

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	General / /	217.1	Amend	Submitter provides background and context to organisation's roles and responsibilities. Notes that the rationale for Z Energy's submission on each of these matters, and the relief sought is contained in Schedule A of the attached document.	No specific relief sought. Inferred relief to amend as requested in attachment.
Z Energy Limited.	Definitions /Definitions /ALTERATION OR ADDITION	217.2	Amend	Supports principle of defining additions or alterations specifically for historic heritage buildings and associated activities, however, considers that terms are used in a singular manner: i.e.: just "alterations" which is confusing for Plan users. Also considers that when terms are used throughout the PDP, they appear to relate to activities that do not and likely should not relate to managing effects of additions and alterations to historic heritage buildings. Notes the example that rule TCZ-R9: Additions and alternations, permits (2) external alterations which are less than 25m ² . The term "alterations" in this PA qualifying condition links back to this definition, which relates to a percentage of change to an historic heritage item. Considers this approach flawed and requires a robust reconsideration as to how the council intends to manage small scale additions and alterations to existing unlisted buildings and structures in the commercial zones.	Amend to rename the defined term as follows Alteration and Addition (<u>Heritage</u>) And Remove the hyperlinks to this definition from all rules, standards and other provisions, unless the rule, standard or provision is specifically referring to an identified heritage building or structure.
Z Energy Limited.	Definitions /Definitions /COMMERCIAL ACTIVITY	217.3	Support	Supports that the definition of commercial activity is taken directly from the National Planning Standards and supports the intent in the PDP.	Retain this definition as notified.
Z Energy Limited.	Definitions /General /General	217.4	Oppose	opposes the control of "drive-through facilities" in multiple zones in the PDP without the activity being defined in Part 1. Considers that this term is usually defined, if used in a district plan, And may include or exclude service stations and truck stops. Considers the lack of definition creates confusion and misinterpretation for many vehicle oriented activities.	Insert a new definition for drive-through facilities in the PDP ensuring that it excludes service stations (because they are separately defined).
Z Energy Limited.	Definitions /Definitions /TRANSPORT DEPOT	217.5	Support	Supports of the definition of Transport Depot. Notes that 'vehicle depot' is also used throughout the plan but is not defined. Seeks consistency of the use of the term, or that the term 'vehicle depot' be defined separately if the intended meaning is not the same as 'transport depot.'	Retain the definition of Transport depot and replace the use of vehicle depot' throughout the plan with the defined term of transport depot. Or, alternatively Retain the definition of transport depot and add a new definition for vehicle depot to clearly define differences between the two terms and their subsequent uses throughout the District Plan.
Z Energy Limited.	Definitions /Definitions /SERVICE STATIONS	217.6	Amend	Supports the inclusion and definition for service stations.Considers that it lacks reference to electric vehicle charging which is a service that is increasingly being provided as part of service station activities.	Retain the definition of service stations, with the following addition: means a commercial activity on a site where the principal activity is the retail sale of motor vehicle fuels and lubricating oils <u>and charging of electric vehicles</u> and includes: a. the sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles; and/or b. the cleaning of vehicles; and/or c. mechanical and electrical servicing and repair of vehicles; and/or d. ancillary retail of goods and food; and/or e. truck stops; and/or f. trailer hire.; and/or <u>g. the charging of electric vehicles.</u> But does not include panel beating, spray painting or heavy engineering.

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Z Energy Limited.	Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	217.7	Amend	Supports that the Hazardous Substances chapter provisions apply solely to 'significant hazardous facilities' and hazardous substances in the Natural Open Space Zone. Opposes proposed definition of 'significant hazardous facilities', as it encompasses service station and truck stop activities. Considers that the proposed definition includes arbitrary limits based on historical storage quantities, which may not reflect current practices. Notes that Major service stations and truck stops adhere to HSNO Codes of Practice, managing risks effectively without justifying classification as 'Significant Hazardous Facilities'. The definition lacks a risk-based approach, potentially encompassing facilities with minimal risk justification, for instance a 60kl diesel tank at a truck stop, located either above or below ground. Notes that The Resource Legislation Amendment Act 2017 (RLAA 2017) states councils should control hazardous substances only where effects aren't covered by HSNO or HSWA, implying justification based on effects or risk. Considers that the potential risks associated with 100kl of above ground petrol storage are far more significant than the equivalent in diesel. If there are to be controls on storage then from a risk point of view it would make more sense for the thresholds to be 100kl diesel and 50kl petrol, and only in relation to above ground storage. Also notes that the Operative District Plan definition for 'major hazardous facilities' clearly excludes 'retail service stations and truck stops', therefore the effect of the Proposed Plan definition of 'significant hazardous facilities' would be to apply additional controls to retail service stations and truck stops storing more than 100,000 litres of petrol and/or 50,000 litres diesel. Notes that this has not been justified through s32 analysis and is contrary to the direction provided by the RLAA 2017.	Amend the definition of Significant Hazardous Facilities to clearly exclude retail services stations and truck stops, the transmission and distribution of petroleum products by pipeline, and fuel storage and servicing installations at airports. This could be achieved by making the following changes, or changes to the same effect: Means any facility which involves one or more of the following activities:- - Manufacturing of hazardous substances (including industries); - manufacturing agrochemicals, fertilisers, acids/alkalis or paints); - Oil and gas exploration and extraction facilities; - The storage/use of more than 100 50,000l of petrol; - The storage/use of more than 50 100,000l of diesel; - The storage/use of more than 6 tonnes of LPG; - Galvanising plants; - Electroplating and metal treatment facilities; - Tanneries; - Freezing works and rendering plants; - Wastewater treatment plants; - Metal smelting and refining (including battery refining or recycling); - Milk treatment plants; - Fibreglass manufacturing; - Polymer foam manufacturing; - Asphalt/bitumen manufacture or storage; or - Landfills. <u>This definition does not apply to:</u> <u>1. The underground storage of petrol and diesel at service stations and truck stops that is undertaken in accordance with HSNOCOP 44 Below Ground Stationary Container Systems for Petroleum – Design and Installation and HSNOCOP 45 Below Ground Stationary Containers Systems for Petroleum – Operation.</u> <u>2. The distribution or transmission by pipelines of petroleum products.</u> <u>3. Fuel installations and fuel servicing activities at airports.</u>
Z Energy Limited.	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts	217.8	Amend	Supports a permitted activity rule for EV charging facilities as public charging infrastructure is vital for EV uptake. However, considers that it is not clear that this rule applies to EV charging facilities at service stations as: Seeks specific reference to "service stations" under the rule to avoid confusion and clarifies that EV charging facilities may be operated by parties other than "network utility operators." Considers that references to standards NU-S12 and NU-S13 regarding radio frequency and electric/magnetic fields are irrelevant to EV charging facilities and should be deleted. Supports the default to restricted discretionary activity status for activities not meeting permitted activity requirements, along with associated matters of discretion.	Amend NU-R10A to ensure electric vehicle charging facilities at service stations are provided for on the same basis as electric vehicle charging facilities currently subject to Rule NU-R10. This could be achieved by making the following changes or changes to the same effect: NU-R10A Activity Status: Permitted Where: 1. The activity is installed in association with an existing permitted or consented vehicle park, vehicle depot, <u>service station</u> or garage structure; 2. The activity complies with standards (NU-S1 – NU-S11); 3. <u>The activity complies with standard NU-S12 (Radio Frequency Fields) and standard NU-S13 (Electric and Magnetic Fields), and</u> 4. The activity is not within the National Grid Yard. 5. <u>For the purposes of this rule, the operator of the electric vehicle charging facility is not required to be a network utility operator as defined in the RMA.</u> OR As a further alternative to proposed new clause 5 above, Rule NU-R10A, and the associated standards applying to electric vehicle charging facilities, could be relocated to an alternative part of the Proposed Plan, such as the Transportation chapter (consistent with many other district authorities' PDPs), to avoid the concern that EV charging facility operators who are not also 'network utility operators' under the RMA may be unable to rely on Rule NU-R10A.
Z Energy Limited.	NU - Network utilities /NU - Network Utilities - Rules Table /NU-R10: New electrical vehicle charging facilities in all zones and precincts Activity Status where activity condition 1 is not met: Discretionary Activity Status where activity conditions 3 or 4 are not met: Non-complying	217.9	Support	Supports the intent of Rule NU-R10B and seeks that it be retained.	Retain NU-R10B as notified.
Z Energy Limited.	TPT - Transport /Policies /TPT-P2: Trip generation Relates to TPT-O1	217.10	Amend	Notes that the term 'high trip generating activities' is not defined. Service stations primarily attract pass-by trips from motorists already traveling on the road network and are not a destination activity that attracts new vehicle trips. Considers that service stations are typically treated as high trip generating activities and that the principal activity of service stations is the retail sale of motor vehicle fuels. While provision is typically made for safe pedestrian and cyclist access to service stations, accessibility by public transport is not relevant to the appropriate location of service stations. Opposes policy directive to only provide for high trip generating activities where they provide for public transport modes. Considers there will be other 'high trip generating activities' to which this concern is relevant.	Amend Policy TPT-P2 to provide a level of discretion in terms of considering appropriate locations for high trip generating activities in recognition that accessibility by public transport will not be a relevant consideration in all situations, for example, for service stations. This could be achieved by amending Policy TPT-P2 as follows or to the same effect: TPT-P2: Trip generation Manage the design and location of subdivision, use, and development of land so as to minimise traffic patterns that will interfere with the safe and efficient operation of the integrated transport network, including through: a. ensuring transport planning supports the anticipated activities in each zone. b. only providing for high trip generating activities where they: i. safely and effectively integrate with the transport network, and ii. provide for pedestrian, cycling, micro-mobility, and, <u>where relevant</u> , public transport modes.

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Z Energy Limited.	TPT - Transport /TPT - Transport - Rules Table /TPT-R3: Activities infringing standards TPT-S1 - TPT-S4 and TPT-S6	217.11	Amend	Supports the intent of this rule, however, does not support its scope as the current wording, this rule applies to all activities, including lawfully established activities. Considers that this rule should be reframed in terms of 'new' activities infringing standards 1, 4 and 6 to avoid triggering consent for existing lawfully established activities. Notes that this would apply where a trivial change needs to be made to an existing lawfully established activity that might otherwise trigger this rule.	Amend Rule TPT-R3 as follows: TPT-R3: <u>New</u> Activities infringing standards TPT-S1 –TPT-S4 and TPT-S6.
Z Energy Limited.	TPT - Transport /TPT - Transport - Rules Table /TPT-R5: Vehicle trip generation	217.12	Amend	Notes the rule's requirement for compliance with Standard TPT-S6 but suggests it may be a typo, seeking alignment with Standard TPT-S7. Support the rule's intent but opposes its broad scope, which encompasses all activities, including lawfully established ones. Considers it should be reframed the rule to apply specifically to "new" vehicle trip generating activities to prevent unnecessary resource consent for minor changes to existing lawful activities. Considers that where a change is proposed to an existing activity, consent should only be triggered if the change results in an exceedance of the vehicle movement thresholds in Standard TPT-S7 or an increase in the degree of any existing exceedance of the vehicle movement thresholds.	Amend Rule TPT-R5 to correctly refer to Standard TPT- S7: Vehicle-trip generation and to ensure the rule applies only to new high traffic generating activities or those that result in an increase in existing generation above the vehicle movement thresholds set out in TPT- S7. TPT-R5: Vehicle trip generation TPT-R5A Activity Status: Permitted 1. <u>For new activities w</u> where: Ccompliance is achieved with TPT-S6 . <u>TPT-S7</u> 2. <u>For existing activities w</u> where a change or variation to the existing activity :i. <u>Does not result in an exceedance of the vehicle movement thresholds in TPT-S7; or</u> ii. <u>Does not increase the size, scale or scope of any existing exceedance of a vehicle movement threshold in TPT-S7.</u>
Z Energy Limited.	TPT - Transport /TPT - Transport - Standards Table /TPT-S1: Car parking	217.13	Amend	Opposes this Standard. Considers it should only relate to new activities and not existing, nor changes to existing car parking areas, to require landscaping 2m deep in front of existing car parking spaces, if they were being reworked, for instance, would be onerous. Also considers that the performance standard is likely to compete with the permitted activity rule / standard in the NUO Chapter which permits EV Charging equipment (Rule NU-R10 / Standard NU-S1). Notes It is common to have EV charging facilities on the edge of a site and often near or on the road boundary as the power source is usually in the Road and therefore the EV facility needs to tap into that power source, and needs to be close to it for efficiency purposes. Also note this is because car parking spaces often need to be on the perimeters of sites, to allow for manoeuvring space and buildings to be designed in a safe and efficient manner.	Amend TPT-S1: Car parking as follows Landscaping 6. Where any <u>new</u> vehicle parking area is formed adjacent to any road or public place (<u>except for activities permitted under rule NU-R10 in the NUO Chapter</u>), a landscaped area of indigenous plants 2 m wide adjacent to the road or public place must be provided and maintained, except for driveways. Note: where zones and/or precincts also contain landscaping standards, the more restrictive standard applies.
Z Energy Limited.	TPT - Transport/TPT - Transport/ Standards Table/TPT-S2: Bike parking	217.14	Amend	Supports the intent of Standard TPT-S2 but notes if the submitter were to upgrade / alter / fix / replace facilities at an existing service station and changes some existing lawfully established car parking spaces around, or reduced the number, it would require consideration of this Standard that will likely require consent (noting the limitations of existing buildings, small sites, limited ability to expand etc). Notes that Most trips to Service Stations are to buy fuel and customers are not anticipated to visit by bikes.	Amend TPT-S2 to ensure these apply to new car parks and new non-residential activities and exclude existing service station sites from meeting these requirements as follows. TPT-S2: Bike Parking 1. One bike stand must be provided per <u>for every</u> five <u>new</u> car park spaces on site, except for supermarkets where one bike stand must be provided per 20 car park spaces 4. <u>New</u> Non-residential activities must provide the following end-of-trip facilities (intended for staff use) :.... <u>Except where:</u> a. <u>the site is utilised by a lawfully established existing</u> service station activity.
Z Energy Limited.	TPT - Transport/TPT - Transport - Standards Table/TPT-S5: Vehicle access (restrictions)	217.15	Amend	Opposes in part Standard TPT-S5 subject to clarification that the rule will not be triggered by the following, inter alia, activities at existing service stations :- Replacement infrastructure; - Upgrading of underground or above ground infrastructure ;- Small scale accessory building or operational changes that do not increase the intensity or scale of the activity (e.g.: traffic); - Maintenance or fixing of anything at the site. - Replacement tanks. Considers that these types of activities should not require compliance with TPT- S5 is because they are required to ensure efficient operation of lawfully established activities.	Clarify that Standard TPT-S5 is not required to be considered for accessory buildings and minor changes to lawful and existing activities.
Z Energy Limited.	TPT - Transport/TPT - Transport - Standards Tables/TPT-S7: Vehicle trip generation	217.16	Amend	Supports the standard in part however seeks clarification that the thresholds (and therefore the standard) need only be considered/applicable where new or significantly expanded existing activities are proposed. Seeks to ensure that the standard would not be triggered by the installation of 1 x additional fuel dispenser, existing site upgrades or redevelopment of the same character and intensity. Seeks an exception for existing service stations in residential zones from complying with the maximum number of vehicle movements per day. Considers that this would be unduly constraining for the efficient functioning and operation of the existing Taradale and Tamatea service stations. Requests that this standard is reframed in terms of 'new' activities only.	Amend Standard TPT-S7 as follows: 2. <u>New</u> Activities in residential zones must not exceed the following vehicle movement thresholds:..... 3. <u>New</u> Activities in all other zones must not exceed the following vehicle movement thresholds:....
Z Energy Limited.	Planning Maps /General /General	217.17	Support	Supports Mixed use zoning of Z Kennedy Road – 226 Tennyson Street, Napier South but considers there is a tension between existing service stations and zonings that are pedestrian and streetscape orientated. Notes that service stations and truck stops are by nature vehicle orientated and whilst these developments can be attractive, they have functional requirements which mean that they do not conform to traditional "streetscape" standards (e.g.: provision of verandahs and building to the front boundary).	Retain the Mixed Use Zoning of the listed Z site.

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Z Energy Limited.	Planning Maps /General /General	217.18	Amend	Acknowledges the rolled-over ODP Mixed Use zoning of 85A Battery Road, Ahuriri but considers that, given the hazardous materials associated with the Terminal activity within the wider site, Industrial Zoning will be more appropriate. Considers that, if developed to standard MUZ-S4: Frontages, MU Zoning of the southern part of the Terminal (adjacent to Battery Road), may create an incongruous development when considered in the context of Battery Road, a mainly residential road. Considers that the section 32 evaluation provides no specific reasoning for retaining Mixed Use Zone for this portion of the site. Also considers that different activity status/ rules and objectives and policies of each of the Zones will need to be considered if it is split zoned .	Amend MUZ to GIZ.
Z Energy Limited.	MUZ - Mixed Use Zone /Objectives /MUZ-O1: Mixed use of activities	217.19	Support	Supports MUZ-O1	Retain MUZ-O1 as notified.
Z Energy Limited.	MUZ - Mixed Use Zone /Objectives /MUZ-O3: Effects on the community and economic function of centresActivities within the zone do not compromise the function, role, and amenity of the City Centre Zone and other centres.	217.20	Support	Supports MUZ-O3	Retain MUZ-O3 as notified.
Z Energy Limited.	MUZ - Mixed Use Zone /Objectives /MUZ-O5: Access and connectivityThe Mixed Use Zone is highly accessible by a range of transport modes while maintaining the safety and efficiency of identified freight routes, including the key access to the port.	217.21	Support	Supports MUZ-O5	Retain MUZ-O5 as notified.
Z Energy Limited.	MUZ - Mixed Use Zone /Policies /MUZ-P1: Mix of activities	217.22	Amend	Supports the intent to encourage a mix of activities within the Zone. Considers that the amenity of more sensitive activities, such as residential activities (which are enabled in this zone), 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. Notes that the relief sought is 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.	Amend MUZ-P1 as follows: Encourage a compatible mix of activities within the zone by: a. providing for the operational requirements of light industry whilst ensuring a reasonable level of amenity for sensitive uses within the Mixed Use Zone and adjacent Residential Zones; b. limiting retail and office activity to ensure that the function, role and amenity of the City Centre Zone and other centres are not compromised; c. enabling residential, recreational, and/or community activities outside of identified areas of risk, and d. avoiding new heavy industry activities., <u>and</u> <u>e. managing reverse sensitivity at zone interfaces and the interface between existing non-residential and noise- sensitive activities</u>
Z Energy Limited.	MUZ - Mixed Use Zone /Policies /MUZ-P2: Quality living environments	217.23	Amend	Supports Policy MUZ-P2 and the recognition of the range of activities that can occur appropriately in the Zone, including consideration of the existing environment, however, considers the focus should more appropriately be on achieving the intent of the zone while recognising the existing environment.	Amend Policy MUZ-P2 as follows: Enable residential developments and conversions of existing buildings in the Mixed Use Zone outside of identified areas of risk while managing development to achieve a reasonable standard of amenity for residents., <u>while recognising the existing environment.</u>
Z Energy Limited.	MUZ - Mixed Use Zone /MUZ - Mixed Use Zone - Rules Table /MUZ-R16: Service stations, transport depots, drive-through facilities	217.24	Oppose	Notes that service stations encompass both commercial and retail activities, permitted within the city center fringe control area (MUZ-R4), which also allows for industrial activities (MUZ-R12). Despite the range of permitted activities within the zone, submitter considers that service stations being classified as discretionary activities for new developments or alterations to existing ones is overly restrictive. Notes that the mixed use zone provides for a compatible mixture of residential, commercial, light industrial, recreational and/or community activities. Considers that service stations are compatible with a range of other mixed-use activities and function appropriately within a mixed use environment such that a permitted status, subject to appropriate development standards, is the most appropriate outcome for managing land use effects and giving effect to the suite of objectives and policies of this zone. Notes that part of the Z Terminal site in Ahuriri is zoned MUZ zone and used for a transport depot for which the discretionary activity status is also considered to be unduly restrictive.	Amend rule MUZ-R16 to delete the applicability to service stations and transport depots, and Add a new permitted activity rule for service stations and transport depots where MUZ-S1 to MUZ-S5 and MUZ-S11 to MUZ-S14 are met. Not meeting the standards to default to restricted discretionary activity.

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Z Energy Limited.	MUZ - Mixed Use Zone /MUZ - Mixed Use Zone - Standards Table /MUZ-S4: Frontages	217.25	Amend	Notes that standard MUZ-S4 requires that, where a building is not located along the street frontage, a landscape buffer of 2 m in depth must be provided where landscaping is comprised of a mix of trees and plants etc. Considers that in all cases the buildings at service stations (existing, new or alterations to existing) will not be located along the street frontage due to functionality and operational safety needs. Notes that any changes to existing service stations or the south-end of the Terminal will have to consider this standard which is not necessarily currently achieved at the sites identified above in the MUZ. Considers this unachievable for a number of functional requirement reasons, including traffic safety. MU Zoning of the southern part of the Terminal (adjacent to Battery Road), if developed to achieve this standard (particularly the buildings on the frontage), may create an incongruous development when considered in the context of Battery Road, a mainly residential road. Considers that for service station sites incorporating trees into front boundary landscaping is problematic. Seeks to clarify if the 'or' in the following aspect of the Standard is intentional and whether the landscaping could be low planting not requiring only trees, but needs to be a mix.	Amend Standard MUZ-S4 to exclude existing service station sites from meeting these requirements; and to clarify the landscaping requirements through introduction of "or" in the list.
Z Energy Limited.	MUZ - Mixed Use Zone /MUZ - Mixed Use Zone - Standards Table /MUZ-S7: Landscaped area	217.26	Amend	Notes that standard MUZ-S7 requires all Landscaped areas to be a minimum of 20% of the net site area. Notes that any changes to existing service stations will have to consider this standard which is not currently achieved at the site identified above in the MUZ. It is unlikely to be achievable for a number of functional requirement reasons, including traffic safety. Opposes the imposition of this standard to existing service stations sites. Acknowledges landscaping up to 20% of the site can enhance the attractiveness of a site and mitigate the effects of the development of the site. Service station sites have a significant number of traffic movements into and out of the site per day and, where movement within and visibility to the forecourt and to signage is critical to a successful and safe operation, the extent to which an existing service station can be landscaped is usually extremely limited. Considers that Small scale changes to an existing service station should therefore not need to be assessed against this standard, where lawfully existing.	Amend Standard MUZ-S7 to exclude existing service station sites from the landscaping requirements. This could be achieved by including the following additional exemption to the standard: 1. Landscaped area must be a minimum of 20% of the net site area. <u>Except where:</u> <u>a. the site is utilised by a lawfully established existing service station activity.</u>
Z Energy Limited.	Planning Maps /General /General	217.27	Support	Supports zoning of Z Taradale Service Station 21 Lee Road, Taradale, Napier 4112 as it is considered appropriate in a wider sense but there is an inherent tension between service stations and zonings that are pedestrian, and streetscape orientated. Notes that service stations are by nature vehicle orientated and whilst these developments can be attractive, they have functional requirements which mean that they do not conform to traditional "streetscape" standards (e.g.: provision of verandahs and building to the front boundary).	Retain the zoning of the Z Taradale Service Station site.
Z Energy Limited.	TCZ - Town Centre Zone /Objectives /TCZ-O1: Quality town centre	217.28	Support	Supports TCZ objectives in principle	Retain as notified.
Z Energy Limited.	TCZ - Town Centre Zone /Objectives /TCZ-O4: Access and Connectivity	217.29	Support	Supports TCZ objectives in principle	Retain as notified.
Z Energy Limited.	TCZ - Town Centre Zone /Objectives /TCZ-O5: Sustainable design and infrastructure	217.30	Support	Supports TCZ objectives in principle	Retain as notified.
Z Energy Limited.	TCZ - Town Centre Zone /Policies /TCZ-P3: Town centre living	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.	Amend TCZ-P3 as follows: Enable residential development including conversions of an existing building in the Taradale town centre while: a. managing development to achieve a reasonable standard of amenity for residents, and b. discouraging residential units at ground floor along the street frontage of town centre, and <u>c. managing reverse sensitivity at zone interfaces and the interface between existing non-residential and noise-sensitive activities.</u>
Z Energy Limited.	TCZ - Town Centre Zone /Rules /TCZ-R9: Additions and alterations	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 ² to which submitter is not opposed.	Amend Rule TCZ-R9 as follows: TCZ-R9: <u>Maintenance, repair, a</u> Additions and alterations RCZ-R9A Activity Status: Permitted Where the following activity conditions are met: The activity is maintenance and repair of the building facade, or (2) External alterations are less than 25 m².

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Z Energy Limited.	TCZ - Town Centre Zone /Rules /TCZ-R11: Service stations	217.33	Oppose	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 :- Replacement infrastructure ;- Upgrading of underground or above ground infrastructure; - Small scale building or operational changes that do not increase the intensity or scale of the activity (e.g.: traffic) ;- Maintenance or fixing of anything at the site .- Replacement tanks. 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 designed stormwater treatment facilities from being upgraded to meet industry standards and maintained to a high standard.	Amend Rule TCZ-R11 as follows: TCZ-R11: New or replacement sService stations Note: This rule is only relevant for existing service stations if Rule TCZ-R9 is NOT met.
Z Energy Limited.	TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S5: Frontages	217.34	Amend	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. 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.	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: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). Except where: a. the site is utilised by a lawfully established existing service station activity.
Z Energy Limited.	TCZ - Town Centre Zone /TCZ - Town Centre Zone - Standards Table /TCZ-S8: Screening	217.35	Oppose	Acknowledges the intent of the standard but has identified that 10m ² 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 ² . 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
Z Energy Limited.	Planning Maps /General /General	217.36	Support	Supports zoning of Z - Napier - Truck Stop 35 & 37 Dunlop Road, Napier	Retain GIZ zoning for the site.
Z Energy Limited.	Planning Maps /General /General	217.37	Amend	Supports the proposed GIZ that reflects the lawfully established activities on this site but opposes the proposed Mixed Use Zoning along the Battery Road frontage. Acknowledging that the site is zoned Mixed Use under the Operative Plan it is considered that Industrial Zoning will be more appropriate given the hazardous materials associated with the Terminal activity within the wider site. Furthermore, the MU Zoning of the southern part of the Terminal (adjacent to Battery Road), if developed to MUZ-S4, may create an incongruous development when considered in the context of Battery Road, a mainly residential road. Notes that the section 32 evaluation does not contain reasoning for retaining Mixed Use Zone for this portion of the site. Also considers that different activity status/ rules and objectives and policies for each of the Zones will need to be considered if the site is split zoned.	Retain GIZ zoning for the site. Amend MUZ to GIZ.
Z Energy Limited.	Planning Maps /General /General	217.38	Support	Supports the zoning of Caltex – Diesel Stop 34 Severn Street, Pandora	Retain GIZ zoning for the site.

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	GIZ - General Industrial Zone /Objectives /GIZ-O1: Enabling industrial activities	217.39	Support	Supports the active management and provision for reverse sensitivity effects in GIZ.	Retain GIZ-O1 as notified
Z Energy Limited.	GIZ - General Industrial Zone /Objectives /GIZ-O2: Non-industrial and ancillary activities	217.40	Amend	Supports the active management and provision for addressing non- industrial and ancillary activities in GIZ. Considers that the existing lawfully established service stations and transport depots must be acknowledged/provided for through the Objectives and Policies and is further reflected in the proposed relief sought where service stations and transport depots are requested to be listed as permitted activity below in this submission.	Amend GIZ-O2 to include service stations GIZ-O2: Non-industrial and ancillary activities Non-industrial activities are not located in the zone unless the activity is ancillary to the primary industrial use of the land, will not compromise the efficiency or functionality of the zone for industrial activities, or is a trade retail activity within the Taradale Road Specific Control Area.
Z Energy Limited.	GIZ - General Industrial Zone /Objectives /GIZ-O3: Incompatible activities and reverse sensitivity	217.41	Support	Supports the active management and provision for reverse sensitivity effects in GIZ.	Retain GIZ-O2 as notified.
Z Energy Limited.	GIZ - General Industrial Zone /Policies /GIZ-P1: Activities in General Industrial Zone	217.42	Amend	Supports the active management and provision for addressing non- industrial and ancillary activities in GIZ. Considers that the existing lawfully established service stations and transport depots must be acknowledged/provided for through the Objectives and Policies and is further reflected in the proposed relief sought. Refer to original submission for full details)	Amend Policy GIZ-P1: Activities in General Industrial Zone as follows: Enable industrial activities in the General Industrial Zone, <u>and other supporting activities</u> , recognising that these activities generate higher levels of light, noise, vibration, odour, and high volumes of traffic while maintaining residential amenity in adjacent areas at a level that recognises the industrial setting and is reasonable for the location.
Z Energy Limited.	GIZ - General Industrial Zone /Policies /GIZ-P6: Non-industrial and ancillary activities	217.43	Amend	Supports the active management and provision for addressing non- industrial and ancillary activities in GIZ. The existing lawfully established service stations and transport depots must be acknowledged/provided for through the Objectives and Policies and is further reflected in the proposed relief sought . Refer to original submission for full details	Amend GIZ-P6 as below by excluding service stations GIZ-P6: Non-industrial and ancillary activities a. Avoid the establishment and operation of sensitive land uses and non-industrial activities unless the activity is compatible with the adverse effects generated from industrial activities and: b. supports and is directly related to a permitted or consented industrial or manufacturing activity located on the same site; c. provides essential services to people employed in businesses located in the zone, or d. is a trade retail activity within the Taradale Road Specific Control Area. <u>or</u> e. <u>does not compromise the efficiency or functionality of the zone for industrial activities.</u>
Z Energy Limited.	GIZ - General Industrial Zone /Policies /GIZ-P7: Reverse sensitivity	217.44	Support	Supports the active management and provision for considering reverse sensitivity effects in GIZ.	Retain Policy GIZ-P7 as notified
Z Energy Limited.	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /GIZ-R1: Any industrial activity and any building or structure associated with industrial activities	217.45	Amend	Supports Rule GIZ-R1A in principle but notes that activities will be assessed as Non-complying activities which is onerous especially for land zoned GIZ.	Clarify whether Rule GIZ-R1A applies to service stations; truck stops and Terminals and ancillary activities.
Z Energy Limited.	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Rules /General	217.46	Oppose	Opposes as GIZ rules do not provide for service stations via a specific service stations rule or as a commercial activity. Notes that rule GIZ-R3 only provides for ancillary retail activity or trade supply retail activity (relating to industrial, building and construction, or landscaping purposes). so service stations are a non-complying activity under GIZ-R8 for land use or development that is not otherwise provided for, including any additions or alterations to existing service stations. Considers that this is overly restrictive considering the purpose of the zone and the compatibility of service stations with other activities in the zone. Considers it is appropriate that the rule also provides for transport depots, consistent with that provided in rule MUZ-R16 for the Mixed Use Zone.	Add new rule to GIZ as follows: <u>GIZ-RX: Service stations and transport depots GIZ-RXA</u> <u>Activity Status: Permitted</u> <u>GIZ-RXB</u> <u>Activity status where standards are not met:Restricted Discretionary</u> <u>Matters of discretion are:</u> <u>1. The matters of discretion stated for the relevantGIZ standard(s).</u>
Z Energy Limited.	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Standards Table /GIZ-S4: Outdoor storage of materials and products (excluding storage of shipping containers)	217.47	Amend	Notes that Standard GIZ-S4 (outdoor storage) requires all outdoor storage areas, to be fully screened by a close-boarded or similar solid fence or wall of a minimum height of 1.8m or a 2-metre-wide planting strip so that it is not visible from public view and from any adjoining site in a residential or open space zone. However, considers that Outdoor storage is not defined and the standard provides no additional clarification. Seeks amendment or clarity to ensure that the standard does not relate to storage of fuel in above ground tanks.	Amend Standard GIZ-S4 to exclude above ground storage of fuel at truck stops, as follows: GIZ-S4(6)All outdoor storage areas or stockpiles: a. must be screened from the public view and from any adjoining site in a residential or open space zone by: i. a close-boarded or similar solid fence or wall of a minimum 1.8 m in height, or ii. a 2-metre-wide planting strip consist of shrubs and hedge or tree plantings. <u>This standard does not apply to aboveground tanks at truck stops or service stations.</u> And/or Clarify through a new definition or note what is intended by 'outdoor storage', including ensuring above ground tanks are not considered 'outdoor storage'.

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	GIZ - General Industrial Zone /GIZ - General Industrial Zone - Standards Table /GIZ-S6: Stormwater run-off	217.48	Oppose	Supports managing stormwater from sites where hazardous substances or contaminants pose a risk, noting Z Energy's existing adherence to Ministry for the Environment 1998 Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand . However, considers that GIZ-S6 clause (1), seeks to regulate stormwater discharges to the environment already under the jurisdiction of the Regional Council. Considers the existing Hawke's Bay Regional Resource Management Plan provisions already provide an efficient and effective approach to managing stormwater discharges from industrial and trade premises, with no need to duplicate the regulation of discharges from such sites at a district level. Acknowledges the intent of standard GIZ-S6(2) regarding interceptor traps, but disputes the requirement for total contaminant removal, suggesting it conflicts with established guidelines such as the MfE Guidelines where 15mg/l of total petroleum hydrocarbons is regarded as a best practice threshold. Petroleum industry activities are undertaken in compliance with the MfE Guidelines and are widely accepted in plans as being best practice. Notes that not all sites in the General Industrial Zone handle or store hazardous substances,therefore considers that an interceptor trap may not be necessary or may not be the only or most appropriate method of treating / managing stormwater from sites with a General Industrial Zoning. Considers that setting an impervious area threshold in standard GIZ-S6(3) may be inappropriate, noting that it may be unreasonable for existing fully developed sites to convert paved areas to permeable surfaces. These sites will have existing operational requirements and that paving of surfaces can be an appropriate means of managing the risks associated with HAIL sites and contaminated soils, for which an industrial zone is likely to be the most appropriate location. Considers standard GIZ-S6 duplicates existing controls provided in the Proposed Plan and Regional Council regulations, leading to confusion and inconsistency, and seeks its deletion.	Delete standard GIZ-S6: Stormwater run-off.
Z Energy Limited.	Planning Maps /General /General	217.49	Support	Supports zoning of Caltex – Hyderabad 12 Hyderabad Road, Marewa as the LIZ provides for and accommodates a range of activities, with a limited focus on pedestrians and the provision of public spaces. It allows for large areas or car parking and/or outdoor storage and acknowledges the potential presence of hazardous substances.	Retain LIZ zoning of the site as notified
Z Energy Limited.	LIZ - Light Industrial Zone /Objectives /LIZ-O3: Incompatible activities	217.50	Support	Supports the management of reverse sensitivity effects in the LIZ.	Retain Objective LIZ-O3 as notified.
Z Energy Limited.	LIZ - Light Industrial Zone /Objectives /LIZ-O4: Non-industrial activities	217.51	Amend	Supports the general intent of the objective, which provides for limited non-industrial activities in the LIZ zone, but considers that it does not adequately provide for service stations that are otherwise appropriate and compatible with an industrial zoning. Considers that the objective should be amended to recognise that activities such as service stations can appropriately locate within the Light Industry Zone without compromising the purpose, efficiency or functionality of the zone.	Amend Objective LIZ-O4 as follows: LIZ-O4: Non-industrial activities Non-industrial activities are not located in the zone unless the activity <u>will not compromise the efficiency or functionality of the zone for light industrial activities</u> is ancillary to the primary industrial use of the land.
Z Energy Limited.	LIZ - Light Industrial Zone /Policies /LIZ-P2: Light industrial activities and adjacent land uses	217.52	Amend	Supports the intent of LIZ-P2 but is concerned that that it does not recognise that non-industrial activities such as service stations can appropriately locate in the zone.	Amend LIZ-P2 as follows: LIZ-P2: Light industrial activities and adjacent land uses The Light Industrial Zone is only used for the ongoing operation and development of light industrial activities, related service activities and ancillary activities <u>and non-industrial activities</u> that are an efficient use of the physical resource of the zone and do not compromise the amenity values of neighbouring residential zones.
Z Energy Limited.	LIZ - Light Industrial Zone /Policies /LIZ-P4: Non-industrial and ancillary activities	217.53	Support	Supports the intent of LIZ-P4 but is concerned that that it does not recognise that non-industrial activities such as service stations can appropriately locate in the zone.	Amend LIZ-P4 as follows: LIZ-P4: Non-industrial and ancillary activities Avoid non-industrial activities in the Light Industrial Zone except when the activity is compatible with industrial activities and: a. supports and is directly related to a permitted or consented industrial activity located on the same site, or b. provides essential services to people employed in businesses located in the zone, <u>or does not compromise the efficiency or functionality of the zone for light industrial activities.</u>
Z Energy Limited.	LIZ - Light Industrial Zone /Policies /LIZ-P5: Reverse sensitivity	217.54	Amend	Supports LIZ-P5 intent to manage reverse sensitivity effects only on light industrial activities in the zone but considers that the policy should also recognise reverse sensitivity effects on lawfully established activities that are appropriately located in the zone, such as service stations.	Amend LIZ-P5 as follows: LIZ-P5: Reverse sensitivity Avoid activities that would give rise to reverse sensitivity effects that may constrain the efficient operation of light industrial activities <u>and other lawfully established activities</u> in the zone.
Z Energy Limited.	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Rules Table /General	217.55	Amend	Considers that service stations are not anticipated with a specific rule in the LIZ where such activities should be anticipated. Notes that service stations are not industrial activities but they meet the definition of 'commercial activity' and 'retail activity' in the PDP. Permitted activity rule LIZ-R2A provides for retail and commercial activities, but service stations would not comply with the rule conditions. Considers that the need for resource consent for changes or new service stations overly restrictive given their compatibility with other activities in the zone. Seeks a new rule provides for service stations in the zone	Add a new LIZ rule as follows: <u>Activity Status: Permitted</u> <u>LIZ-RXB</u> <u>Activity status where standards are not met:Restricted Discretionary</u> <u>Matters of discretion are:</u> 2. <u>The matters of discretion stated for the relevant LIZ standard(s).</u>

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Standards Table /LIZ-S4: Stormwater run-off	217.56	Oppose	Supports managing stormwater from sites where hazardous substances or contaminants pose a risk, noting Z Energy's existing adherence to Ministry for the Environment guidelines. However, considers that LIZ-S4 clause (1), seeks to regulate stormwater discharges to the environment already under the jurisdiction of the Regional Council. Considers the existing Hawke's Bay Regional Resource Management Plan provisions already provide an efficient and effective approach to managing stormwater discharges from industrial and trade premises, with no need to duplicate the regulation of discharges from such sites at a district level. Acknowledges the intent of standard LIZ-S4(2) regarding interceptor traps, but disputes the requirement for total contaminant removal, suggesting it conflicts with established guidelines such as the MfE Guidelines where 15mg/l of total petroleum hydrocarbons is regarded as a best practice threshold. Petroleum industry activities are undertaken in compliance with the MfE Guidelines and are widely accepted in plans as being best practice. Notes that not all sites in the Light Industrial Zone handle or store hazardous substances, therefore considers that an interceptor trap may not be necessary or may not be the only or most appropriate method of treating / managing stormwater from sites with a Light Industrial Zoning. Considers that setting an impervious area threshold in standard LIZ-S4(3) may be inappropriate, noting that it may be unreasonable for existing fully developed sites to convert paved areas to permeable surfaces. These sites will have existing operational requirements and that paving of surfaces can be an appropriate means of managing the risks associated with HAIL sites and contaminated soils, for which an industrial zone is likely to be the most appropriate location. Considers standard LIZ-S4 duplicates existing controls provided in the Proposed Plan and Regional Council regulations, leading to confusion and inconsistency, and seeks its deletion.	Delete standard LIZ-S4: Stormwater run-off.
Z Energy Limited.	LIZ - Light Industrial Zone /LIZ - Light Industrial Zone - Standards Table /LIZ-S6: Outdoor storage of materials and products (excluding storage of shipping containers)	217.57	Amend	Notes that LIZ-S6 (outdoor storage) requires any outdoor storage areas are to be screened from the view of any adjacent residential zone or public open space but Outdoor storage is not defined and the standard provides no additional clarification. Seeks amendment or clarity to ensure that the standard does not relate to storage of fuel in above ground tanks.	Amend LIZ-S6(2) to exclude above ground storage of fuel at service stations, as follows: <u>Any</u> outdoor storage areas are to be screened, <u>except for the display of goods for retail sale, must be fully screened by a solid fence or wall of a minimum height of 2m</u> from the view of any adjacent residential zone or public open space. <u>This standard does not apply to aboveground tanks at service stations.</u> And/or Clarify through a new definition or note what is intended by 'outdoor storage', including ensuring above ground tanks are not considered 'outdoor storage'.
Z Energy Limited.	Planning Maps /General /General	217.58	Oppose	Opposes the zoning of 6 Durham Street as Medium Density Residential and requests that the planning maps be amended to re-zone the site as Local Centre Zone to be more appropriate for the existing service station activity located here. Notes that the purpose of the Local Centre Zone is to 'provide for a range of commercial and community activities to service the needs of the residential catchment.' and the existing service station activity at 6 Durham Avenue fits this purpose and provides services to meet the needs of the community. Also notes that the site is adjacent to a Pak n Save Grocery Store and Service Station. Considers there is no reason why the two service stations should be zoned differently. Considers that a Commercial Zoning is more appropriate than Residential Zoning for the existing commercial service station activity at 6 Durham Avenue. Considers that an extension of the Local Centre Zone from the Corner of Coventry Avenue and Leicester Avenue to 6 Durham Avenue is logical and fits with the nature of the activities in the area to service the Medium Density Residential Zone.	Rezone the parcel of land at 6 Durham Avenue as Local Centre Zone. Refer to original submission for attached image
Z Energy Limited.	MRZ - Medium Density Residential Zone /Objectives /MRZ-O2: Community wellbeing	217.59	Support	Supports intent of Objectives MRZ-O2 and MRZ-O3.	Retain Objectives MRZ-O2 and MRZ-O3 as notified.
Z Energy Limited.	MRZ - Medium Density Residential Zone /Objectives /MRZ-O3: Quality living environments	217.60	Support	Supports intent of Objectives MRZ-O2 and MRZ-O3.	Retain Objectives MRZ-O2 and MRZ-O3 as notified.
Z Energy Limited.	MRZ - Medium Density Residential Zone /Policies /MRZ-P4: Quality living environments - within the site	217.61	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.	Amend MRZ-P4 as follows: Manage development to achieve a quality living environment for residents within the site, including by providing: a. useable and accessible outdoor living space appropriate for the location and housing typology; b. privacy; c. access to sunlight; d. functional living spaces; e. storage, and f. safe and accessible parking areas; <u>and</u> g. managing reverse sensitivity at zone interfaces <u>and the interface between existing non- residential and noise-sensitive activities.</u>

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	MRZ - Medium Density Residential Zone /Policies /MRZ-P5: Urban character	217.62	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.	Amend MRZ-P5 as follows: Achieve the planned medium-density built character of primarily two- to three-storey buildings surrounded by landscaping, including by: a. limiting the height, bulk, and form of development; b. managing the design and appearance of multi- residential unit development, and c. requiring setbacks and landscaped areas that are consistent with an urban character., and <u>d. managing reverse sensitivity at zone interfaces and the interface between existing non-residential and noise- sensitive activities.</u>
Z Energy Limited.	MRZ - Medium Density Residential Zone /Policies /MRZ-P6: Non-residential activities	217.63	Amend	Considers that proposed wording in the policy does not consider existing lawfully established non-residential activities. If any changes or redevelopment is proposed, the wording in the MRZ-P6 will come into play as the activity will be assessed as a non-complying activity. Considers that this approach at the policy level is unnecessarily restrictive towards upgrades, changes to, additions and alterations to existing lawfully established non-residential activities. Seeks that the policy be more explicit and relate to the establishment of new activities.	Amend MRZ-P6 as follows: MRZ-P6: Non-residential activities Limit <u>new</u> non-residential activities in the zone to: a. prioritise efficient use of the zone for residential activities; b. minimise effects on the vitality of centre zones, and minimise effects on residential amenity.
Z Energy Limited.	MRZ - Medium Density Residential Zone /MRZ - Medium Density Residential Zone - Rules Table /General	217.64	Oppose	Considers that the “catch all other” Rule (Rule MRZ-R9 – Non-Complying) does not appropriately provide for any existing “other” activities. Considers that changes, alterations, additions, upgrades and replacement of existing non-residential activities, particularly service stations, should not be non-complying activities, considering the suite of objectives and policies for this zone (and other residential zones). Considers that the MRZ rules therefore do not adequately provide for existing service stations activities, including any additions or alterations to the existing activity and as a result, any addition or alteration to the existing activity is a non-complying activity in the zone under rule MRZ-R9 (activities not otherwise provided for). Considers that this is overly restrictive with respect to existing activities, and the continued operation and development on the same site. Seeks that a new discretionary activity rule for service stations, is included in the PDP in all residential zones Noting that the built development on the site will, irrespective, be controlled by the Standards.	Add new rule as follows: <u>MRZ-RX: Alterations, additions and redevelopment of existing service stations</u> <u>Activity status: Discretionary</u>
Z Energy Limited.	MRZ - Medium Density Residential Zone /MRZ - Medium Density Residential Zone - Standards Table /MRZ-S7: Landscaped area	217.65	Amend	Supports Standard MRZ-S7(3) requires at least 50% of the area of the front yard must comprise landscaped area as it relates to the development of new residential buildings. Any changes to existing service stations, for example, will have to consider this standard which is not currently achieved at the site identified above in the MRZ. Moreover, it is unlikely to be achievable for a number of functional requirement reasons, including traffic safety. 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 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 that 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, tanker tracking and signage visibility.	Amend Standard MRZ-S7 to exclude existing service station sites from the landscaping requirements. This could be achieved by including the following additional exemption to the standard: 1. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them. 2. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit. 3. At least 50% of the area of the front yard must comprise landscaped area. <u>Except where:</u> <u>a. the site is utilised by a lawfully established existing service station activity.</u>
Z Energy Limited.	LCZ - Local Centre Zone /LCZ - Local Centre Zone - Rules Table /LCZ-R12: Service stations	217.66	Support	Supports the specific provision for service stations in the Local Centre Zone.	Retain LCZ-R12 as notified.
Z Energy Limited.	Planning Maps /General /General	217.67	Amend	Considers that the proposed zoning for Caltex Taradale - 368 Gloucester Street, Taradale does not reflect the existing and the long-established non- residential use of the site as a service station.	No specific relief sought.
Z Energy Limited.	HRZ - High Density Residential Zone /Policies /HRZ- P3: Quality living environments - adjoining sites	217.68	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.	Amend HRZ-P3 as follows: Mitigate the potential adverse effects of development on adjoining sites without limiting the ability to achieve the planned high-density residential built character, including by: a. Setting buildings back from side and rear boundaries; b. Limiting the length of buildings along side and rear boundaries; c. Providing opportunities for sunlight access to neighbouring sites, and d. For residential unit development involving four or more residential units, encouraging the use of design techniques such as building recesses, varied architectural treatment, and landscaping along side and rear boundaries., and <u>e. managing reverse sensitivity at zone interfaces and the interface between commercial and noise-sensitive activities.</u>

Submitter Name	Section / Sub-section / Provision	Submission number / Point Number	Position	Summary of Submission	Relief Summary
Z Energy Limited.	HRZ - High Density Residential Zone /Policies /HRZ-P6: Non-residential activities	217.69	Amend	Considers that the proposed wording in the policy does not consider existing lawfully established non-residential activities. If any changes or redevelopment is proposed, the wording in the MRZ-P6 will come into play as the activity will be assessed as a non-complying activity. Considers that this approach at the policy level is unnecessarily restrictive towards upgrades, changes to, additions and alterations to existing lawfully established non-residential activities. Seeks that the policy be more explicit and relate to the establishment of new activities.	Amend HRZ-P6 as follows: MRZ-P6: Non-residential activities Limit <u>new</u> non-residential activities in the zone to: a. prioritise efficient use of the zone for residential activities; b. minimise effects on the vitality of centre zones, and c. minimise effects on residential amenity.
Z Energy Limited.	HRZ - High Density Residential Zone /HRZ - High Density Residential Zone - Rules Table /General	217.70	Oppose	Opposes as the “catch all other” Rule HRZ-R9 – Non-Complying does not appropriately provide for any existing “other” activities. Considers that changes, alterations, additions, upgrades and replacement of existing non-residential activities, particularly service stations, should not be non-complying activities, considering the suite of objectives and policies for this zone (and other residential zones). Considers the rules do not adequately provide for existing service stations activities, including any additions or alterations to the existing activity and as a result, any addition or alteration to the existing activity is a non-complying activity in the zone under rule HRZ-R9 (activities not otherwise provided for). Considers that this is overly restrictive with respect to existing activities, and the continued operation and development on the same site. Seeks that a new discretionary activity rule for service stations, is included in the PDP in all residential zones Noting that the built development on the site will, irrespective, be controlled by the Standards.	Add new rule as follows: <u>HRZ-RX: Alterations, additions and redevelopment of existing service stations</u> <u>Activity status: Discretionary</u>
Z Energy Limited.	HRZ - High Density Residential Zone /HRZ - High Density Residential Zone - Rules Table /HRZ-R9: Activities not otherwise provided for under Rules HRZ-R1 - HRZ-R8	217.71	Oppose	Opposes as any changes to existing service stations will trigger a consent as a Non-Complying activity which is considered to be quite onerous given the activity has been lawfully established. Considers that Service Stations need to be identified as a separate activity with a Discretionary activity status where there will be scope for Council to assess the effects and also identify service stations as an activity especially in existing circumstances which is the case for existing Z Service Stations.	Insert new Rule <u>HRZ-R9: Service Stations</u> <u>Activity Status: Discretionary Activity.</u> <u>This will require HRZ-R9 R10: Activities not otherwise provided for under Rules HRZ-R1 - HRZ-R8R9</u>
Z Energy Limited.	HRZ - High Density Residential Zone /HRZ - High Density Residential Zone - Standards Table /HRZ-S7: Landscaped area	217.72	Amend	Supports that HRZ-S7(3) requires at least 50% of the area of the front yard must comprise landscaped area as it relates to the development of new residential buildings. However considers that any changes to existing service stations will have to consider this standard which is not currently achieved at the site identified above in the HRZ. Considers, it is unlikely to be achievable for a number of functional requirement reasons, including traffic safety. 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 considers that for service station sites, incorporating 50% of front yard landscaping into front boundary is problematic as service stations are served by large non-standard vehicle crossings which take up a significant length of the road frontage. Also considers that service stations 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, shrubs and plants can create a nuisance commercially and in terms of root extent and traffic safety.	Amend Standard HRZ-S7 to exclude existing service station sites from the landscaping requirements. This could be achieved by including the following additional exemption to the standard: 1. A residential unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them. 2. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential unit. 3. At least 50% of the area of the front yard must comprise landscaped area. <u>Except where:</u> <u>a. the site is utilised by a lawfully established existing service station activity.</u>