

# TCZ - Town Centre Zone

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S9: Fences and walls	Susan Dallas	25.31	Oppose	The submitter opposes fence and wall standards.	Delete Fences and Walls activity standards in their entirety from the District Plan.  (Inferred relief requested)	Open Submission
TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S9: Fences and walls	Natasha Duncan-Sutherland	31.15	Oppose	Considers that a limit on fence heights to 1.2 metres will place children at risk of dog attacks. The submitter seeks no restriction on fence heights with the exception that a new rule is introduced that requires front fence heights of at least 6 feet where a large-breed dog is owned.	Delete any restriction on fence heights and introduce a new rule requiring a front fence of at least 6 feet on properties where a large-breed dog is owned.	Open Submission
TCZ - Town Centre Zone /Rules /TCZ-R2: Residential activities	Andrea Millar	105.18	Support	Supports the permitted activity rules applying to "residential units" and "residential activity" in the zone as appropriate in the context of the establishment and operation of supported and transitional accommodation activities, such as those provided by Ara Poutama.	Retain the permitted activity rule TCZ-R2 applying to "residential activities" in the Town Centre Zone.	Open Submission
TCZ - Town Centre Zone /Rules /General	Andrea Millar	105.20	Oppose	Opposes the activity rules applying to community corrections activity" in the Town Centre Zone as they do not enable community corrections activities, and provides non-complying activity status for these activities in the zone under TCZ-R13. Considers the importance of Community corrections activities and the need to enable non-custodial community corrections sites including within Town Centre Zone which is easily accessible to offenders, and is a zone within which commercial, community and other similar activities are enabled as of right.	Amend to insert a new permitted activity rule for "community corrections activities" in the Town Centre Zone, as follows:  <u>TCZ-RX: Community corrections activities</u> <u>Activity Status: Permitted</u> <u>NA</u>	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O1: Quality town centre	Lizzie Reinecke Kim Shannon	176.1	Amend	Considers that the Taradale Commercial Zone (inferred Town Centre Zone) should be expanded to include the properties identified in the full submission, including EIT, Church Road Winery, Mission Estate Winery, 207 and 209 Gloucester Street, 28 Lee Road, 12 Lee Road, 366 and 368 Gloucester Street, 393 Gloucester Street, 20 and 24 Puketapu Road. The reasons given include that it is a natural fit when considering the existing extent of the zone map; the local business community will be expanded and supported and the TBA levied income could be increased.  Seeks to add a new permanent interactive character feature to the Taradale CBD-area. The reasons given include improved vibrancy and amenity, provision of visual interest and attract new customers, and increase pedestrian flow.  Seeks to install a permanent e-bike charging station to the Taradale CBD-area. The reasons given include that Taradale is part of the HB Trails network and is well located as a destination. The Taradale town centre services a large number of aged villages and being able to charge scooters may encourage people to stay longer at the shops.  Seeks to fund one new annual event in Taradale. The reasons given include that Taradale is not included in many of Napier's large events and a new events will provide an injection to businesses at a quiet time of the year.	Rezone (inferred) the following properties to Town Centre Zone:  EIT Church Road Winery Mission Estate Winery 207, 207, 366, 368 and 393 Gloucester Street 12 and 28 Lee Road 20 and 24 Puketapu Road	Open Submission
TCZ - Town Centre Zone /Rules /TCZ-R7: Car parking areas	Holly Jenkins	214.5	Amend	Support standards to manage the attractiveness and interface of at grade car parking areas in commercial zones. Considers the standards fail to recognise practicalities of supermarkets and other commercial activities and that standards require a large portion of a site to be occupied for this purpose. Considers an either/or approach appropriate to achieve landscaping outcomes	Seek that the landscaping requirement of NCZ-R7; LCZ-R10; LFRZ-R3; TCZ-R7; CCZ-R6 be an either/or:  1. Where the car parking area is at-grade: a. a 2 m wide landscaping strip comprised of indigenous plants is provided along the full frontage of the road (except for the vehicle crossing), <del>and</del> <u>or</u> b. one indigenous specimen tree is provided for every ten car parks.	Open Submission
TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S5: Frontages	Holly Jenkins	214.9	Amend	Considers the need for supermarkets and other commercial activities to locate back from the street for part of a site's frontage to enable vehicle access, manoeuvring and car parking in front of the store. Considers it impractical to be completely built to the street and taking pedestrian access directly from the street and for a large portion of the building to be glazed due to heat transfer over fresh produce.	Amend the standard to provide an alternative landscaping requirement along an Activated Street where it is not possible for a building to adjoin the entire length of the frontage, or provide direct pedestrian access. Amend the standard to recognise the functional and operational requirements of a supermarkets which cannot support large areas of glazing.	Open Submission

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TCZ - Town Centre Zone /Rules /TCZ-R11: Service stations	Georgina McPherson	215.142	Oppose	<p>Rule TCZ-R11 is considered to be unduly restrictive with respect to existing service stations. Commercial activities (including retail activities) are permitted in the zone (TCZ-R1). However, service stations are specifically identified in the zone as a discretionary activity (TCZ-R11). The Fuel Companies are concerned that alterations or additions to service stations would also be treated as a discretionary activity, despite there being a permitted activity rule for such activities (TCZ-R9).</p> <p>It is proposed that matter be addressed by adding a condition to rule TCZ-R11 that exempts alterations or additions undertaken in accordance with TCZ-R9.</p>	<p>Amend rule TCZ-R11 as follows:</p> <p>TCZ-R11 Service stations Activity Status: Discretionary</p> <p><u>Where:</u></p> <p>1. The activity is not provided for under <u>Rule TCZ-R9</u>.</p>	Open Submission
TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /General	Georgina McPherson	215.143	Support	The Fuel Companies generally support the intent of the TCZ standards and seek that they are retained.	Retain the TCZ standards.	Open Submission
TCZ - Town Centre Zone /Rules /TCZ-R12: Drive-through facilities	Anitha Premraj Sam Goddard	216.10	Amend	Supports the inclusion of drive through facilities in the Town Centre Zone (TCZ). Considers the activity is consistent with Zone objectives and that drive through restaurants should be provided for as a restricted discretionary activity.	Seeks specific provision for drive through restaurants of any size within the Town Centre Zone as a restricted discretionary activity.	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O1: Quality town centre	Shravan Miryala	217.28	Support	Supports TCZ objectives in principle	Retain as notified.	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O4: Access and Connectivity	Shravan Miryala	217.29	Support	Supports TCZ objectives in principle	Retain as notified.	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O5: Sustainable design and infrastructure	Shravan Miryala	217.30	Support	Supports TCZ objectives in principle	Retain as notified.	Open Submission
TCZ - Town Centre Zone /Policies /TCZ-P3: Town centre living	Shravan Miryala	217.31	Amend	Considers that the amenity of more sensitive activities, such as residential activities, will be better protected where they have been appropriately designed to manage reverse sensitivity effects where there is an interface with lawfully established non-residential activities. Seeks relief consistent with design principle 1: The Site of the National medium density design guide (Ministry for the Environment, May 2022) which seeks that current or proposed nearby non-residential activities are identified and that residential development responds to them.	<p>Amend TCZ-P3 as follows:</p> <p>Enable residential development including conversions of an existing building in the Taradale town centre while:</p> <p>a. managing development to achieve a reasonable standard of amenity for residents, and</p> <p>b. discouraging residential units at ground floor along the street frontage of town centre, <u>and</u></p> <p><u>c. managing reverse sensitivity at zone interfaces and the interface between existing non-residential and noise- sensitive activities.</u></p>	Open Submission
TCZ - Town Centre Zone /Rules /TCZ-R9: Additions and alterations	Shravan Miryala	217.32	Amend	Opposes this rule in part. Considers that clause (1) seeks to control maintenance and repair of buildings' facades in the zone, where repair is defined in Part 1 of the PDP. Submitter disputes how this activity even needs to be controlled in this zone. Considers that in an historic heritage area / building, this activity would be welcomed, however, repair and maintenance of other lawfully established existing buildings would not normally meet the regular definition of alterations, and such an activity is certainly not an addition. Clause (2) permits external alterations (assumed to encompass additions as well) which are less than 25m <sup>2</sup> to which submitter is not opposed.	<p>Amend Rule TCZ-R9 as follows:</p> <p>TCZ-R9: <u>Maintenance, repair, a</u>Additions and alterations</p> <p>RCZ-R9A</p> <p>Activity Status: Permitted</p> <p>Where the following activity conditions are met:</p> <p><del>The activity is maintenance and repair of the building facade; or</del></p> <p><del>(2)</del>(1) External alterations are less than 25 m<sup>2</sup>.</p>	Open Submission

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TCZ - Town Centre Zone /Rules /TCZ-R11: Service stations	Shravan Miryala	217.33	Oppose	<p>Opposes rule and notes that proposed Rule TCZ-R11 provides that all service stations are a discretionary activity and does not have any qualifying standards nor exceptions. Considers that new or replacement service stations are appropriate to control in this manner, however, without clarification, comment or exceptions, the rule will or could apply to small scale, even trivial, activities, which will have unintended consequences for the resource consenting process. Considers that the following activities should not be applicable under proposed Rule TCZ-R11 at existing service stations:</p> <ul style="list-style-type: none"> <li>- Replacement infrastructure;</li> <li>- Upgrading of underground or above ground infrastructure;</li> <li>- Small scale building or operational changes that do not increase the intensity or scale of the activity (e.g.: traffic);</li> <li>- Maintenance or fixing of anything at the site.</li> <li>- Replacement tanks.</li> </ul> <p>Seeks to clarify that Rule TCZ-R9 would be applicable. Considers that this approach needs to be made clear in the chapter; for example, an advice note under the DA rule. Considers that these types of activities should not require a consent under this rule is because they are upgrades, maintenance, replacements and changes required to ensure efficient operation of lawfully established activities which manage hazardous substances. Considers that It is not in council's or the submitter's interests to prohibit these facilities which use and store hazardous substances and which have bespoke and carefully</p>	<p>Amend Rule TCZ-R11 as follows:</p> <p>TCZ-R11: New or replacement sService stations</p> <p><u>Note: This rule is only relevant for existing service stations if Rule TCZ-R9 is NOT met.</u></p>	Open Submission
TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S5: Frontages.	Shravan Miryala	217.34	Amend	<p>Notes that Standard TCZ-S5 (other streets) requirements mean that any changes to existing service stations will have to consider this standard which may not strictly be achieved at the existing site identified above in the TCZ. Considers it is unlikely to be achievable for a number of functional requirement reasons, including traffic safety.</p> <p>Opposes the imposition of this standard to existing service stations sites. Acknowledges that landscaping along the road boundary can enhance the attractiveness of a site and mitigate the effects of the development of the site, however, for service station sites incorporating trees into front boundary landscaping is problematic. Considers that the Council anticipates the planting of trees or plants that will be substantial enough to form a visual screen over time. Service station sites have a significant number of traffic movements into and out of the site per day and, where visibility to the forecourt and to signage is critical to a successful and safe operation, substantial trees or hedging can create a nuisance commercially and in terms of root extent and traffic safety. Considers trees can block the view of signage and the forecourt, block visibility of vehicles entering and exiting, develop root systems that interfere with existing infrastructure and services and be difficult to achieve at service stations due to vehicle crossing requirements, storage of underground petroleum products, tanker (fuel delivery) tracking and signage visibility.</p>	<p>Amend Standard TCZ-S5 to exclude existing service station sites from the landscaping requirements. This could be achieved by including the following additional exemption to the standard:</p> <p>1.Where a building is not located along the street frontage, a landscape buffer of 2 m in depth must be provided. This excludes access points. The landscaping must comprise a mix of indigenous trees, shrubs or ground cover plants (including grass).</p> <p><u>Except where:</u></p> <p><u>a. the site is utilised by a lawfully established existing service station activity.</u></p>	Open Submission

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TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S8: Screening	Shravan Miryala	217.35	Oppose	Acknowledges the intent of the standard but has identified that 10m <sup>2</sup> of storage may not be required for all activities, particularly on smaller sites and that, without clarification, the standard may or is likely to apply to small scale additions or alterations to existing activities which may already have suitable storage for their activities and uses. Considers that there is little to no benefit to any person or the environment to get a resource consent under this standard alone for this type of scenario. Considers that the wording of the rule applies to a "site" (as defined in the PDP) as opposed to an "activity". Notes that there could be multiple mixed uses on a single Record of Title (which is a "site") which may require more than 10m <sup>2</sup> . Submitter disputes whether this Standard is the most effective way to achieve its purpose. Considers that Rule TCZ-R8 along with Rule TCZ-R9 will provide an opportunity to consider any minimum storages and screening associated with any new activities.	Delete TCZ-S8	Open Submission
TCZ - Town Centre Zone /Rules /	Sean Thompson	225.12	Amend	<p>Considers that it is not self-evident from the analysis and rationale in the proposed plan, including in terms of s 32 RMA, why relocated buildings should be classified as non-complying in the NCZ, LCZ, LFRZ, LIZ and GIZ. It is accepted that relocated buildings should be discretionary in the Natural Open Space Zone, and there may be urban design and other considerations applicable to the Town Centre Zone and City Centre Zone which warrant different treatment.</p> <p>Since a 2004 Central Otago Environment Court decision most local authorities in New Zealand have either adopted permitted activity classification for relocated buildings (with no standards) or provided for permitted activity status with prescribed performance standards.</p>	<p>Seeks to amend the TCZ Rules as follows:</p> <p>a. Provide for relocated buildings as a permitted activity in all relevant zones, excepting where a specified heritage or conservation or urban design consideration applies;</p> <p>b. For the relocated building rules in all zones, the removal of the requirement to deposit a monitoring fee at the same time as submitting the relocated building report;</p> <p>c. Amending the performance standards in relation to relocated buildings in accordance with the wording in the attached Schedule 1 (which can be found in the attached submission), to provide for:</p> <p>i. modification of the performance timeframes such that relocation on permanent foundation is required within two months, and twelve months is allowed for the completion of all reinstatement works;</p> <p>ii. provision for a pre-inspection report in the same or similar form as found in Schedule 2 (which can be found in the attached submission).</p> <p>Consequential or further relief including to the relevant objectives, policies and provisions of the proposed plan in order to give effect to relief sought.</p> <p>(The reasons are stated in detail in the full submission)</p>	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O1: Quality town centre	Sian Stirling Jessica Ensing	231.83	Amend	Amend TCZ-O1 so that educational facilities are included. As any zone that enables residential activities in or around it should provide for schools and day care centres as essential social infrastructure required to support the surrounding residential and commercial catchment.	<p>Seeks to amend TCZ-O1 so that educational facilities are included as follows:</p> <p>Quality town centre</p> <p>Taradale town centre has a range of commercial, community, recreational, <del>and</del> residential activities <u>and educational facilities</u> that service the needs of the immediate and neighbouring suburbs.</p>	Open Submission
TCZ - Town Centre Zone /Objectives /TCZ-O4: Access and Connectivity	Sian Stirling Jessica Ensing	231.84	Support	Supports this objective to encourage the establishment of multi-modal infrastructure and public transport. The Ministry supports the uptake of students choosing active modes of travel to schools it has health benefits and reduces traffic congestion on the road network at peak pick up and drop off time.	Retain as proposed.	Open Submission
TCZ - Town Centre Zone /Policies /TCZ-P1: Vibrant town centre	Sian Stirling Jessica Ensing	231.85	Support	Supports TCZ-P1 as it provides the establishment of a wide range and diverse mix of compatible activities. If the Ministry's submission point on TCZ-O1 above is accepted in the correlating objective to TCZ-P1, it will be clear that educational facilities would be considered a compatible activity for this zone and be provided for under this policy.	Retain as proposed.	Open Submission

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TCZ - Town Centre Zone /Rules /TCZ-R4: Educational activities	Sian Stirling Jessica Ensing	231.86	Amend	Amend TCZ-R4, Requests that activity status is corrected to 'educational facility' as this is a term defined in the plan. States that TCZ-R4 is unclear as it does not outline what the activity would be if the educational facility could not comply with the permitted developments standards. Some matters of discretion are listed next to each development standard but nowhere in the chapter does it clearly outline that educational facilities would become a restricted discretionary activity if they cannot comply with the standards. The Ministry proposes that a restricted discretionary status is applied to the activity status box for each educational facility. The Ministry also requests that educational facilities have their own matters of discretion, as often schools cannot comply with the development standards and matters of discretion should be restricted to the relevant effects.	Seeks to Amend the following: Educational activities facility Activity Status: Permitted <u>Activity Status where activity conditions are not met: Restricted Discretionary The matters of discretion are:</u> 1. <u>Scale, design, layout, setbacks and screening;</u> 2. <u>Contribution to local community wellbeing;</u> <u>Effects on the streetscape and neighbourhood character;</u>	Open Submission
TCZ - Town Centre Zone /Rules /General	Sam Goddard	238.15	Amend	Supports the permitted activity status for commercial activities in the Town Centre Zone (TCZ) however, considers that explicit provision should be made for supermarkets of any size within the TCZ. Notes the zone description and purpose and considers that supermarkets meet the purpose and intent of the TCZ. However, this has not been appropriately reflected in the rules of this zone by specifically providing for supermarkets as a permitted activity. Due to the format of supermarkets, it is considered that a 1,000m <sup>2</sup> GFA restriction is not appropriate in this case.	Amend to provide for supermarkets of any size within the Town Centre Zone as a permitted activity.	Open Submission
TCZ - Town Centre Zone /Rules /TCZ-R7: Car parking areas	Sam Goddard	238.16	Oppose	Opposes TCZ-S5 which requires the provision of one indigenous specimen tree per 10 car parking spaces. This requirement is considered to be unnecessarily onerous given the requirement for a landscaping buffer to be provided.	Remove requirement for providing indigenous trees based on car parking spaces. This requirement does not recognise the functional and operational requirements of the submitter with respect to the provision of car parking.	Open Submission
TCZ - Town Centre Zone /Rules /General	Alec Duncan	288.69	Amend	Fire and Emergency requires the ability to construct and operate emergency service facilities (i.e., fire stations) in locations which will enable reasonable response times to fire and other emergencies. This means new fire stations may be necessary in any zone across the district in order to continue to achieve emergency response time commitments in situations where development occurs, and populations change. In this regard it is noted that Fire and Emergency is not a requiring authority under section 166 of the RMA, and therefore does not have the ability to designate land for the purposes of fire stations.  Fire and Emergency notes that the effects of a fire station can be largely anticipated and, in the most part, do not differ to the effects of many activities that may be anticipated through rural and urban environments.  Fire and Emergency requests that emergency service facilities are provided for as permitted activities in the larger, more extensive zones of the district to recognise the critical importance of emergency services to communities. In providing for emergency service facility as a permitted activity would mean that emergency service facilities would be controlled by the subsequent performance standards of each zone (such as height, height in relation to boundary, front yards, building coverage requirements).and the other relevant performance standards in other chapters (i.e., transport) to ensure that any effects are appropriately managed.	Seeks to include new permitted activity as follows: <u>xxx-Rx: Emergency service facilities</u>  <u>Activity Status: Permitted</u>  <u>N/A</u>  Or To similar effect.  And any other consequential amendments required to give effect to this new standard.[List]	Open Submission

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TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /General	Alec Duncan	288.88	Amend	<p>Fire and Emergency's main area of concern is the provision of a water supply and access to this supply which will enable Fire and Emergency to operate effectively and efficiently to save lives and property in the event of a fire. This is best achieved through compliance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ 4509:2008.</p> <p>SNZ 4509:2008 sets out minimum water supply requirements required for firefighting water supply to both reticulated and non-reticulated areas. Where a development is unable to connect to the reticulated network, or the reticulated network has insufficient capacity and/or pressure, an alternative firefighting water source is required by Fire and Emergency. This could be from a dedicated firefighting water supply tank.</p> <p>Fire and Emergency notes that the subdivision chapter includes rules and standards applying to subdivision. Therefore, activities that do not require subdivision will not be subject to the servicing standards within, including SUB S14 that applies to the subdivision of new lots only and requires a firefighting water supply.</p> <p>A new standard is therefore requested in all zones of which development of new buildings are enabled to ensure that new development is provided with a water supply suitable for firefighting purposes.</p> <p>In relation to new standard XXX-SX(1), it is expected that all reticulated water supply networks (whether private or public) will be fully compliant with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 as required by the Code of Practice for Land Development and Subdivision Infrastructure and that new connections under the water supply</p>	<p>Seeks to include a new performance standard as follows:</p> <p><u>XXX-SX: Firefighting water supply</u></p> <p>1. <u>All new developments must be connected to a public reticulated water supply, where one is available.</u></p> <p>2. <u>Where the new development will not be connected to a public reticulated water supply, or where an additional level of service is required that exceeds the level of service provided by the reticulated system, the developer must demonstrate how an alternative and satisfactory firefighting water supply can be provided in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p> <p><u>Matter of discretion:</u></p> <p>1. <u>The extent of consistency with the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.</u></p> <p>Or</p> <p>To similar effect.</p> <p>And</p> <p>any other consequential amendments required to give effect to</p>	Open Submission
TCZ - Town Centre Zone /Policies /TCZ-P5: Sustainable design and infrastructure	Alec Duncan	288.135	Support	<p>Supports this policy to the extent that it seeks to ensure sufficient infrastructure provision and/or mitigation measures to meet demand, including consideration of the effects of climate change.</p>	Retain as notified.	Open Submission