites adjoining a site in a Residential Zone, Mixed Use Zone (where the site is used for an activity sensitive to noise), or Marae Zone, or the notional boundaries of activities sensitive to noise in Rural Zones</u> <del>b. The servicing occurs only between 7:00am and 10:00pm. [...]</del></p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> <li>1. The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zones, and Marae Zones.</li> </ul>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
			2. <u>The functional and operational needs of the activity.</u> 3. <u>Site constraints that affect the activity's ability to comply with HIZ-R24.1.</u> [...]
HIZ-S7	Oppose in part	For reasons similar to that identified in the submission on LIZ-S5.	<b>Amend</b> HIZ-S7 so that it does not apply to service stations.
<b>Local Centre Zone</b>			
<ul style="list-style-type: none"> <li>LCZ-O1</li> <li>LCZ-O2</li> <li>LCZ-O4</li> <li>LCZ-O5</li> <li>LCZ-P1</li> <li>LCZ-P10</li> </ul>	Support	Z Energy supports the intent of these provisions and seeks that they are retained as notified.	<b>Retain</b> LCZ-O1, LCZ-O2, LCZ-O4, LCZ-O5, LCZ-P1, and LCZ-P10 as notified.
LCZ-P3	Support	The intent of the policy is appropriate, particularly regarding providing for potentially incompatible activities, which it lists as including service stations, that meet the criteria of clause (1).	<b>Retain</b> LCZ-P3 as notified.
LCZ-P5	Support	The policy is appropriate, particularly regarding providing for the ongoing operation of existing activities while managing development to support the zone's planned character and purpose.	<b>Retain</b> LCZ-P5 as notified.
LCZ-P8	Support in part	Z Energy supports the seeking of good urban design outcomes in the zone but considers that the functional and operational needs of activities, and specifically lawfully established existing activities, are recognised.	<b>Amend</b> LCZ-P8 as follows: [...] Where <u>functional and operational needs</u> , 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. [...]
LCZ-P9	Support in part	For reasons similar to those identified in the submission on LCZ-P8.	<b>Amend</b> LCZ-P9 as follows: [...] Where <u>functional and operational needs</u> , 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. [...]
LCZ-P11	Support in part	Z Energy supports the intent of this policy but amendments are required in relation to the managing effects on the Mixed Use Zone, per its reasoning in its submission on LCZ-R22 and LCZ-R23.	<b>Amend</b> LCZ-11 as follows: Manage activities to mitigate adverse effects on other zones by: <ol style="list-style-type: none"> <li>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to privacy intrusion</u>), Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</li> <li>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to noise</u>), Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.</li> </ol>
LCZ-R1	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> LCZ-R1 as notified.
LCZ-R3	Oppose in part	Z Energy acknowledges the rule's intent but there may be instances where service station works would not be able to comply with the specified standards. Examples are the installation of an electric vehicle charging station (considered a "structure") and an associated canopy (considered a "building"), or alterations to an existing forecourt canopy. These structures / buildings would be non-compliant with LCZ-S4 and LCZ-S5 as it could not be constructed on a front boundary or have the required glazing and verandah. Moreover, where site is subject to an Active Street Frontage A or B Overlay, any new building would be non-compliant with LCZ-S6 unless all vehicle crossings within that overlay are removed.	<b>Amend</b> LCZ-R3 so that existing service stations are not required to comply with LCZ-S4, LCZ-S5 and LCZ-S6.
LCZ-R13	Oppose in part	Z Energy acknowledges the rule's intent but considers that its requirement would put significant restrictions and consent requirements on lawfully established existing activities subject to the Active Street Frontage A or B Overlay. This includes lawfully established service stations which provide services in support of the centre / area where they are located.	<b>Amend</b> LCZ-R13 so that it does not apply to existing service stations.



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		For example, Z High Street (834 High Street) is in this zone and subject to the Overlay. It only has one frontage and cannot be accessed by any other means. Any new car parking space, or potentially even an alteration to an existing car parking area, would be non-compliant with LCZ-R13.1 and LCZ-R13.2 as it must be served by a vehicle crossing in the Overlay and is typically uncovered and not shielded by a building.	
LCZ-R17	Support	The discretionary activity status for service stations is appropriate.	<b>Retain</b> LCZ-R17 as notified.
LCZ-R22	Oppose in part	<p>Z Energy raises the following issues:</p> <ul style="list-style-type: none"> <li>The identification of the Mixed Use Zone is questioned as the zone permits many activities that are not defined as being sensitive to industry; those specifically provided for include light manufacturing and servicing, carparking, offices, supermarkets, and food and beverage. The zone also has “catch all” rules that provide a permitted pathway for any other activity not otherwise provided for. Hence, for the Mixed Use Zone, it would be reasonable to only have regard to “activities sensitive to privacy intrusion”.</li> <li>On-site screening may not be able to fully screen views from the upper floors of buildings on adjoining sites. Hence, outdoor storage screening should be limited to ground level view, in accordance with LCZ-P11(1) which seeks that such areas are “screened from level view”.</li> <li>In the absence of “outdoor storage and work areas” being clearly defined or explained: <ul style="list-style-type: none"> <li>A building or 1.8 m tall fence may not be necessary in all cases and screening could be provided by landscaping instead, also noting that it is visual amenity and not noise that is of concern for this rule (per the matters of discretion).</li> <li>A requirement for fencing along a site frontage (if a sensitive zone is opposite) does not seem to be necessary or justified, particularly if the opposite site is used for a non-sensitive activity. Z Energy opposes it applying to a service station or truck stop due to operational and traffic safety issues.</li> </ul> </li> <li>Regarding the matters of discretion of LCZ-R22.2, it should recognise the functional and operational needs of activities, as well as site constraints that affect their ability to comply with the rule.</li> </ul>	<p><b>Amend</b> LCZ-R22 as follows:</p> <p>1. <i>Activity status: Permitted</i></p> <p>Where:</p> <p>a. <i>The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone (<u>where a site is used for an activity sensitive to privacy intrusion</u>) by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height, and</i></p> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li><i>Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by LCZ-R22.1 but are not.</i></li> <li><i>The urban design matters in LCZ-P9: Urban design outcomes for larger developments and potentially incompatible activities.</i></li> <li><i>The matters in LCZ-P10: Urban design exclusions.</i></li> <li><i>Any positive effects that can only be achieved through non-compliance with LCZ-R22.1.</i></li> <li><u>The functional and operational needs of the activity.</u></li> <li><u>Site constraints that affect the activity's ability to comply with LCZ-R22.1.</u></li> </ol>
LCZ-R23	Oppose in part	<p>Z Energy raises the following issues:</p> <ul style="list-style-type: none"> <li>In conjunction with the “servicing” definition, which is very broad, the rule would capture any activity of delivering or collecting the specified items, irrespective of the specific activity’s frequency, duration and potential adverse effects (if any) on amenity. The rule, for example, would treat an occasional delivery by one person or personal vehicle, and the delivery of supplies by trucks, as the same.</li> <li>Leading on from this, the permitted activity pathway is onerous; a 40 m setback from the specified zones is significant and may be impossible for many sites that are in proximity to those zones. The setbacks could also lead to the underutilisation, or vacancy, of land on sites.</li> <li>In addition, it is unclear if and how this rule might apply to existing lawfully established activities and whether a requirement to comply would be triggered by changes to buildings and structures at an existing activity, or at the time a new business might move into an existing premise.</li> <li>The identification of the Mixed Use Zone is questioned as the zone permits many activities that are not identified as being sensitive to industry or noise, those specifically provided for include light manufacturing and servicing, carparking, supermarkets, food and beverage and offices. It also has “catch all” rules that provide a permitted pathway for any other activity not otherwise provided for.</li> </ul> <p>Overall, the basis for the rule is not justified in the s 32 evaluation report and could unduly restrict commercial activities that can be established in the zone. As with other district plans, if necessary, it would be more appropriate for servicing and operational hours to be considered through the zone’s policy framework and/or matters of discretion.</p>	<p>(1) <b>Amend</b> LCZ-R23 so that LCZ-R23.1 does not apply to service stations.</p> <p>OR, if (1) is not made:</p> <p>(2) <b>Amend</b> LCZ-R23.1 as follows:</p> <p>1. <i>Activity status: Permitted</i></p> <p>Where:</p> <p>a. <i>The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone (<u>where a site is used for an activity sensitive to noise</u>), or Marae Zone, or</i></p> <p>b. <i>The servicing occurs only between 7:00am and 10:00pm.</i></p> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li><i>The nighttime amenity of residential activities and other activities sensitive to noise in the surrounding area in Residential Zones, Mixed Use Zones, and Marae Zones.</i></li> <li><u>The functional and operational needs of the activity.</u></li> <li><u>Site constraints that affect the activity's ability to comply with LCZ-R23.1</u></li> <li><u>.</u></li> </ol> <p>[...]</p>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
		Z Energy requests that service stations are excluded from LCZ-R23.1. Alternatively, Z Energy requests amendments based on the issues above.	
LCZ-S4	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> LCZ-S4 to exclude existing service stations.
LCZ-S5	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> LCZ-S5 to exclude existing service stations.
LCZ-S6	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> LCZ-S6 to exclude existing service stations.
LCZ-S8	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> LCZ-S8 to exclude existing service stations.
<b>Metropolitan Centre Zone</b>			
<ul style="list-style-type: none"> <li>• MCZ-O1</li> <li>• MCZ-O2</li> <li>• MCZ-O4</li> <li>• MCZ-O5</li> <li>• MCZ-PREC1-O1</li> <li>• MCZ-P1</li> <li>• MCZ-P3</li> <li>• MCZ-P10</li> <li>• MCZ-PREC1-P1</li> </ul>	Support	Z Energy supports the intent of these provisions and seeks that it they are retained as notified.	<b>Retain</b> MCZ-O1, MCZ-O2, MCZ-O4, MCZ-O5, MCZ-PREC1-O1, MCZ-P1, MCZ-P3, MCZ-P10, and MCZ-PREC1-P1 as notified.
MCZ-P8	Support in part	For reasons similar to those identified in the submission on LCZ-P8.	<b>Amend</b> MCZ-P8 as follows: <i>[...] Where <u>functional and operational needs</u>, 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. [...]</i>
MCZ-P9	Support in part	For reasons similar to those identified in the submission on LCZ-P8.	<b>Amend</b> MCZ-P9 as follows: <i>[...] Where <u>functional and operational needs</u>, 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. [...]</i>
MCZ-P11	Support in part	For reasons similar to those identified in the submission on LCZ-P11.	<b>Amend</b> MCZ-P11 as follows: <i>Manage activities to mitigate adverse effects on other zones by:</i> <ol style="list-style-type: none"> <li>1. <i>Managing the form and scale of development near Te Puni Urupā to protect the cultural values of the urupā, and privacy, visual dominance, and noise impacts on the tikanga, cultural safety, and dignity of activities that occur at the urupā.</i></li> <li>2. <i>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to privacy intrusion</u>), Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</i></li> <li>3. <i>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to noise</u>), Marae Zones, and notional boundaries of activities sensitive to noise in Rural Zones.</i></li> </ol>
MCZ-R1	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> MCZ-R1 as notified.
MCZ-R2	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> MCZ-R2 as notified.
MCZ-R3	Oppose in part	For reasons similar to those identified in the submission on LCZ-R2.	<b>Amend</b> MCZ-R3 so that it does not apply to existing service stations.
MCZ-R4	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> MCZ-R4 so that it does not apply to existing service stations.





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MCZ-R5	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> MCZ-R5 so that it does not apply to existing service stations.
MCZ-R6	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> MCZ-R6 so that it does not apply to existing service stations.
MCZ-R18	Oppose in part	For reasons similar to those identified in the submission on LCZ-R13.	<b>Amend</b> MCZ-R18 so that it does not apply to existing service stations.
MCZ-R22	Support	The discretionary activity status for service stations is appropriate.	<b>Retain</b> MCZ-R22 as follows.
MCZ-R27	Oppose in part	For reasons similar to those identified in the submission on LCZ-R22.	<p><b>Amend</b> MCZ-R27 as follows:</p> <p>1. <i>Activity status: Permitted</i></p> <p>Where:</p> <ol style="list-style-type: none"> <li>The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in an Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone <u>(where a site is used for an activity sensitive to privacy intrusion)</u>, or the Te Puni Urupā by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8m in height above ground level, and</li> <li>The outdoor storage and work areas are screened from any street within the Active Street Frontage Overlay by <u>landscaping or</u> a building on the site.</li> </ol> <p>[...]</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <li>Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by Rule MCZ-R27.1 but are not.</li> <li>The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).</li> <li>The matters in MCZ-P10: Urban design outcomes (exclusions).</li> <li>Any positive effects that can only be achieved through non-compliance with MCZ-R27.1.</li> <li><u>The functional and operational needs of the activity.</u></li> <li><u>Site constraints that affect the activity's ability to comply with MCZ-R27.1.</u></li> </ol>
MCZ-R28	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> MCZ-R28 as notified.
MCZ-S4	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> MCZ-S4 to exclude existing service stations.
MCZ-S5	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> MCZ-S5 to exclude existing service stations.
MCZ-S6	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> MCZ-S6 to exclude existing service stations.
MCZ-S8	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> MCZ-S8 to exclude existing service stations.
City Centre Zone			
<ul style="list-style-type: none"> <li>CCZ-O1</li> <li>CCZ-O2</li> <li>CCZ-O4</li> <li>CCZ-O5</li> <li>CCZ-P1</li> <li>CCZ-P3</li> <li>CCZ-P10</li> </ul>	Support	Z Energy supports the intent of these provisions and seeks that they are retained as notified.	<b>Retain</b> CCZ-O1, CCZ-O2, CCZ-O4, CCZ-O5, CCZ-P1, CCZ-P3, and CCZ-P10 as notified.





Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
CCZ-P8	Support in part	For reasons similar to those identified in the submission on LCZ-P8.	<b>Amend</b> CCZ-P8 as follows: [...] Where <u>functional and operational needs</u> , 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. [...]
CCZ-P9	Support in part	For reasons similar to those identified in the submission on LCZ-P8.	<b>Amend</b> CCZ-P9 as follows: [...] Where <u>functional and operational needs</u> , 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. [...]
CCZ-P11	Support in part	For reasons similar to those identified in the submission on LCZ-P11.	<b>Amend</b> CCZ-P11 as follows: Manage activities to mitigate adverse effects on other zones by: <ol style="list-style-type: none"> <li>Ensuring outdoor work, storage, loading, and parking areas are screened from level view from Residential Zones, Mixed Use Zones (<u>where a site is used for an activity sensitive to privacy intrusion</u>), Rural Zones, Special Purpose Zones, and Open Space and Recreation Zones, and</li> <li>Restricting servicing hours near boundaries with Residential Zones, Mixed Use Zones, Marae Zones (<u>where a site is used for an activity sensitive to noise</u>), and notional boundaries of activities sensitive to noise in Rural Zones.</li> </ol>
CCZ-R1	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> CCZ-R1 as notified.
CCZ-R2	Support	Z Energy supports the intent of this provision and seeks that it is retained as notified.	<b>Retain</b> CCZ-R2 as notified.
CCZ-R3	Oppose in part	For reasons similar to those identified in the submission on LCZ-R2.	<b>Amend</b> CCZ-R3 so that it does not apply to existing service stations.
CCZ-R4	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> CCZ-R4 so that it does not apply to existing service stations.
CCZ-R5	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> CCZ-R5 so that it does not apply to existing service stations.
CCZ-R6	Oppose in part	For reasons similar to those identified in the submission on LCZ-R3.	<b>Amend</b> CCZ-R6 so that it does not apply to existing service stations.
CCZ-R18	Oppose in part	For reasons similar to those identified in the submission on LCZ-R13.	<b>Amend</b> CCZ-R18 so that it does not apply to existing service stations.
CCZ-R22	Support	The discretionary activity status for service stations is appropriate.	<b>Retain</b> CCZ-R22 as notified.
CCZ-R27	Oppose in part	For reasons similar to those identified in the submission on LCZ-R22.	<b>Amend</b> CCZ-R27 as follows: 1. Activity status: Permitted Where: <ol style="list-style-type: none"> <li>The outdoor storage and work areas are screened from <u>level view of</u> any adjoining site or opposite site in a Rural Zone, Open Space and Recreation Zone, Residential Zone, Marae Zone, or Mixed Use Zone (<u>where a site is used for an activity sensitive to privacy intrusion</u>) by <u>landscaping</u>, a building or a solid or close-boarded fully opaque fence of at least 1.8 metres in height, and</li> <li>The outdoor storage and work areas are screened from any street within the Active Street Frontage Overlay by <u>landscaping or</u> a building on the site.</li> </ol> [...] Matters of discretion are restricted to: <ol style="list-style-type: none"> <li>Visual amenity from those sites from which the outdoor storage and work areas are required to be screened by Rule CCZ-R27.1 but are not.</li> <li>The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).</li> <li>The matters in CCZ-P10: Urban design outcomes (exclusions).</li> <li>Any positive effects that can only be achieved through non-compliance with CCZ-R27.1.</li> </ol>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
			5. <u>The functional and operational needs of the activity.</u> 6. <u>Site constraints that affect the activity's ability to comply with CCZ-R27.1.</u>
CCZ-R28	Oppose in part	For reasons similar to those identified in the submission on LCZ-R23.	<b>Amend</b> CCZ-R28 as follows: 1. Activity status: Permitted Where: a. The servicing is not within 40 metres of a site in a Residential Zone, Mixed Use Zone <u>(where a site is used for an activity sensitive to noise)</u> , or Marae Zone, or b. The servicing occurs only between 7:00am and 10:00pm. Matters of discretion are restricted to: 1. The night-time amenity of sensitive activities in the surrounding area in the Mixed Use Zone and in Residential Zones, and Marae Zones. 2. <u>The functional and operational needs of the activity.</u> 3. <u>Site constraints that affect the activity's ability to comply with CCZ-R28.1.</u>
CCZ-S4	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> CCZ-S4 to exclude existing service stations.
CCZ-S5	Oppose in part	For similar reasons identified in the submission on LCZ-R2 and LCZ-R3.	<b>Amend</b> CCZ-S5 to exclude existing service stations.
CCZ-S6	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> CCZ-S6 to exclude existing service stations.
CCZ-S8	Oppose in part	For similar reasons identified in the submission on LCZ-R2, LCZ-R3 and LCZ-R13.	<b>Amend</b> CCZ-S8 to exclude existing service stations.
Part 2: ENERGY, INFRASTRUCTURE AND TRANSPORT - Transport			
Chapter Introduction	Support	Z Energy supports the intent of the introduction and seek that it be retained.	<b>Retain</b> the Transport chapter introduction as notified.
TR-O1 Purpose	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-O1 as notified.
TR-P1 Required transport facilities	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-P1 as notified.
TR-P2 Enabled transport facilities	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-P2 as notified.
TR-P3 Potentially incompatible activities and transport facilities	Support in part	Z Energy supports the general intent of this provision regarding potentially incompatible activities and transport facilities. Transport facilities, as defined, relates to the movement of people, goods and refuse, including the facilities to support the efficient and effective movement of motor vehicles, such as driveways, manoeuvring/parking areas and vehicles crossings. These matters are achieved by compliance with the transports rules and standards. Therefore, clause (2)(d) of the policy relating transport facilities that may be incompatible and "not conducive to reducing reliance on private motor vehicles" is at odds with the definition and the purpose of the chapter for the safe and efficient transport network. That is, a reduced reliance on private motor vehicles is not a compatibility issue for transport facilities, but rather, is more relevant to the provision or design of transport facilities that don't meet the required standards, such that it would promote a reduced reliance on private motor vehicles.  For this reason, Z Energy considers that clause (2)(d) should be deleted and incorporated into clause (1) of the policy.	<b>Amend</b> TR-P3 as follows: 1. Only allow activities that do not meet standards for provision or design of transport facilities where: a. They are effective in meeting the transport needs of on-site activities, b. The safety, efficiency, and multi-modal function of the transport network and the safety of site users is not compromised, c. For any shortfall in the provision of loading spaces, cycling parking or end-of-trip facilities, the projected demand for the facilities will be lower than that required to be provided in the standards, or can be accommodated by public, shared, or reciprocal arrangements, d. Safe and effective access for firefighting purposes is available, and e. They are consistent with the planned outcomes in relation to character and amenity of the zones and precincts in which they are located <u>and</u> f. <u>It is conducive to reducing reliance on private motor vehicles.</u>  2. Transport facilities may be incompatible if:



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
			<p>a. There is a reduction in the safety, quality or connectivity of active transport networks, or</p> <p>b. The safety and efficiency of road networks are compromised, or</p> <p>c. There is not sufficient provision of safe access to on-site activities by active transport users, or</p> <p><del>d. the provision of transport facilities is not conducive to reducing reliance on private motor vehicles, or</del></p> <p>e. They are not consistent with the planned outcomes including in relation to character and amenity of the zones and precincts in which they are located, or</p> <p>f. New buildings and structures are not accessible by firefighting appliances.</p> <p>[...]</p>
TR-P4 Incompatible transport facilities	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-P4 as notified.
TR-P5 High trip generating activities	Support in part	<p>Z Energy supports the general intent of this provision but seek amendments, specifically to qualify the policy of facilitating the uptake of active and public transport modes and reducing reliance on private motor vehicles only “where relevant”.</p> <p>While provision is typically made for safe pedestrian and cyclist access to service stations, accessibility by public transport (and reducing private motor vehicle reliance) is not relevant to the appropriate design and location of service stations. Z energy anticipate that the relevance of this clause varies across the wide range of high trip generating activities (for example, motor vehicle servicing or warehousing facilities, versus housing intensification in centres or tertiary education facilities).</p>	<p><b>Amend</b> TR-P5 as follows:</p> <p>Manage the design and location of high trip generating activities <u>to</u>:</p> <p><u>1. <del>to</del> Facilitate, where relevant, the uptake of active and public transport modes, and reduce reliance on private motor vehicles, and</u></p> <p><u>2. <del>to</del> Minimise adverse effects on the safety, efficiency, and multi-modal function of the transport network.</u></p>
TR-P7 Positive effects	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-P7 as notified.
New electric vehicle charging policy	Support	<p>Z Energy seeks that new provisions are inserted to enable the installation and operation of electric vehicle (<b>EV</b>) charging devices throughout the City, thereby encouraging more sustainable means of transportation and reducing the City’s carbon emissions, as sought by CCSD-O1 and the Transport chapter introduction.</p> <p>For Z Energy, EV charging devices are a component part of a modern service station, with electricity being the fuel type. The development of nation-wide EV charging networks are a cornerstone of their low carbon future proposals.</p>	<p><b>Insert</b> TR-PX as follows:</p> <p><u>TR-PX Electric vehicle charging devices</u></p> <p><u>Encourage existing and new land uses to support an integrated and sustainable transport network by enabling electric vehicle charging devices.</u></p>
New rule for electric vehicle charging devices	Support	For similar reasons identified in Z Energy’s request for a new EV charging device policy so that devices are enabled throughout the City.	<p><b>Insert</b> TR-RX as follows:</p> <p><u>TR-RX Electric vehicle charging devices</u></p> <p><u>All zones</u></p> <p><u>1. Activity status: Permitted</u></p> <p><u>Where:</u></p> <p><u>a. The electric vehicle charging device is installed immediately adjacent to an existing, permitted or consented motor vehicle parking space.</u></p> <p><u>Note: The electric vehicle charging device does not have to comply with underlying zone rules and standards.</u></p> <p><u>All zones</u></p> <p><u>2. Activity status: Restricted discretionary</u></p> <p><u>Where:</u></p> <p><u>a. Compliance is not achieved with TR-RX.1.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The potential for adverse effects on the safety and efficiency of land transport infrastructure.</u></p> <p><u>Notification:</u></p> <p><u>Public notification is precluded for applications under this rule.</u></p>



Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )
TR-R1 All activities – Transport facilities, excluding vehicle crossings	Support in part	While Z Energy supports the intent of a general permitted activity rule, the broad definition of “transport facilities” coupled with the comprehensive list of standards raises ambiguity about the rule’s application. Specifically, it is unclear how altering one aspect of a site’s existing transportation arrangements would trigger compliance with all standards. For example, could the alteration of an existing parking space trigger additional cycling spaces (TR-S2), additional loading spaces (TR-S9), or require changes to circulation / manoeuvring areas not associated with the parking space (TR-S8)? At the minimum, compliance with standard TR-S4 relating to vehicle crossings should be removed from the rule, as R1 excludes vehicle crossings and is address specifically in R2.	<b>Amend TR-R1 as follows:</b> <i>All zones</i> <i>1. Activity status: Permitted</i> <i>Where:</i> <ol style="list-style-type: none"> <li><i>Compliance is achieved with:</i> <ol style="list-style-type: none"> <li><i>TR-S1: Pedestrian and cycling access,</i></li> <li><i>TR-S2: Provision of cycle parking and end of trip facilities,</i></li> <li><i>TR-S3: Design requirements for cycle parking,</i></li> <li><del><i>TR-S4: Classification of vehicle crossings and driveways,</i></del></li> <li><i>TR-S7: Driveways,</i></li> <li><i>TR-S8: Design requirements for motor vehicle parking, circulation and manoeuvring,</i></li> <li><i>TR-S9: Loading and un-loading – Non-residential, and</i></li> <li><i>TR-S10: Loading and un-loading - Residential.</i></li> </ol> </li> </ol>
TR-R2 New vehicle crossings	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain TR-R2 as notified.</b>
TR-R3 All activities – Trip generation	Support and Oppose in part	<p>Z Energy makes the following submission points on R3:</p> <p>Regarding clause (1)(b):</p> <ul style="list-style-type: none"> <li>The relevance of an on-site parking space condition for a HTGA rule is unclear; the focus should be on vehicle movements or the activity-specific thresholds (as reflected in Table 8, none of which relate to parking spaces). This clause should be deleted.</li> </ul> <p>Regarding clause (1)(c):</p> <ul style="list-style-type: none"> <li>Z Energy supports a permitted activity pathway for the alteration or expansion of existing high trip generating activities if the specified criteria are met.</li> </ul> <p>Regarding clause (2)(a):</p> <ul style="list-style-type: none"> <li>Z Energy opposes requiring a consent and an Integrated Transport Assessment for any service station. They consider that this is not an effects-based approach, and it is inappropriate to single out and treat any instance of a particular activity as an HGTA irrespective of its vehicle movements and traffic effects.</li> <li>Z Energy seeks that a high trip generation threshold of six refuelling spaces is applied to service stations (refer to submission on Table 8). Refuelling spaces are considered by traffic engineers and NZTA research reports as the most common parameter for predicting service station traffic, and a refuelling space threshold is consistent with several district plans across New Zealand (e.g. the Operative Whangārei District Plan).</li> </ul> <p>Regarding matter of discretion (1):</p> <ul style="list-style-type: none"> <li>For similar reasons identified in the submission on TR-P5, assessing the extent of development providing for active and public transport modes should be qualified to only where it is relevant. The need and ability to provide for these modes depends on the nature of the activity (service stations or motor vehicle servicing versus housing or educational facilities).</li> </ul>	<b>Amend TR-R3 as follows:</b> <i>All zones</i> <i>1. Activity status: Permitted</i> <i>Where:</i> <ol style="list-style-type: none"> <li><i>New activities do not exceed a motor vehicle trip generation threshold set out in Table 8: High trip generating activity thresholds, including when assessed cumulatively with all other activities which share on-site motor vehicle access, circulation, or parking,</i></li> <li><del><i>Where the activities are located in the City Centre Zone, Metropolitan Centre Zone or the Specified High Trip Generator Exemption Overlay, no more than 10 on-site motor vehicle parking spaces are provided for the activity, and</i></del></li> <li><i>Alteration or expansion of an existing high trip generating activity does not:</i> <ol style="list-style-type: none"> <li><i>Increase motor vehicle trip generation by greater than 5%,</i></li> <li><i>Alter, remove, or increase the number of, vehicle crossings which provide access to the activity, and</i></li> <li><i>Remove the ability for vehicles to enter and exit the site in a forward direction.</i></li> </ol> </li> </ol> <p><i>All zones</i></p> <p><i>2. Activity status: Restricted discretionary</i></p> <p><i>Where:</i></p> <ol style="list-style-type: none"> <li><i>Compliance is not achieved with TR-R3.1, or</i></li> <li><i>The activity is a <del>new service station or a</del> new drive-through activity.</i></li> </ol> <p><i>Matters of discretion are restricted to:</i></p> <ol style="list-style-type: none"> <li><i>The extent that the development provides for active and public transport modes <u>where relevant</u>.</i></li> </ol> <p>[...]</p>





Provision	Position	Reason for this submission	Relief sought by this submission (deletions in <del>red strikethrough</del> and additions in <u>red underline</u> )																
Table 8: High trip generating activity thresholds	Support in part	Refer to the reasons identified in the submission on TR-R3. The number of refuelling spaces is a more appropriate threshold (and easier to apply) for service stations activities.	<b>Amend</b> Table 8 as follows: <i>Table 8: High trip generating activity thresholds</i> <table> <tr> <th>Activity</th><th colspan="3">Threshold</th></tr> <tr> <td></td><td>City Centre Zone Metropolitan Centre Zone</td><td>All other Zones</td><td>Specific High Trip Generator Exemption Overlay</td></tr> <tr> <td colspan="4">Commercial activities:</td></tr> <tr> <td><u>Service stations</u></td><td><u>6 refuelling spaces</u></td><td><u>6 refuelling spaces</u></td><td><u>6 refuelling spaces</u></td></tr> </table>	Activity	Threshold				City Centre Zone Metropolitan Centre Zone	All other Zones	Specific High Trip Generator Exemption Overlay	Commercial activities:				<u>Service stations</u>	<u>6 refuelling spaces</u>	<u>6 refuelling spaces</u>	<u>6 refuelling spaces</u>
Activity	Threshold																		
	City Centre Zone Metropolitan Centre Zone	All other Zones	Specific High Trip Generator Exemption Overlay																
Commercial activities:																			
<u>Service stations</u>	<u>6 refuelling spaces</u>	<u>6 refuelling spaces</u>	<u>6 refuelling spaces</u>																
TR-S4 Classification of vehicle crossings and driveways	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-S4 as notified.																
TR-S5 Vehicle crossings – Number, location and width	Support in part	Standard TR-S5, clause (1) specifies the permitted number of vehicle crossings per site based on total frontage width. Clause (2) relates to situations where a site has more than one frontage. This clause could be read to mean that only one vehicle crossing is permitted in all situations, regardless of the total frontage width, but this does not appear to be the intent and should be clarified.	<b>Amend</b> TR-S5 as follows: <ol style="list-style-type: none"> <li>The number of vehicle crossings per site must not exceed the following: <ol style="list-style-type: none"> <li>Where the total frontage width does not exceed 50m: One vehicle crossing.</li> <li>Where the total frontage width is between 50m and 100m: Two vehicle crossings.</li> <li>Where the total frontage width exceeds 100m: Three vehicle crossings.</li> </ol> </li> <li>Where a site has more than one frontage and <u>in accordance with TR-S5.1</u>, is permitted only one vehicle crossing, the location selection of the vehicle crossing must be in accordance with the following order of precedence: <ol style="list-style-type: none"> <li>Local streets, then</li> <li>Urban connectors or Rural roads, then</li> <li>Any other road.</li> </ol> </li> </ol> <p>[...]</p>																
TR-S6 Vehicle crossings – Separation distances and design	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-S7 as notified.																
TR-S7 Driveways	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-S7 as notified.																
TR-S8 Design requirements for motor vehicle parking, circulation, and manoeuvring	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-S8 as notified.																
TR-S9 Loading and unloading - Non-residential	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> TR-S9 as notified.																
Table 2: Driveway and vehicle crossing classification	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> Table 2 as notified.																
Table 6: Minimum provision of loading spaces for non-residential activity	Support	Z Energy supports the intent of this provision and seek that it is retained.	<b>Retain</b> Table 6 as notified.																

