Proposed Waitaki District Plan

Section 42A Report: Commercial Zones

Report on submissions and further submissions

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Issue Date	19 October 2026	**Review Date**	17 October 2026
Document name	Commercial Zones		

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Appendices

Appendix 1 Recommended Changes to Provisions

Appendix 2 Recommended Responses to Submissions

Abbreviations

Abbreviation	Full Text
Council	Waitaki District Council
CRPS	Canterbury Regional Policy Statement
NES	National Environmental Standard
NES-CF	National Environmental Standards for Commercial Forestry 2023
NES-CS	National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011
NES-DMRU	National Environmental Standards for Detached Minor Residential Units 2025
NES-ETA	National Environmental Standards for Electricity Transmission and Electric Vehicle Charging Infrastructure Activities
NES-FW	National Environmental Standards for Freshwater 2020
NES-P	National Environmental Standards for Papakāinga 2026
NES-DW	National Environmental Standards for Sources of Drinking Water 2007
NES-TF	National Environmental Standards for Telecommunication Facilities 2016
NPS	National Policy Statement
NPS-EN	National Policy Statement for Electricity Networks 2008
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land 2022
NPS-I	National Policy Statement for Infrastructure 2025
NPS-IB	National Policy Statement for Indigenous Biodiversity 2023
NPS-NH	National Policy Statement for Natural Hazards 2025
NPS-UD	National Policy Statement on Urban Development 2020
NPS-REG	National Policy Statement for Renewable Electricity Generation 2011
NPStds	National Planning Standards
NZCPS	New Zealand Coastal Policy Statement 2010
ODP	Operative Waitaki District Plan
ORPS	Otago Regional Policy Statement 2019
PDP	Proposed Waitaki District Plan
pORPS	Proposed Otago Regional Policy Statement 2021
RMA	Resource Management Act 1991

1 Submitters Addressed in Report

The tables below list the original and further submitters addressed in this report.

Table 1: Original Submitters Addressed in this Report

Sub	Submitter Name	on Behalf of	Abbreviation
83	Waitaki District Council		WDC
112	Gavin Simpson		G Simpson 1
163	Fire and Emergency New Zealand	Fire and Emergency New Zealand	FENZ 2
164	NPHS Te Waipounamu		NPHS
167	New Zealand Motor Caravan Association Inc	New Zealand Motor Caravan Association Inc.	NZMCA
182	Clovelly Star Limited		Clovelly Star
203	Z Energy Limited		Z Energy
233	KiwiRail Holdings Limited		KiwiRail
237	Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited		Foodstuffs
238	Fuel Companies		Fuel Companies
242	Ministry of Education Te Tāhuhu o Te Mātauranga		MOED
251	Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki		Kā Runaka
265	Geoff and Katrina Taylor		G & K Taylor
267	Kelvin and Debbie Weir		K & D Weir
269	Brenda & Ken McLeod		B & K McLeod
271	Canterbury Regional Council		CRC
282	Dogterom Thomson Ltd		DTL
283	Dogterom Hohepa Ltd		DHL
284	Dogterom Duntroon Ltd		DDL
285	Barry and Anne Matthews		B & A Matthews
290	Philip and Becky Wilson		P & B Wilson
291	Peter and Janine Stackhouse		P & J Stackhouse
292	Robert and Sylvia Borst		R & S Borst
293	Brock and Gemma Hamilton		B & G Hamilton
296	Gavin Simpson		G Simpson 2
297	Parkside Holdings Ltd		Parkside
298	Alastair and Carrie Gibson		A & C Gibson
299	Twin Terraces Ltd & Cayuga Ltd		TT & Cayuga

Sub	Submitter Name	on Behalf of	Abbreviation
300	Adrianus and Francisca Verbakel & others		A & F Verbakel
301	Carolyn Thelning		C Thelning
302	Peter and Sandra Mitchell		P & S Mitchell
303	Terry and Fiona Conlan		T & F Conlan
304	Kirsty and Nathan McLachlan		K & N McLachlan
312	Springbank		Springbank
313	Geoff & Jan Keeling - Keeling Dairies Limited		Keeling Dairies

Table 2: Further Submitters Addressed in this Report

F Sub	Further Submitter Name	on Behalf of	Abbreviation
FS306	Waitaki Property Guardians Incorporated		

2 Introduction

2.1 Experience and Qualifications

1. My full name is Caitlin Parsons. I am employed by Waitaki District Council and have worked for the Council for approximately seven years. I am currently in my third year of study towards a Bachelor of Environmental and Resource Management Planning at Massey University, with completion of the degree expected in 2027/8.

2. I have approximately seven years' experience in local government, including experience in both resource consent planning and policy planning. Since 2021, I have been actively involved in the Waitaki District Plan Review, including research, analysis, drafting provisions, and responding to submissions. I have drafted two chapters of the Proposed Waitaki District Plan and have contributed to the development and review of a range of other planning provisions. My experience includes district plan reviews, plan drafting, policy analysis, community consultation, resource consent processing, and the evaluation of submissions on district plan provisions. The evidence I present relates to my involvement in the preparation and review of the provisions relevant to this topic.

3. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note and that I have complied with it when preparing this report. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person. Having reviewed the submitters and further submitters relevant to this topic, I advise that there is a Council submission addressed in this report - submission point 83.19 seeking amendments to TCZ-R1. I can confirm that I had no involvement in the preparation of this Council submission, and I have considered it independently in my capacity as a reporting officer, based on the planning merits of the relief sought. I do not consider this matter impedes my ability to provide independent advice to the Hearings Panel.

2.2 Purpose and Scope of this Report

4. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic, and to make recommendations in response to those submissions, to assist the Hearing Panel in evaluating and deciding on the submissions.

5. This report is prepared under s42A of the RMA in relation to the commercial zone provisions in the PDP. It covers the provisions of the following PDP sections:

    - Local Centre Zone (LCZ)
    - Mixed Use Zone (MUZ)
    - Town Centre Zone (TCZ)
    - Large Format Retail Zone (LFRZ)
    - Definitions relating to the above provisions, including:

- Camping Ground
- Commercial Activity
- Medical and Health Facility
- Recreational Activity
- Repair Workshop
- Service Station
- Visitor Accommodation

6. This report considers the submissions and further submissions that were received in relation to Commercial Provisions. It includes recommendations to either retain provisions without amendment, or to delete, add to, or amend provisions in response to submissions. All recommended amendments are shown by way of ~~strikeout~~ and underlining in **Appendix 1** to this Report, or, in relation to mapping, through recommended spatial amendments to the mapping. Footnoted references to the relevant submitter(s) identify the scope for each recommended change. Recommended responses to each submission are given in **Appendix 2**.

7. Where changes are recommended, an evaluation has been undertaken in accordance with Section 32AA of the RMA.

8. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them by the submitters.

2.3 Submissions on Withdrawn PDP Provisions

9. On 15 January 2026, the Council withdrew aspects of the PDP that would no longer be progressed under the Plan Stop provisions in subpart 5B of the RMA. No parts of the Commercial Provisions were withdrawn].

3 Topic Overview

3.1 Summary of Relevant Provisions of the PDP

10. This report relates to provisions associated with Commercial Provisions. This section of the report provides a brief summary of the provisions relevant to this topic.

3.1.1 Local Centre Zone (LCZ)

11. The Local Centre Zone applies to the suburban shopping centres of Ōamaru and the commercial centres of Weston, Kakanui, Ōmārama, Otematata, Kurow, and Palmerston. The zone provides for commercial activities that meet the needs of local communities and, in some locations, visitors and the travelling public. Provisions manage potential effects on adjoining residential areas, while a Visitor Accommodation Precinct in Ōmārama and Otematata recognises the importance of these settlements as visitor destinations and service centres.

3.1.2 Mixed Use Zone (MUZ)

12. The Mixed Use Zone provides for a range of residential, commercial, community, educational, recreational, and light industrial activities. The zone supports a diverse mix of uses, particularly around the Ōamaru town centre and harbour area, while limiting retail activities to maintain the role and function of town and local centres. Within the Ōamaru Harbour Precinct, additional provisions recognise the area's recreation, tourism, accommodation, and port-related activities.

3.1.3 Town Centre Zone (TCZ)

13. The Town Centre Zone applies to Ōamaru's principal commercial and civic centre and provides for a wide range of commercial, residential, visitor accommodation, community, and educational activities. The zone supports the vitality and viability of the town centre while recognising its significant heritage character and role as the District's primary business hub. Provisions manage building form and streetscape outcomes to maintain an attractive and pedestrian-friendly environment.

3.1.4 Large Format Retail Zone (LFRZ)

14. The Large Format Retail Zone applies to an area west of Thames Highway in Ōamaru and provides for large format retail activities that require substantial floor space and/or outdoor storage areas. The zone supports these activities while maintaining the role and viability of the adjoining Town Centre Zone. Provisions manage the scale, type, and design of development to ensure a high-quality urban environment and to avoid undermining the function of the town centre.

3.1.5 Definitions

15. The commercial zone chapters refer to the following definitions:

    - Camping Ground
    - Commercial Activity
    - Medical and Health Facility
    - Recreational Activity
    - Repair Workshop
    - Service Station
    - Visitor Accommodation

16. Whilst these definitions are primarily used in the commercial zones' chapters, they are also used elsewhere in the plan.

3.2 Background to Relevant Provisions

17. The Commercial and Mixed Use Zone chapters were developed following a review of the Operative District Plan Business Zones. That review identified the need for a clearer hierarchy of commercial centres, improved direction on the purpose, character and anticipated activities of each zone, and more effective provisions for managing urban design, amenity and interfaces with adjoining residential and open space environments. It also identified that the Operative District Plan's approach to large format retail was

relatively permissive and could undermine the role of the Ōamaru Town Centre, while existing provisions provided limited policy guidance on the outcomes expected through resource consent processes.

18. The notified framework replaces the former Business Zone structure with the Town Centre, Local Centre, Mixed Use and Large Format Retail Zones provided for by the National Planning Standards. The provisions establish distinct but complementary roles for these zones: the Town Centre Zone as Ōamaru's principal commercial and civic centre; Local Centre Zones serving day-to-day community needs; the Mixed Use Zone accommodating a compatible mix of residential, commercial, community and appropriate industrial activities; and the Large Format Retail Zone providing for commercial activities requiring large floor or yard areas. The framework also seeks to manage the location and scale of activities, achieve quality built-form and amenity outcomes, provide for residential activity where appropriate, manage sensitive interfaces and ensure development is appropriately serviced.

    The provisions were informed by the National Planning Standards, the National Policy Statement on Urban Development 2020, the Canterbury and Otago Regional Policy Statements, and Council's spatial planning work, including the Ōamaru, Weston and Kakanui Spatial Plan 2022 and the Ōmārama and Otematata Masterplans. This direction supports a consolidated urban form, sufficient capacity for business and residential growth, intensification of existing commercial areas, a stronger mixed-use environment around the Ōamaru Town Centre, and consolidation of large format retail in its established location. The resulting provisions seek to balance efficient use and development of commercial land with the maintenance of centre function, urban design quality, residential amenity, historic character and the amenity of adjoining zones.

4 Overview of Submissions

19. The full list of submission points addressed in this report is set out in **Appendix 2**. Overall, 237 original submission points and 1 further submission point is addressed.

20. The following table provides a brief summary of the key issues raised in submissions, which are discussed in more detail in the 'Evaluation of Submissions' section of this report.

Table 3: Summary of Key Issues Raised in Submissions

Issue Name	Summary of Issue	Position of Submitters
General Submissions	General submissions reallocated from Hearing 1 reporting.	5 submissions seeking changes generally across the plan.
Definition: Commercial Activity	Submitters generally seek the definition to be amended to clarify that it applies only to activities trading in goods, equipment, or services for profit, while retaining reference to ancillary activities such as administrative or head offices.	One submission supports the definition of Commercial activity and seeks that it be retained as notified. 22 Submissions Oppose or seek to amend the definition of Commercial Activity.

Issue Name	Summary of Issue	Position of Submitters
Definition: Medical and Health Facilities	One submitter supports the definition of Medical and health facilities and seeks that it be retained as notified. One submitter seeks an amendment to expressly include traditional healthcare practitioners, such as Rongoā Māori, within the definition.	One submitter supports One Submitter support but with amendments
Definition: Recreational Activity	Numerous submitters oppose or seek amendments to the definition of Recreational activity, on the basis that it is circular because it uses the term "recreation" within the definition itself. Submitters generally seek amendment of the definition to provide greater clarity and to avoid circular drafting, with several proposing revised wording and/or the exclusion of residential-scale recreational activities.	22 Submissions Oppose or seek to amend the definition of Recreational Activity
Definition: Repair Workshop	Submitters oppose or seek amendments to the definition of Repair workshop. Submitters generally consider the definition is appropriate if it applies only within the Local Centre Zone but are concerned that, if applied more broadly, it could unintentionally capture farm or residential workshops. Submitters seek either retention of the definition as notified where limited to the Local Centre Zone, or amendment to clarify that it applies to the **commercial** mechanical repair and servicing of vehicles within a building.	20 Submitters Oppose the definition as it currently stands. 2 Submitters Oppose with Amendment.
Definition: Service Station	Concerns around the exclusion of electric vehicle charging services within the refuelling of motorised vehicles.	Two submitters support the definition of Service station and seek that it be retained as notified One submitter notes support on the basis that the definition encompasses electric vehicle charging services within the refuelling of motorised vehicles.
Definition: Vehicle Oriented Commercial Activity	Support for the definition	One submission supports the definition of Vehicle orientated commercial activities and seeks that it be retained as notified.
Definition: Visitor Accommodation	Support for the definition	One submission supports the definition of Visitor accommodation and seeks that

Issue Name	Summary of Issue	Position of Submitters
		it be retained as notified. No specific reasons were provided.
Definition: Camping Ground	One submitter seeks an amendment to the definition of Camping ground, considering it should explicitly clarify that nohoaka entitlements are not captured by the definition. The submitter seeks the inclusion of a note stating that the definition excludes nohoaka entitlements as identified in the Ngāi Tahu Claims Settlement Act.	
Local Centre Zone provisions	Concerns raised relate to the treatment of emergency service facilities, recognition of an existing supermarket within the zone, the application of standards to service station infrastructure, servicing requirements in areas without reticulated services, and minor amendments to landscaping and outdoor storage provisions.	44 Submitters Support the provisions within the Local Centre Zone 7 Submitters either Amend / Support in Part / Oppose in Part 1 Submitter opposes.
Mixed Use Zone provisions	Submitters showed strong support for the Mixed Use Zone chapter, with most submitters seeking retention of the objectives, policies, rules and standards as notified. Submitters generally support the zone's role in providing for a range of compatible commercial, residential, community, educational and light industrial activities.	58 Submissions in support 5 submissions Amend/Support in Part/Oppose in Part 3 Submissions Oppose in full
Town Centre Zone provisions	Submitters are generally supportive of the Town Centre Zone provisions and the role of the zone as Ōamaru's primary commercial centre. Most submissions seek retention of the objectives, policies, rules, and standards as notified.	16 Submitters support in full 4 Submitters Amend/Support in Part / Oppose in Part 1 Submitter Opposes in full
Large Format Retail Zone	Submitters support the Large Format Retail Zone provisions as notified and no amendments were sought.	5 Submitters support in full
General Submissions	One submitter opposes the current framework and considers that campgrounds and motorhome campgrounds are not appropriately	1 Submitter opposes provision

Issue Name	Summary of Issue	Position of Submitters
	provided for within the zone chapters	

5 Relevant Statutory Provisions

21. The assessment for the PDP includes the matters identified in sections 74-76 of the RMA. This includes whether:

    - it is in accordance with the Council's functions (s74(1)(a));
    - it is in accordance with Part 2 of the RMA (s74(1)(b));
    - it will give effect to any national policy statement or operative regional policy statement (s75(3)(a) and (c));
    - the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (s32(1)(a));
    - the provisions within the plan change are the most appropriate way to achieve the objectives of the District Plan (s32(1)(b)).

22. In addition, assessment of the PDP must also have regard to:

    - any proposed regional policy statement, and management plans and strategies prepared under any other Acts (s74(2));
    - the extent to which the plan is consistent with the plans of adjacent territorial authorities (s74 (2)(c)); and
    - in terms of any proposed rules, the actual or potential effect on the environment of activities including, in particular, any adverse effect.

6 Statutory Instruments

23. The s32 reports for Commercial Provisions set out the statutory requirements and relevant planning context for this topic in more detail. The section below summarises the most relevant provisions from the most relevant planning instruments and highlights any pertinent changes to national direction that have occurred since the PDP was notified.

24. The commercial zone provisions are primarily influenced by the National Policy Statement on Urban Development 2020 which requires sufficient business development capacity and contributes to well-functioning urban environments

25. Relevant National Environmental Standards include those relating to air quality, contaminated land, freshwater, drinking water, electricity transmission and telecommunications facilities. These instruments provide nationally consistent regulation of specific environmental and infrastructure matters that may arise within commercial and mixed-use areas. The commercial zones chapters have been prepared having regard to these standards to ensure consistency with the national regulatory framework.

6.1 Impact of RMA Reform

26. The Planning Act 2026 received Royal assent on 30 September 2026 and introduces a new planning regime that will eventually replace the Resource Management Act 1991 (RMA). In the meantime, the PDP continues to be progressed and finalised under the RMA.

27. The Planning Act will amend the RMA from 30 October 2026, following publication of this report but prior to the commencement of the hearing. Relevant amendments include:

    i. the insertion of s104(1A), which requires specified matters to be disregarded when assessing resource consent applications;

    ii. the insertion of s76(6), which provides that a district plan rule must not require resource consent for an activity solely because of a matter specified in s104(1A); and

    iii. the insertion of s76A, which enables, but does not require, territorial authorities to amend a district plan without using the Schedule 1 process to remove provisions relating to matters specified in s104(1A).

28. Section 104(1A) is reproduced below.[1]

After section 104(1), insert:

(1A) When considering the effects of a district land use activity, a consent authority must disregard—

- (a) any of the following where they relate to residential activities (except in relation to the protection of historic heritage):
  - (i) the area of glazing:
  - (ii) the presence or absence of balconies:
  - (iii) the outdoor living space:
  - (iv) the internal layout:
  - (v) the size of a residential unit:
  - (vi) the size of landscaped areas (except in relation to permeability):
- (b) negative effects of development on trade competition, including on competing providers of input goods and services:
- (c) effects on retail distribution:
- (d) in relation to a project,—
  - (i) any lack of demand for the project; or
  - (ii) the fact that the project is not financially viable:
- (e) the type of residents to be housed in a new development:
- (f) views from private property.

(1B) When considering an application for a district land use consent, the consent authority may disregard a national environmental standard, a plan or proposed plan, a national policy statement, or a regional policy statement to the extent that it regulates or purports to regulate a matter described in subsection (1A).

(1C) A person who exercises a power or performs a function under this Act must not, except as provided in Schedule 1 of the Planning Act 2026, consider elements of or instruments made under that Act or the Natural Environment Act 2026 in the determination of a resource consent application or notice of requirement lodged under this Act during the transition period.

(1D) Despite subsection (1C), the consent authority must consider the extent to which its decision on a resource consent application is consistent with—

- (a) any relevant decided regional spatial plan; or
- (b) any relevant future development strategy published before the notification of that plan.

[1] Available at the time of writing in Part 2 of Schedule 12 to the Planning Act 2026: Planning Act 2026 | New Zealand Legislation

29. I have considered the implications of these amendments where they are relevant to submissions addressed in this report. Where there is appropriate submission scope, I have taken the amendments into account in determining whether the relevant provision should be retained or amended.

30. There may be other Commercial Zone provisions affected by the amendments that are not directly engaged by submissions addressed in this report. A comprehensive review of the PDP against the amendments has not been undertaken as part of this S42A report.

31. My recommendations are based on the law as it will stand at the date of the hearing. Should the relevant legislative provisions change before the Panel issues its decision, the recommendations may need to be revisited.

32. Any remaining provisions that cannot lawfully be implemented can be identified through the administration of the Plan. Council may also consider whether amendments outside the PDP hearing process are appropriate under s76A.

6.2 National Policy Statement on Urban Development 2020 (NPS-UD)

33. The following objectives from the NPS-UD are relevant to this evaluation:

- Objective 1: New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- Objective 3: Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:

  (a) the area is in or near a centre zone or other area with many employment opportunities

  (b) the area is well-serviced by existing or planned public transport

  (c) there is high demand for housing or for business land in the area, relative to other areas within the urban environment.

34. The policies include requirements to provide sufficient business development capacity in specified locations and a well-functioning environment.

6.3 National Policy Statement on Highly Productive Land 2022 (NPS-HPL)

35. The National Policy Statement for Highly Productive Land (NPS-HPL) addresses the use of highly productive land for various purposes, including commercial uses. Of most relevance to this topic are the following matters:

- Protection of Highly Productive Land: The NPS-HPL aims to protect highly productive land from inappropriate use and development, ensuring it remains available for primary production.

36. Since notification of the PDP, amendments to the NPS-HPL came into force on 15 January 2026. The amendments primarily relate to the treatment of LUC 3 land within the interim definition of highly productive land, urban rezoning restrictions, and certain infrastructure, mining and quarrying activities. While these changes may be relevant to future rezoning proposals involving highly productive land, they do not materially alter the policy framework underpinning the notified commercial zone chapters. The focus on consolidating commercial activities within existing commercially zoned land remains consistent with the objective and policy framework of the NPS-HPL.

6.4 Canterbury Regional Policy Statement 2013

37. The Canterbury Regional Policy Statement (CRPS) was made operative in 2013 and provides the policy direction for the Canterbury region, of which approximately half of the Waitaki district is located. A review of the CRPS has been initiated by the regional council but has been paused in response to the current RM Reform and plan stop directions by Central Government.

38. The following objectives of the CRPS 2013 are relevant:

- **Objective 5.2.1 Location, Design, and Function of Development:**

  Development is located and designed so that it functions in a way that, among other matters:

  - Achieves consolidated, well designed and sustainable growth in and around existing urban areas as the primary focus for accommodating the region's growth; and
  - Provides sufficient housing choice to meet the region's housing needs.

- **Objective 5.2.2 Integration of land-use and regionally significant infrastructure:**

  In relation to the integration of land use and regionally significant infrastructure, achieve patterns and sequencing of land-use with regionally significant infrastructure so that development does not result in adverse effects on the operational, use and development of regionally significant infrastructure and there is increased sustainability, efficiency, and liveability.

6.5 Otago Regional Policy Statement 2021

39. Since notification of the PDP, the Otago Regional Policy Statement 2021 (ORPS) has become fully operative and now replaces the (former) Otago Regional Policy Statement 2019. References in earlier plan drafting and evaluation documents to the proposed, decisions, or appeals versions of the ORPS 2021 should be read as references to the now operative ORPS 2021. The district plan must now give effect to the ORPS 2021.

40. The following objectives and policies of the ORPS 2021 are relevant:

- **UFD-O1 – Development of urban areas**
  The development and change of Otago's urban areas occurs in a strategic and coordinated way, which results in well-functioning urban environments, that:

(1) accommodate the diverse and changing needs and preferences of Otago's people and communities, now and in the future,
(2) integrate effectively with infrastructure, development infrastructure and additional infrastructure, and surrounding urban areas and rural areas, including by managing reverse sensitivity effects and direct effects on electricity networks,
(3) are consolidated, well-connected and have a well-designed urban form,
(4) have effective and efficient infrastructure, development infrastructure and additional infrastructure,
(5) support climate change adaptation and climate change mitigation, and
(6) takes into account the values and aspirations of iwi, hapū and whānau, including for urban development.

- **UFD-P5 – Commercial activities**
  Provide for commercial activities in urban areas by:

  (1) enabling a wide variety and scale of commercial activities, social, recreational and cultural activities to concentrate in city, metropolitan, town centre and commercial zoned areas, where appropriate, especially if they are highly accessible by public transport or active transport, and

  (2) enabling smaller local and neighbourhood centres, mixed use zones and rural settlements to accommodate a variety of commercial activities, social, recreational and cultural activities of a scale appropriate to service local community needs.

7 Evaluation of Submissions

7.1 Approach to Evaluation

41. The evaluation in this report is undertaken in the context of assessing submissions and further submissions and is structured at both a thematic and provision-specific level. Submissions are considered by chapter and provision-by-provision, evaluating the appropriateness of the relief sought in terms of the wording, intent, and effectiveness of the individual provisions. This approach ensures a coherent and efficient evaluation of submissions, while enabling both strategic and detailed consideration of the matters raised

42. The submissions are considered in the following order:

- General submissions
- Definitions
- Local Centre Zone
- Mixed Use Zone
- Town Centre Zone
- Large Format Retail Zone

43. The assessment of submissions generally follows the following format:

- A brief summary of the relevant submission points.
- An analysis of those submission points.
- Recommendations, including any amendments to plan provisions and the related assessment under s32AA.

44. Clause 10(2)(b), Schedule 1 of the RMA provides for consequential changes arising from the submissions to be made where necessary, as well as any other matter relevant to the PDP arising from submissions. Consequential changes recommended under clause 10(2)(b) are footnoted as such.

45. Clause 16(2), Schedule 1 of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. Any changes recommended under clause 16(2) are footnoted as such.

46. Further submissions have been considered in the preparation of this report, but in general, they are not specifically mentioned because they are limited to the matters raised in original submissions and therefore the subject matter is canvassed in the analysis of the original submission. Further submissions may however be mentioned where they raise a valid matter not addressed in an original submission. Further submissions are not listed within Appendix 2. Instead, recommendations on the primary submissions indicate whether a further submission is accepted or rejected as follows:

- Where a further submission supports a primary submission and the primary submission is recommended to be accepted, or where a further submission opposes a primary submission and the primary submission is recommended to be rejected, the further submission is recommended to be accepted.
- Where a further submission supports a primary submission and the primary submission is recommended to be rejected, or where a further submission opposes a primary submission and the primary submission recommended to be accepted, the further submission is recommended to be rejected.
- Where a further submission supports or opposes a primary submission and the primary submission is recommended to be accepted in part, then the further submission is recommended to be accepted in part.

7.2 Provisions where No Change is Sought

47. The following provisions included within the Commercial Provisions were either not submitted on, or any submissions received sought their retention. As such, they are not assessed further in this report, and I recommend that the provisions are retained as notified unless a cl 16(2) change is recommended:

7.2.1 Local Centre Zone

Objectives:

LCZ-O1 Purpose of the Local Centre Zone

LCZ-O2 Character and qualities of the Local Centre Zone

LCZ-O3 Infrastructure

Policies:

LCZ-P2 Amenity values of adjoining zones

LCZ-P3 Sensitive activities

LCZ-P4 Servicing

LCZ-P5 Repair workshops

LCZ-P6 Activities inappropriate for a Local Centre Zone

Rules:

LCZ-R3 Community facility

LCZ-R4 Educational facility

LCZ-R5 Recreational activity

LCZ-R6 Residential activity

LCZ-R7 Home Business

LCZ-R8 Visitor accommodation

LCZ-R9 Repair workshop

LCZ-R11 Any other activity not provided for as permitted, restricted discretionary, discretionary activity, or a non-complying activity.

LCZ-R12 Intensive indoor primary production

LCZ-R13 Industrial activity other than a repair workshop

Standards:

LCZ-S2 Height in relation to boundary

LCZ-S3 Building coverage

LCZ-S4 Minimum pervious surface area

LCZ-S6 Internal boundary setbacks, except in the Visitor Accommodation Precinct

LCZ-S8 Landscaping of internal boundaries

LCZ-S11 Outdoor living space

7.2.1.1 Part B: Visitor Accommodation Precinct Ōmārama and Otematata (LCZ-PREC1)

Objectives:

LCZ-PREC1-O1 Purpose of the Visitor Accommodation Precinct

LCZ-PREC1-O2 Infrastructure

Policies

LCZ-PREC1-P1 Activities in the Visitor Accommodation Precinct

Rules

LCZ-PREC1-R2 Visitor Accommodation

LCZ-PREC1-R3 Commercial Activity

LCZ-PREC1-R4 Community Facility

LCZ-PREC1-R5 Educational Facility

LCZ-PREC1-R6 Any Other Activity

LCZ-PREC1-R7 Repair Workshop

Standards

LCZ-PREC1-S1 Landscaping of the Road Boundary

LCZ-PREC1-S2 Internal Boundary Setbacks

LCZ-PREC1-S3 Road Boundary Setbacks

7.2.2 Mixed Use Zone

Objectives:

MUZ-O1 Purpose of the Mixed Use Zone

MUZ-O2 Character and quality of the Mixed Use Zone

MUZ-O3 Retail activity in the Mixed Use Zone

MUZ-O4 Residential activities

MUZ-O5 Infrastructure

Policies

MUZ-P1 Appropriate activities within the Mixed Use Zone

MUZ-P2 Development within the Mixed Use Zone

MUZ-P3 Nature and intensity of industrial activities

MUZ-P4 Amenity values of adjoining zones

MUZ-P5 Limited retail activity in the Mixed Use Zone

MUZ-P6 Sensitive activities

MUZ-P7 Activities inappropriate for a Mixed Use Zone

MUZ-P8 Residential activity

MUZ-P9 Servicing

Rules

MUZ-R1 Building activity

MUZ-R2 Commercial activity

MUZ-R3 Community facility

MUZ-R4 Educational facility

MUZ-R5 Recreational activity

MUZ-R6 Residential activity

MUZ-R7 Residential visitor accommodation

MUZ-R8 Home Business

MUZ-R9 Marine related industry activity

MUZ-R10 Community Corrections activity

MUZ-R11 Parking facility

MUZ-R12 Industrial activity

MUZ-R13 Visitor Accommodation (other than as provided for in MUZ-R7)

MUZ-R14 Emergency service facility

MUZ-R15 Any other activity not provided for

MUZ-R16 Potentially high-impact industrial activities

MUZ-R17 Intensive indoor primary production

Standards

MUZ-S1 Maximum height

MUZ-S2 Height in relation to boundary

MUZ-S3 Building coverage

MUZ-S4 Minimum pervious surface area

MUZ-S5 Road and rail corridor boundary setbacks

MUZ-S6 Internal boundary setbacks

MUZ-S7 Landscaping along the road boundary

MUZ-S8 Landscaping of internal boundaries

MUZ-S9 Outdoor storage screening

MUZ-S10 Hours of operation

MUZ-S11 Outdoor living space

MUZ-S12 Servicing and firefighting water supply and access

MUZ-S13 Minimum privacy separation setbacks between residential buildings

General

Mixed Use Zone Introduction

7.2.3 Town Centre Zone

Objectives

TCZ-O2 Character and qualities of the Town Centre Zone

TCZ-O3 Design and qualities of Thames Street

Policies

TCZ-P1 Thames Street streetscape

TCZ-P2 Residential activity and visitor accommodation

TCZ-P3 Large format retail activity

TCZ-P6 Industrial activities

TCZ-P7 Activities inappropriate for a town centre

Rules

TCZ-R3 Large format retail activity

TCZ-R4 Community facility

TCZ-R6 Recreational activity

TCZ-R7 Visitor accommodation

TCZ-R8 Residential activity

TCZ-R9 Industrial activity

TCZ-R10 Community Corrections activity

TCZ-R11 Home Business

TCZ-R13 Any other activity not provided for

TCZ-R14 Intensive indoor primary production

TCZ-R16 Potentially high-impact industrial activities

Standards

TCZ-S1 Maximum height

TCZ-S2 Height in relation to boundary

TCZ-S4 Shopping frontage (verandas)

TCZ-S6 Internal boundary setbacks

7.2.4 Large Format Retail Zone

Objectives

LFRZ-O1 Purpose of the Large Format Retail Zone

Policies

LFRZ-P1 Activities in the Large Format Retail Zone

LFRZ-P2 Inappropriate activities

LFRZ-P3 Development within the Large Format Retail Zone

LFRZ-P4 Amenity values of adjoining zones

Rules

LFRZ-R2 Large format retail activity

LFRZ-R3 Residential activity

LFRZ-R4 Any other activity not provided for

LFRZ-R5 Commercial activity (excluding large format retail activity)

Standards

LFRZ-S1 Maximum height

LFRZ-S2 Height in relation to boundary

LFRZ-S3 Building coverage

LFRZ-S4 Minimum pervious surface area

LFRZ-S5 Road boundary setbacks

LFRZ-S6 Internal boundary setbacks

LFRZ-S7 Active street frontage

LFRZ-S8 Landscaping along the road boundary

LFRZ-S9 Landscaping of internal boundaries

LFRZ-S10 Screening and landscaping of parking areas

LFRZ-S11 Outdoor storage screening

LFRZ-S12 Service areas

LFRZ-S13 Hours of operation

7.3 General submissions

48. This section addresses general submissions that were first addressed at Hearing 1 in the General Submissions reporting and that have been reallocated to each subsequent report for consideration in the context of each plan topic.

49. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 4 original submission points and no further submission points are addressed here.

Submitter Name	Submission Point Number(s)
Terramark	176.2
FFNZ	246.1, 246.2, 246.7

7.3.1 Submissions

50. Terramark [176.2] and FFNZ [246.2] sought that objectives and policies support the proposed rules and provide clear direction to consent applicants and decision-makers.

51. FFNZ also sought the following outcomes across the plan:

- Identify the resource management issues the plan provisions seek to address [246.1]; and
- Reduce the number of provisions by combining those with similar themes, using clear simple language, removing unnecessary duplication and providing clearer and simpler cross-referencing between chapters and provisions [246.7].

7.3.2 Analysis

7.3.2.1 Issue statements

52. I do not support the inclusion of formal issue statements for the Commercial Zone chapters. Having reviewed the Local Centre Zone, Mixed Use Zone, Town Centre Zone and Large Format Retail Zone, I consider that the chapter introductions adequately describe the purpose of the zones and the resource management issues they are intended to address. Accordingly, I do not recommend the inclusion of additional issue statements.

7.3.2.2 Simplification and removal of duplication

53. Through the assessment of submissions on the Local Centre Zone, Mixed Use Zone, Town Centre Zone and Large Format Retail Zone provisions, I have considered whether there are opportunities to simplify provisions, reduce duplication, or improve clarity.

54. I have not identified any significant duplication or drafting issues that warrant broader review of the chapter at this time. However, I remain open to considering further refinements should the Panel identify specific provisions requiring additional review.

7.3.2.3 Objectives and policies to support rules

55. I have considered whether the objectives and policies within the Local Centre Zone, Mixed Use Zone, Town Centre Zone and Large Format Retail Zone chapters provide an appropriate framework to support the associated rules. There are limited submissions seeking changes to the objectives and policies of these chapter. On that basis, I have not undertaken a comprehensive review of the objectives and policies beyond the matters raised in submissions.

7.3.3 Recommendations

56. I recommend that no changes are made in response to the general submissions raised on this topic.

7.3.4 Evaluation

57. No further evaluation is required.

7.4 Definitions

58. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 74 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Adrianus and Francisca Verbakel & others	300.3, 300.12, 300.14
Alastair and Carrie Gibson	298.3, 298.12, 298.14
Barry and Anne Matthews	285.3, 285.12, 285.14
Brenda & Ken McLeod	269.3, 269.12, 269.14
Brock and Gemma Hamilton	293.3, 293.12, 293.14
Canterbury Regional Council	271.33
Carolyn Thelning	301.3, 301.12, 301.14
Clovelly Star Limited	182.11
Dogterom Duntroon Ltd	284.3, 284.12, 284.14
Dogterom Hohepa Ltd	283.3, 283.14, 283.12
Dogterom Thomson Ltd	282.3, 282.12, 282.14
Fuel Companies	238.5
Gavin Simpson	296.3, 296.12, 296.14
Geoff & Jan Keeling - Keeling Dairies Limited	313.19, 313.8, 313.17
Geoff and Katrina Taylor	265.3, 265.14, 265.12
Kelvin and Debbie Weir	267.12, 267.14, 267.3
Kirsty and Nathan McLachlan	304.3, 304.12, 304.14
Parkside Holdings Ltd	297.3, 297.12, 297.14
Peter and Janine Stackhouse	291.3, 291.12, 291.14
Peter and Sandra Mitchell	302.3, 302.12, 302.14
Philip and Becky Wilson	290.3, 290.12, 290.14
Robert and Sylvia Borst	292.3, 292.12, 292.14
Springbank	312.11, 312.2, 312.22
Te Rūnanga o Waihao, Te Rūnanga o Moeraki and Kāti Huirapa Rūnaka ki Puketeraki	251.4, 251.13
Terry and Fiona Conlan	303.3, 303.12, 303.14
Twin Terraces Ltd & Cayuga Ltd	299.3, 299.12, 299.14
Z Energy Limited	203.16, 203.25, 203.23

7.4.1 Submissions

7.4.1.1 Definition 'Commercial Activity'

59. Z Energy [203.16] supports the definition as notified

60. Twenty-two submissions were received that opposed or sought to amend the definition of 'commercial activities'. The submitters listed below consider that the definition captures not-for-profit and charity trading unlikely to be of a scale to cause significant adverse effects. These submitters are seeking the inclusion of 'for profit' into the definition.

265.3 Geoff and Katrina Taylor	298.3 Alastair and Carrie Gibson
267.3 Kelvin and Debbie Weir	299.3 Twin Terraces Ltd & Cayuga Ltd
269.3 Brenda & Ken McLeod	300.3 Adrianus and Francisca Verbakel & others
282.3 Dogterom Thomson Ltd	301.3 Carolyn Thelning
283.3 Dogterom Hohepa Ltd	302.3 Peter and Sandra Mitchell
284.3 Dogterom Duntroon Ltd	303.3 Terry and Fiona Conlan
285.3 Barry and Anne Matthews	304.3 Kirsty and Nathan McLachlan
290.3 Philip and Becky Wilson	313.8 Geoff & Jan Keeling - Keeling Dairies Limited
291.3 Peter and Janine Stackhouse	296.3 Gavin Simpson
292.3 Robert and Sylvia Borst	297.3 Parkside Holdings Ltd
293.3 Brock and Gemma Hamilton	

7.4.1.2 Definition 'Medical and Health Facilities'

61. Two submissions were received for the definition of 'medical and health facilities'. CRC (271.33) supported the definition and sought that it be retained as notified. Kā Runaka (251.13) sought an amendment to the definition to expressly include traditional healthcare practitioners, such as Rokoā Māori. No submissions opposed the definition.

7.4.1.3 Definition 'Recreational Activity'

62. Twenty-two submissions were received for the definition of 'recreational activity'. All submitters listed below sought the removal of the word 'recreation' from the definition on the basis that its inclusion makes the definition circular.

265.12 Geoff and Katrina Taylor	298.12 Alastair and Carrie Gibson
267.12 Kelvin and Debbie Weir	299.12 Twin Terraces Ltd & Cayuga Ltd
269.12 Brenda & Ken McLeod	300.12 Adrianus and Francisca Verbakel & others
282.12 Dogterom Thomson Ltd	301.12 Carolyn Thelning

283.12 Dogterom Hohepa Ltd	302.12 Peter and Sandra Mitchell
284.12 Dogterom Duntroon Ltd	303.12 Terry and Fiona Conlan
285.12 Barry and Anne Matthews	304.12 Kirsty and Nathan McLachlan
290.12 Philip and Becky Wilson	313.17 Geoff & Jan Keeling - Keeling Dairies Limited
291.12 Peter and Janine Stackhouse	296.12 Gavin Simpson
292.12 Robert and Sylvia Borst	297.12 Parkside Holdings Ltd
293.12 Brock and Gemma Hamilton	312.20 Springbank

7.4.1.4 Definition 'Repair Workshop'

63. Twenty-two submissions were received on the definition of 'repair workshop'.

64. The below submitters are opposed in full because if applied beyond the Local Centre Zone (LCZ), the definition could unintentionally capture farm workshops, residential garages, and other incidental repair activities, they also seek the following amendment IF the definition applies across all zones. All the submitters listed below propose the amended wording as follows: *"Repair workshop means the commercial mechanical repair and servicing of motor vehicles (includes motorcycles, caravans, boat motors, trailers) inside a building."*

265.14 Geoff and Katrina Taylor	298.14 Alastair and Carrie Gibson
267.14 Kelvin and Debbie Weir	299.14 Twin Terraces Ltd & Cayuga Ltd
269.14 Brenda & Ken McLeod	300.14 Adrianus and Francisca Verbakel & others
282.14 Dogterom Thomson Ltd	301.14 Carolyn Thelning
283.14 Dogterom Hohepa Ltd	302.14 Peter and Sandra Mitchell
284.14 Dogterom Duntroon Ltd	303.14 Terry and Fiona Conlan
285.14 Barry and Anne Matthews	304.14 Kirsty and Nathan McLachlan
290.14 Philip and Becky Wilson	296.14 Gavin Simpson
291.14 Peter and Janine Stackhouse	
292.14 Robert and Sylvia Borst	
293.14 Brock and Gemma Hamilton	

65. The following submitters are noted as opposing in part and seeking an amendment 313.19 Geoff & Jan Keeling - Keeling Dairies Limited, 297.14 Parkside Holdings Ltd and 312.22 Springbank. They consider that if the definition was applied outside of the Local

Centre Zone it could include farm and residential workshops and that should it apply to other zones outside of the Local Centre Zone they wish for an amendment as follows: "*Repair workshop means the commercial mechanical repair and servicing of motor vehicles (includes motorcycles, caravans, boat motors, trailers) inside a building.*"

7.4.1.5 Definition 'Service Station'

66. Two submissions were received on the definition of 'service station'.

67. Fuel Companies (238.5) and Z Energy (203.25) both support the definition and seek to retain as notified.

7.4.1.6 Definition 'Vehicle Oriented Commercial Activities'

68. One submission from Z Energy (203.23) supports the definition of 'vehicle oriented commercial activities' and seeks to retain as notified.

7.4.1.7 Definition 'Visitor Accommodation'

69. One submission from Clovelly Star Limited (182.11) supports the definition of 'visitor accommodation' and seeks to retain as notified.

7.4.1.8 Definition 'Camping Ground'

70. One submission was received on the definition of 'camping ground'. Kā Rūnaka (251.4) seek to amend the definition as they consider that it should clarify that it excludes Nohoaka temporary camp sites. They seek to amend the definition by adding a note as follows: *Note: This definition excludes nohoaka entitlements as identified in the Ngāi Tahu Claims Settlement Act.*

7.4.2 Analysis

7.4.2.1 Commercial Activity

71. Many submitters[2] were concerned that the definition of 'commercial activity' could capture charity trading or not-for-profit fundraising. Submitters sought to add the words "for profit" to avoid unintended regulation of low-impact community activities. However, 'commercial activity' is a National Planning Standards definition, and the Council cannot amend it. The definition must be included exactly as specified in the NPStds.

72. While the definition itself is broad, the plan's effects-based framework means small-scale charity or fundraising activities are unlikely to trigger rules intended for commercial operations. In practice, these activities do not generate the same land-use effects as commercial enterprises. The concerns raised are acknowledged, but the requested change is not recommended.

[2] Geoff & Jan Keeling - Keeling Dairies Limited [313.8] Peter and Janine Stackhouse [291.3] Springbank [312.11] Robert and Sylvia Borst [292.3] Brock and Gemma Hamilton [293.3] Gavin Simpson [296.3] Adrianus and Francisca Verbakel & others [300.3] Carolyn Thelning [301.3] Terry and Fiona Conlan [303.3] Peter and Sandra Mitchell [302.3] Alastair and Carrie Gibson [298.3] Twin Terraces Ltd & Cayuga Ltd [299.3] Parkside Holdings Ltd [297.3] Kirsty and Nathan McLachlan [304.3] Geoff and Katrina Taylor [265.3] Dogterom Duntroon Ltd [284.3] Dogterom Hohepa Ltd [283.3] Barry and Anne Matthews [285.3] Philip and Becky Wilson [290.3] Dogterom Thomson Ltd [282.3] Kelvin and Debbie Weir [267.3] Brenda & Ken McLeod [269.3]

7.4.2.2 Medical and Health Facilities

73. Kā Runaka [251.13] seeks amendment to expressly include traditional Māori healthcare practitioners, such as Rokoā Māori.

74. I consider that Rokoā Māori practitioners are already capable of being accommodated within the notified definition. The definition includes alternative therapists and, more broadly, providers of health and wellbeing services. On that basis, the amendment is not necessary to enable Rokoā Māori practitioners or to ensure that they fall within the definition of a medical and health facility.

75. Canterbury Regional Council [271.33], which seeks retention of the definition as notified.

76. It is therefore recommended that CRC [271.33] is accepted and Ka Runaka [251.13] is rejected.

7.4.2.3 Recreational Activity

77. Many submitters[3] raised concern that the definition of 'recreational activity' is circular because it uses the term "recreation" within the definition. Submitters seek to remove the word 'recreation' from the definition. I acknowledge that the use of 'recreation' within the definition of 'recreational activity' introduces an element of circularity. However, I do not consider that this, in itself, makes the definition uncertain or difficult to apply. The more relevant consideration is whether deleting the term would improve the clarity and operation of the definition.

78. In my view, the amendment sought could instead narrow the definition. The terms 'organised sports' and 'entertainment' do not necessarily encompass the full range of informal or passive recreational activities that the definition is intended to capture. Retaining the broader reference to 'recreation' therefore assists in ensuring that recreational activities that do not constitute organised sport or entertainment remain within the definition.

79. The use of "recreation" within the definition is long-standing practice across district plans. The term "recreation" is widely understood in planning and common language to encompass sport, leisure, and other enjoyment-based activities**,** and its inclusion does not create ambiguity in how the definition is applied. Other councils, such as Timaru District Council, use similar wording (e.g., "active or passive enjoyment of organised sports, recreation or leisure"), demonstrating that this approach is standard and workable.

80. The definition functions effectively because it is effects-based: it captures activities undertaken for enjoyment, whether organised or informal, competitive or non-competitive. The presence of the word "recreation" within the definition does not hinder interpretation, nor does it result in unintended activity capture. I consider that the notified definition is

[3] 265.12 Geoff and Katrina Taylor 298.12 Alastair and Carrie Gibson 267.12 Kelvin and Debbie Weir 299.12 Twin Terraces Ltd & Cayuga Ltd 269.12 Brenda & Ken McLeod 300.12 Adrianus and Francisca Verbakel & others 282.12 Dogterom Thomson Ltd 301.12 Carolyn Thelning 283.12 Dogterom Hohepa Ltd 302.12 Peter and Sandra Mitchell 284.12 Dogterom Duntroon Ltd 303.12 Terry and Fiona Conlan 285.12 Barry and Anne Matthews 304.12 Kirsty and Nathan McLachlan 290.12 Philip and Becky Wilson 313.17 Geoff & Jan Keeling - Keeling Dairies Limited 291.12 Peter and Janine Stackhouse 296.12 Gavin Simpson 292.12 Robert and Sylvia Borst 297.12 Parkside Holdings Ltd 293.12 Brock and Gemma Hamilton

clear enough for plan users and aligns with established planning practice. Given this, I recommend that the definition is retained as notified.

7.4.2.4 Repair Workshop

81. Many submitters[4] were concerned that, if applied beyond the Local Centre Zone (LCZ), the definition could unintentionally capture farm workshops, residential garages, and other incidental repair activities. Most submitters sought an amendment to clarify that the definition applies only to the commercial repair and servicing of motor vehicles undertaken inside a building.

82. I believe the addition of the word "commercial" would provide greater certainty regarding the intended scope of the definition and reduce the potential for unintended interpretation. A repair workshop is intended to capture commercial vehicle repair and servicing activities, rather than repair activities ancillary to residential living or primary production. Adding the qualifier "commercial" would improve clarity while remaining consistent with the purpose and intent of the definition.

83. Having considered the matters raised by submitters, I am persuaded that the examples provided demonstrate a deficiency in the notified definition. On this basis, I recommend that the definition is amended accordingly.

7.4.2.5 Vehicle Orientated Service Activity

84. Z Energy [203.23] supports the definition therefore no further analysis required as no changes to the notified definition will be made.

7.4.2.6 Visitor Accommodation

85. Clovelly Star Limited [182.11] supports the definition therefore no further analysis required as no changes to the notified definition will be made.

7.4.2.7 Service Station

86. Fuel Companies [238.5] and Z Energy [203.5] both support the definition.

7.4.2.8 Camping Ground

87. One submission was received on the definition of 'camping ground'. Kā Runaka [251.4] seeks an amendment to clarify that the definition does not include Nohoaka entitlements established under the Ngāi Tahu Claims Settlement Act. The submitter does not seek an actual change to the definition itself, only the addition of a note to clarify. I consider the relief sought would not broaden the definition or cause any other unintended outcomes. Accordingly I recommend accepting the relief sought.

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[4] 265.14 Geoff and Katrina Taylor 298.14 Alastair and Carrie Gibson 267.14 Kelvin and Debbie Weir 299.14 Twin Terraces Ltd & Cayuga Ltd 269.14 Brenda & Ken McLeod 300.14 Adrianus and Francisca Verbakel & others 282.14 Dogterom Thomson Ltd 301.14 Carolyn Thelning 283.14 Dogterom Hohepa Ltd 302.14 Peter and Sandra Mitchell 284.14 Dogterom Duntroon Ltd 303.14 Terry and Fiona Conlan 285.14 Barry and Anne Matthews 304.14 Kirsty and Nathan McLachlan 290.14 Philip and Becky Wilson 313.19 Geoff & Jan Keeling - Keeling Dairies Limited 291.14 Peter and Janine Stackhouse 296.14 Gavin Simpson 292.14 Robert and Sylvia Borst 297.14 Parkside Holdings Ltd 293.14 Brock and Gemma Hamilton 312.22 Springbank

7.4.3 Recommendations

88. Amend 'Repair Workshop' to include the word 'commercial', as follows:

> Repair workshop means the commercial[5] mechanical repair and servicing of motor vehicles (includes motorcycles, caravans, boat motors, trailers) inside a building.

89. Amend 'Camping ground' to include a note at the end of the definition as follows:

> Camping ground: "has the same meaning as section 2 of the Camping Grounds Regulations 1985: means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by two or more families or parties (whether consisting of one or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment
>
> Note: This definition excludes nohoaka entitlements as identified in the Ngāi Tahu Claims Settlement Act.[6]

7.4.4 Evaluation

90. The recommended amendment to the definition of Repair workshop constitutes a refinement to the notified definition in response to submissions and is within the scope of matters raised through the submission process. The amendment introduces the word "commercial" to clarify the intended application of the definition. This responds to submitter concerns that, if applied beyond the Local Centre Zone, the notified definition could unintentionally capture ancillary repair activities such as farm workshops, residential garages, and other non-commercial vehicle servicing undertaken as part of primary production or residential activities. The amendment is appropriate as it provides greater certainty regarding the scope of the definition and ensures that it is directed toward commercial vehicle repair and servicing activities undertaken within a building. Overall, the recommended amendment is an efficient and effective response to submissions. It improves the clarity and accuracy of the definition, better aligns the provision with its intended purpose, and reduces the potential for unintended implementation outcomes. The amendment does not materially alter the costs or benefits anticipated by the notified provisions and is therefore considered the most appropriate way to achieve the objectives of the Plan.

91. The recommended amendment to the definition of Camping ground constitutes a minor refinement to the notified definition in response to a submission and is within the scope of matters raised through the submission process. The amendment adds a note clarifying

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[5] 265.14 Geoff and Katrina Taylor, 298.14 Alastair and Carrie Gibson, 267.14 Kelvin and Debbie Weir, 299.14 Twin Terraces Ltd & Cayuga Ltd, 269.14 Brenda & Ken McLeod, 300.14 Adrianus and Francisca Verbakel & others, 282.14 Dogterom Thomson Ltd, 301.14 Carolyn Thelning, 283.14 Dogterom Hohepa Ltd, 302.14 Peter and Sandra Mitchell, 284.14 Dogterom Duntroon Ltd, 303.14 Terry and Fiona Conlan, 285.14 Barry and Anne Matthews, 304.14 Kirsty and Nathan McLachlan, 290.14 Philip and Becky Wilson, 296.14 Gavin Simpson, 291.14 Peter and Janine Stackhouse, 292.14 Robert and Sylvia Borst, 293.14 Brock and Gemma Hamilton, 313.19 Geoff & Jan Keeling - Keeling Dairies Limited, 297.14 Parkside Holdings Ltd, and 312.22 Springbank.

[6] Kā Rūnaka (251.4)

that Nohoka entitlements identified in the Ngāi Tahu Claims Settlement Act are excluded from the definition of *Camping ground*. The amendment is appropriate as it provides greater certainty regarding the intended application of the definition without altering its substantive meaning, scope, or operation. The note is explanatory in nature and assists plan users by clarifying that Nohoka entitlements established through settlement legislation are not captured by the definition of *Camping ground*. This reduces the potential for misinterpretation and provides greater transparency for plan administration.

92. The recommended amendment does not broaden the application of the definition, it recognises a specific statutory entitlement and clarifies its status within the Plan framework. As the amendment is limited to an explanatory note, it does not affect the existing regulatory approach to camping grounds or alter the outcomes anticipated by the notified provisions.

93. Overall, the recommended amendment is an efficient and effective response to the submission. It improves clarity and certainty for plan users while maintaining the intent and operation of the notified definition. The amendment does not materially alter the costs or benefits anticipated by the notified provisions and is therefore considered the most appropriate way to achieve the objectives of the Plan.

7.5 General submissions

94. This section addresses a general submission that was made in relation to the definitions of 'recreational activity' and 'visitor accommodation'.

Submitter Name	Submission Point Number(s)
New Zealand Motor Caravan Association Inc	167.4

7.5.1 Submissions

95. NZMCA [167.4] considers that the PDP does not adequately provide for campgrounds and motorhome campgrounds within the zone chapters. The submitter seeks a more permissive approach by providing for campgrounds/motorhome campgrounds as permitted activities in relevant zones, Including campgrounds/camping grounds within the definition of 'recreational activity', and including campgrounds/camping grounds within the definition of 'visitor accommodation'.

7.5.2 Analysis

96. NZMCA [167.4] seeks a more permissive approach to campgrounds and motorhome campgrounds across the PDP, including permitted activity status in relevant zones and recognition of campgrounds within the definitions of 'recreational activity' and 'visitor accommodation'. I acknowledge the submitter's concern regarding how campgrounds are provided for within the PDP. However, I note that the Definitions Nesting Table already identifies 'camping ground' as falling within the definition of 'visitor accommodation'. Accordingly, I consider this aspect of the relief sought is already

addressed through the notified plan framework and no further amendment to the definition of 'visitor accommodation' is necessary.

97. I do not consider it necessary or appropriate to also include camping grounds within the definition of 'recreational activity'. While camping may involve recreational activities, the primary land use function of a camping ground is the provision of temporary accommodation. Treating camping grounds as both recreational activities and visitor accommodation could create unnecessary overlap between activity definitions and uncertainty as to which zone provisions apply.

98. I also do not support a district-wide permitted activity status for camping grounds. The suitability of visitor accommodation, including camping grounds, varies between zones having regard to matters such as the anticipated character and function of the zone, servicing and infrastructure requirements, and potential amenity effects. I consider these matters are more appropriately addressed through the activity framework applying within each zone rather than through a blanket permitted activity approach applying across the district. I therefore recommend accepting NZMCA [167.4] in part, insofar as camping grounds are already recognised within the visitor accommodation framework, and otherwise rejecting the relief sought.

7.5.3 Recommendation

99. I recommend that no changes are made in response to the submission raised on this topic.

7.5.4 Evaluation

100. No further evaluation is required

7.6 Local Centre Zone (LCZ)

101. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 60 original submission points.

Submitter Name	Submission Point Number(s)
Canterbury Regional Council	271.641 271.642 271.643 271.644 271.645 271.646 271.647 271.648 271.649 271.65 271.651 271.652 271.653 271.654 271.655 271.656 271.657 271.658 271.659 271.66 271.661 271.662 271.663 271.664 271.665 271.666 271.667 271.668 271.669 271.67 271.671 271.672 271.673 271.674
Dave and Karen Ellis	272.118
Fire and Emergency New Zealand	163.7 163.71 163.112 163.113 163.115 163.116 163.117 163.144
Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited	237.5 237.6

Submitter Name	Submission Point Number(s)
Fuel Companies	238.7
KiwiRail Holdings Limited	233.116
Ministry of Education Te Tāhuhu o Te Mātauranga	242.59 242.6 242.61
Z Energy Limited	203.48 203.49 203.5 203.51 203.52 203.53 203.54 203.55 203.56

7.6.1 Submissions

7.6.1.1 General

102. D & K Ellis [272.118] oppose the proposal in part due to the lack of provisions for temporary commercial activities, such as food caravans, within the LCZ. They raise concerns that semi-permanent mobile food businesses may have an unfair competitive advantage over permanent businesses because they do not contribute proportionately to local rates and infrastructure costs and seek that the provisions require mobile commercial operations to make an equivalent contribution.

7.6.1.2 Objectives

103. MOED [242.59] and CRC [271.641] support LCZ-O1(Purpose of the Local Centre Zone) and seek that it be retained as notified. MOED considers the objective appropriately sets out the purpose of the LCZ, supports its function, and enables educational facilities.

104. FENZ [163.112] and CRC [271.642] support LCZ-O2 and seek that it be retained as notified. FENZ notes that the objective provides for emergency service facilities where there is an operational or functional need to locate within the zone.

105. CRC [271.643] supports LCZ-O3 and seeks that it be retained as notified

7.6.1.3 Policies

106. Z Energy [203.48] supports LCZ-P1 in part and seeks amendments to LCZ-P1.2 to require outdoor storage to be screened from public view and adjoining sites in Open Space, Sport and Active Recreation, and Residential Zones. CRC [271.644] supports LCZ-P1 and seeks that it be retained as notified.

107. CRC [271.645] supports LCZ-P2 and seeks that it be retained as notified.

108. Fuel Companies [238.70], MOED [242.60], and CRC [271.646] support LCZ-P3 and seek that it be retained as notified. Fuel Companies consider the policy appropriately addresses reverse sensitivity effects, while MOED supports the policy because it requires new sensitive activities to be designed to avoid conflict with existing activities.

109. FENZ [163.113] and CRC [271.647] support LCZ-P4 and seek that it be retained as notified.

110. CRC [271.648] supports LCZ-P5 and LCZ-P6 and seek they are retained as notified.

111. FENZ [163.117] supports LCZ-PREC1-P2 and seeks that it be retained as notified.

7.6.1.4 Rules and Standards

112. FENZ [163.71] supports LCZ-PREC1-R1 and seeks that it be retained as notified, including the requirement for compliance with servicing and firefighting water supply and access standards.

113. FENZ [163.70] supports LCZ-R1 and seeks that it be retained as notified, including the requirement for compliance with servicing and firefighting water supply and access standards. Z Energy [203.49] supports LCZ-R1 in part and seeks amendments so that LCZ-S5, LCZ-S7 and LCZ-S12 do not apply to non-occupiable buildings at service stations, such as EV charging canopies and forecourt canopies. CRC [271.650] supports LCZ-R1 in part and seeks amendments to LCZ-S12 as set out in their submission point 271.674.

114. Z Energy [203.50] supports LCZ-R2 and seeks that it be retained as notified, subject to its requested amendments to LCZ-S9. Foodstuffs [237.5] seeks amendments to LCZ-R2 to recognise the existing New World Oamaru site and enable its ongoing operation and future expansion, including a specific permitted activity pathway for the supermarket site. CRC [271.651] supports LCZ-R2 and seeks that it be retained as notified.

115. CRC [271.652] supports LCZ-R3 and seeks that it be retained as notified.

116. MOED [242.61] and CRC [271.653] support LCZ-R4 and seek that it be retained as notified. MOED supports the rule as an appropriate framework for educational facilities within the Local Centre Zone.

117. CRC [271.654] supports LCZ-R5, LCZ-R6, LCZ-R7, LCZ-R8 and LCZ-R9 and seek they are retained as notified.

118. CRC [271.659] supports LCZ-R10 in part and seeks amendments to exclude compliance with LCZ-S10 Hours of Operation from the standards applying to emergency service facilities.

119. CRC [271.660] supports LCZ-R11, LCZ-R12 and LCZ-R13 and seek they are retained as notified.

120. FENZ [163.115] supports LCZ-S1 in part and seeks an exemption from maximum height limits for emergency service towers and communication poles. CRC [271.663] supports LCZ-S1 and seeks that it be retained as notified.

121. CRC [271.664] supports LCZ-S2 and LCZ-S3 and seek they are retained as notified.

122. KiwiRail [233.116] supports LCZ-S4 and seeks that it be retained as notified, citing the importance of setbacks for protecting safe and efficient rail operations. CRC [271.666] supports LCZ-S4 and seeks no changes.

123. Z Energy [203.51] supports LCZ-S5 in part and seeks amendments so that the standard does not apply to non-occupiable buildings at service stations. CRC [271.667] supports LCZ-S5 and seeks that it be retained as notified.

124. CRC [271.668] supports LCZ-S6 and seeks that it be retained as notified.

125. Z Energy [203.52] supports LCZ-S7 in part and seeks amendments so that the standard does not apply to non-occupiable buildings at service stations. CRC [271.669] supports LCZ-S7 and seeks that it be retained as notified.

126. Z Energy [203.54] supports LCZ-S8 and seeks that it be retained as notified, provided it only applies to sites adjoining Open Space, Sport and Active Recreation, or Residential Zones. CRC [271.670] supports LCZ-S8 and seeks that it be retained as notified.

127. Z Energy [203.56] supports LCZ-S9 in part and seeks amendments to outdoor storage screening requirements so that screening is required from public places and adjoining Open Space, Sport and Active Recreation, and Residential Zones. CRC [271.671] supports LCZ-S9 and seeks that it be retained as notified.

128. FENZ [163.116] opposes LCZ-S10 and seeks an exemption for emergency service facilities from hours of operation restrictions. Z Energy [203.55] supports LCZ-S10 and seeks that it be retained as notified, provided it only applies to sites adjoining Open Space, Sport and Active Recreation, or Residential Zones. Foodstuffs [237.6] seeks amendments to provide for extended operating hours for the New World Oamaru site. CRC [271.672] supports LCZ-S10 and seeks that it be retained as notified.

129. CRC [271.673] supports LCZ-S11 and seeks that it be retained as notified.

130. FENZ [163.144] supports LCZ-S12 and seeks that it be retained as notified. Z Energy [203.53] supports LCZ-S12 in part and seeks amendments so that the standard does not apply to non-occupiable buildings at service stations. CRC [271.674] supports LCZ-S12 in part and seeks amendments to clarify servicing requirements where reticulated services are unavailable.

7.6.2 Analysis

131. D & K Ellis [272.118] seek amendments to the LCZ provisions to require temporary commercial activities, such as food caravans, to contribute proportionately to local infrastructure and rates in a similar manner to permanent commercial operations. The submitters consider that some mobile food businesses operate on a semi-permanent basis and may obtain an unfair competitive advantage over established businesses that contribute to local rates and infrastructure costs. I acknowledge the submitters concerns regarding potential inequities between permanent and temporary commercial activities. However, the relief sought relates to rating and infrastructure funding mechanisms rather than a land use planning matter that is appropriately addressed through the District Plan. The purpose of the LCZ provisions is to manage the effects of land use and development and to provide for the functioning of local centres. The District Plan does not generally regulate how activities contribute to rates or wider infrastructure funding obligations. I therefore do not consider that introducing provisions requiring temporary commercial operators to make financial contributions equivalent to permanent businesses is

necessary or appropriate within the LCZ chapter. I recommend rejecting D & K Ellis [272.118] and retaining as notified

132. Z Energy [203.48] seeks an amendment to LCZ-P1 (Development within the Local Centre Zone) to require outdoor storage to be screened from public view and adjoining sites in the Open Space Zone, Sport and Active Recreation Zone, and Residential Zone. CRC [271.644] supports LCZ-P1 and seeks that it be retained as notified. I acknowledge the relief sought by Z Energy. The intent of the policy is to ensure that outdoor storage screening requirements are targeted toward interfaces with sensitive activities and public places. I note that the management of outdoor storage screening is addressed directly through LCZ-S9, which contains the more detailed and appropriate regulatory framework for achieving this outcome. In my view, it is unnecessary to duplicate this level of detail within LCZ-P1. I consider the notified policy appropriately provides high-level direction for development within the Local Centre Zone and that any amendments relating to outdoor storage screening are more appropriately considered in the context of LCZ-S9. I therefore recommend rejecting Z Energy [203.48], accepting CRC [271.644], and retaining LCZ-P1 as notified.

133. Z Energy [203.49], [203.51], [203.52] and [203.53] seek amendments to LCZ-R1, LCZ-S5, LCZ-S7 and LCZ-S12 so that non-occupiable buildings associated with service stations, including EV charging canopies and forecourt canopies, are exempt from the relevant standards. I acknowledge the submitter's concern that these structures differ from occupied buildings and may have distinct operational requirements. However, I do not consider that their non-occupiable nature justifies a blanket exemption from the relevant standards. In relation to LCZ-S5 and LCZ-S7, setback requirements perform important functions regardless of whether a structure is occupiable. Forecourt canopies and EV charging canopies can be substantial structures that contribute to the built form and visual character of a site. These structures can influence the amenity of adjoining sites, the relationship between development and the street, and the overall appearance and functioning of the Local Centre Zone. Applying setback standards to these structures helps ensure that development contributes positively to the character, amenity and urban form outcomes anticipated within local centres. In relation to LCZ-S12, servicing, access and emergency access requirements are relevant irrespective of whether a structure is occupiable. The location and design of canopies can affect vehicle manoeuvring, site circulation, access arrangements and the safe and efficient operation of a service station. Firefighting and emergency access considerations are similarly influenced by the layout of structures on a site and the nature of the activities occurring within it, rather than solely by whether a structure is occupied. More generally, I consider the relevant standards collectively contribute to ensuring development within the Local Centre Zone is functional, safe, and maintains the amenity and built form outcomes anticipated by the zone. Exempting all non-occupiable service station structures from these standards could undermine those outcomes and result in unintended consequences. Consistent with the recommendations made in the Industrial Zones S42A report, I do not consider the relief sought is justified. Accordingly, I recommend rejecting Z Energy [203.49], [203.51], [203.52] and [203.53].

134. Foodstuffs [237.5] seek amendments to LCZ-R2 to recognise the existing New World Oamaru site and provide a specific permitted activity pathway for the supermarket, including future expansion opportunities. Foodstuffs [237.6] also seek amendments to LCZ-S10 to provide for extended operating hours for the New World Oamaru site. The submitter considers additional operating hours are necessary to recognise the existing supermarket and provide for its ongoing operation. I acknowledge the submitter's concerns regarding the ongoing operation of the existing supermarket and the perceived inconsistency between the zoning framework and the established activity. However, the relief sought effectively introduces a site-specific planning framework for individual landholdings. Further consideration of the appropriateness of such an approach is required in the context of the wider zoning pattern, the purpose of the Local Centre Zone, and the resource management planning framework applying to the site. I therefore consider that Foodstuffs [237.5] and [237.6] are more appropriately considered alongside the rezoning relief in Hearing Stream 5, enabling the Panel to consider the appropriate zoning and associated regulatory framework for the site together. I make no substantive recommendation on [237.5] or [237.6] in this report and recommend that consideration of these submission points be deferred to Hearing Stream 5.

135. CRC [271.659] seeks amendments to LCZ-R10 to remove compliance with LCZ-S10 (Hours of Operation) for emergency service facilities. I support this relief. Emergency service facilities may be required to operate on a 24-hour basis to fulfil their operational function and the application of hours of operation controls may unnecessarily constrain those activities. I recommend accepting CRC [271.659]. FENZ [163.116] also seeks an exemption from LCZ-S10 (Hours of Operation) for emergency service facilities. I support this submission. Emergency service facilities provide an essential service and must be capable of operating at any time in response to emergencies. Applying hours of operation restrictions to these activities is not appropriate and could constrain their function. Consistent with my recommendations above, I recommend accepting FENZ [163.116].

136. FENZ [163.115] seeks amendment to LCZ-S1 to exempt emergency service towers and communication poles from the maximum height standard. I acknowledge the functional and operational requirements of emergency service facilities and have considered the direction applying to fire and emergency service infrastructure under the NPS-I, together with the PDP Infrastructure provisions and the potential application of the NES-TF. The NPS-I recognises the significant benefits of infrastructure, including fire and emergency service facilities, and seeks to provide for their efficient and timely delivery while ensuring adverse effects are appropriately managed.

137. I have also considered the approach taken to equivalent FENZ submissions in other hearing topics. While a height exemption has been supported in the Industrial Zones, where taller structures are generally more compatible with the anticipated built form and character of the receiving environment, that approach has not been supported in the Residential, Open Space or Sport and Active Recreation Zone contexts.

138. In the Local Centre Zone, I consider that structures exceeding the maximum height standard should remain subject to the applicable resource consent framework so that their scale, location and effects can be assessed having regard to the character, amenity

and built form outcomes anticipated for the zone. While I recognise the operational requirements of emergency service infrastructure, I do not consider that these requirements, either individually or in combination with the policy direction in the NPS-I, justify a zone-specific permitted activity exemption from LCZ-S1. Accordingly, I recommend rejecting FENZ [163.115].

139. CRC [271.674] seeks amendments to LCZ-S12 to clarify servicing requirements where reticulated services are unavailable. I acknowledge the submitter's concern that additional direction may be required where reticulated infrastructure is not available. However, I do not consider the amendment necessary in the context of the Local Centre Zone. The zone applies to established urban centres where development is anticipated to be serviced by reticulated infrastructure, and no specific circumstance has been identified that demonstrates a need for an alternative on-site servicing pathway within the LCZ. Introducing such a pathway would therefore add complexity to the standard without addressing an identified implementation issue and would be inconsistent with the approach taken to equivalent servicing standards in other zones. I therefore recommend rejecting this submission.

7.6.3 Recommendations

140. I recommend that Foodstuffs [237.5] and [237.6] be considered as part of Hearing Stream 5 (Rezoning Requests), alongside the submitter's rezoning request for the New World Oamaru site. The relief sought through LCZ-R2 and LCZ-S10 is intrinsically linked to the appropriateness of the underlying zoning of the site and seeks a site-specific planning framework, including provision for supermarket activities, future expansion, and extended operating hours. Consideration of these matters through this chapter could pre-empt the Panel's determination on the rezoning request. Accordingly, I make no recommendation on the relief sought in submission points [237.5] and [237.6] and recommend that they instead be addressed comprehensively through Hearing Stream 5.

7.6.3.1 LCZ-R10 Emergency Service facilities

141. Amend LCZ-R10 as follows:

LCZ-R10	**Emergency Service Facility**[7]	
Local Centre Zone	Activity status: Restricted Discretionary Where: PER-1 All of the following standards are complied with where relevant; LCZ-S8 Landscaping of internal boundaries; LCZ-S9 Outdoor storage screening; ~~LCZ-S10 Hours of operation~~	*Activity status when compliance is not achieved: Discretionary* *Where:* *DIS-1* *Compliance is not achieved with RDIS-1*

[7] FENZ [163.116]

	Matters of discretion are restricted to: 1. building design, siting and external appearance; and 2. the extent to which topography, site orientation and planting have been integrated into the site layout and design; and 3. the effect on amenity values of adjoining residential properties and public places, including outlook, privacy, shading and sense of enclosure; and 4. on-site amenity values; and ~~5. hours of operation; and~~[8] 6. noise, disturbance and loss of privacy; and 7. the extent to which the activity may adversely impact on traffic generation, road safety, parking and access; safety, efficiency and impacts to on-street parking; and 8. the extent of impervious surfaces and landscaping; and 9. whether the activity has a functional need or operational need for its chosen location; and 10. servicing of the site with appropriate infrastructure; and 11. the matters of discretion of any of the standards LCZ-S8, LCZ-S9 and/or LCZ-S10.	

7.6.3.2 Clause 16(2) Amendments

142. I also recommend the following alterations of minor effect and correction of minor errors, which may be made in accordance with clause 16(2) of Schedule 1 to the RMA:

- the deletion of clause (5) in LCZ-R10 to recognise that LCZ-S10 is no longer a matter of discretion.

7.6.4 Evaluation

143. The recommended amendment to LCZ-R10 constitutes a minor refinement to the notified provisions in response to submissions and is within the scope of matters raised through the submission process. The amendment exempts emergency service facilities from compliance with LCZ-S10 (Hours of Operation). This responds to submitter concerns that emergency service facilities may be required to operate on a 24-hour basis and that applying hours of operation restrictions could unnecessarily constrain their ability to respond to emergencies and fulfil their operational functions

144. The amendment is appropriate as it recognises the essential nature of emergency service facilities and provides for their operational requirements. Emergency service facilities provide a critical public service and must be capable of operating at any time in response to emergencies and other unforeseen events. Exempting these activities from LCZ-S10 ensures the provisions do not create unnecessary barriers to their operation while maintaining the overall intent and function of the Local Centre Zone.

[8] Clause 16(2) amendment

145. Overall, the recommended amendment is an efficient and effective response to submissions. It improves the practicality of the provisions by recognising the unique operational requirements of emergency service facilities and reduces the potential for unintended constraints on emergency response activities. The amendment does not materially alter the costs or benefits anticipated by the notified provisions and is therefore considered the most appropriate way to achieve the objectives of the Plan.

7.7 Mixed Use Zone - MUZ

146. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 73 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Canterbury Regional Council	271.675, 271.676, 271.677, 271.678, 271.679, 271.68, 271.681, 271.682, 271.683, 271.684, 271.685, 271.686, 271.687, 271.688, 271.689, 271.69, 271.691, 271.692, 271.693, 271.694, 271.695, 271.696, 271.697, 271.698, 271.699, 271.7, 271.701, 271.702, 271.703, 271.704, 271.705, 271.706, 271.707, 271.708, 271.709, 271.71, 271.711, 271.712, 271.713, 271.714, 271.715, 271.716, 271.717, 271.718, 271.719
Fire and Emergency New Zealand	163.62, 163.72, 163.118, 163.119, 163.121, 163.122, 163.123
Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited	237.2, 237.3
Fuel Companies	238.71, 238.72, 238.73, 238.74, 238.75
KiwiRail Holdings Limited	233.117
Ministry of Education Te Tāhuhu o Te Mātauranga	242.62, 242.63, 242.64
Z Energy Limited	203.57, 203.58, 203.59, 203.6, 203.61, 203.62, 203.63, 203.64, 203.65

7.7.1 Submissions

7.7.1.1 General

147. CRC [271.675] supports the Mixed Use Zone introduction in part and seeks an amendment to recognise Mixed Use Zone land at Ōmarama by adding reference to these areas in the introductory text.

7.7.1.2 Objectives

148. FENZ [163.118], Fuel Companies [238.71], MOED [242.62] and CRC [271.676] support MUZ-O1 (Purpose of the Mixed Use Zone) and seek that it be retained as notified. FENZ supports the objective as it accommodates emergency service facilities that serve the needs of businesses and the community. Fuel Companies consider the objective aligns with the provision of service stations. MOED supports the objective as it enables a range of activities that support the local community, including educational facilities.

149. CRC [271.677] supports MUZ-O2 (Character and quality of the Mixed Use Zone) and seeks that it be retained as notified. CRC considers the objective gives effect to CRPS Objective 5.2.1 and Policy 5.3.2.

150. CRC [271.678] supports MUZ-O3 (Retail activity in the Mixed Use Zone) and MUZ-O4 (Residential activities) and seek they are retained as notified.

151. CRC [271.680] supports MUZ-O5 (Infrastructure) and seeks that it be retained as notified as the objective gives effect to CRPS Objective 5.2.1 and Policy 5.3.5.

7.7.1.3 Policies

152. Fuel Companies [238.72] and CRC [271.681] support MUZ-P1 (Appropriate activities within the Mixed Use Zone) and seek that it be retained as notified. Fuel Companies consider the policy aligns with the provision of service stations. CRC considers the policy gives effect to CRPS Objective 5.2.1 and Policy 5.3.2.

153. Z Energy [203.57] seeks amendments to MUZ-P2 (Development within the Mixed Use Zone). Z Energy seeks amendments to the outdoor storage screening requirements so that screening is required from adjoining sites and the general public level view of any public place and adjoining site in the Open Space Zone, Sport and Active Recreation Zone, or Residential Zone. CRC [271.682] supports MUZ-P2 and seeks that it be retained as notified.

154. CRC [271.683] supports MUZ-P3 (Nature and intensity of industrial activities), MUZ-P4 (Amenity values of adjoining zones) and MUZ-P5 (Limited retail activity in the Mixed Use Zone) and seek they are retained as notified

155. Fuel Companies [238.73], MOED [242.63] and CRC [271.686] support MUZ-P6 (Sensitive activities) and seek that it be retained as notified. Fuel Companies consider the policy appropriately manages noise and reverse sensitivity effects. MOED supports the policy as it seeks to ensure new sensitive activities are designed in a manner that does not create conflicts with existing activities. CRC considers the policy gives effect to CRPS Objective 5.2.1 and Policy 5.3.2.

156. CRC [271.687] supports MUZ-P7 (Activities inappropriate for a Mixed Use Zone) and seeks that it be retained as notified. CRC considers the policy gives effect to CRPS Objective 5.2.1 and Policy 5.3.2.

157. Fuel Companies [238.74] and CRC [271.688] support MUZ-P8 (Residential activity) and seek that it be retained as notified. Fuel Companies consider the policy appropriately manages reverse sensitivity effects. CRC considers the policy gives effect to CRPS Objective 5.2.1 and Policy 5.3.2.

158. FENZ [163.119] and CRC [271.689] support MUZ-P9 (Servicing) and seek that it be retained as notified. FENZ supports the policy as notified. CRC considers the policy gives effect to CRPS Objective 5.2.1 and Policy 5.3.5.

7.7.1.4 Rules and Standards

159. CRC [271.675] supports the Mixed Use Zone introduction in part and seeks an amendment to recognise Mixed Use Zone land at Ōmarama by adding reference to these areas in the introductory text.

160. FENZ [163.72], Z Energy [203.58] and CRC [271.690] support MUZ-R1 (Building activity) in part. FENZ supports the application of MUZ-S12 (Servicing and firefighting water supply and access) to building activity and seeks that it be retained as notified. Z Energy opposes the application of MUZ-S12 to non-occupiable buildings at service stations, such as canopies, and seeks an exemption. CRC supports the rule but seeks amendments to MUZ-S12 regarding servicing requirements.

161. Z Energy [203.60], Fuel Companies [238.75] and CRC [271.691] support MUZ-R2 (Commercial activity). Fuel Companies and CRC seek that the rule be retained as notified. Z Energy seeks an exemption from MUZ-S7 (Landscaping along the road boundary) for service stations due to operational and safety requirements. Foodstuffs [237.2] seeks amendments to MUZ-R2 to specifically provide for a supermarket as a permitted activity on identified properties and to enable future expansion and redevelopment opportunities.

162. CRC [271.692] supports MUZ-R3 (Community facility) and seeks that it be retained as notified.

163. MOED [242.64] and CRC [271.693] support MUZ-R4 (Educational facility) and seek that it be retained as notified. MOED supports the rule as it appropriately manages educational facilities within the Mixed Use Zone.

164. CRC [271.694–271.706] supports MUZ-R5 (Recreational activity), MUZ-R6 (Residential activity), MUZ-R7 (Residential visitor accommodation), MUZ-R8 (Home business), MUZ-R9 (Marine related industry activity), MUZ-R10 (Community corrections activity), MUZ-R11 (Parking facility), MUZ-R12 (Industrial activity), MUZ-R13 (Visitor accommodation), MUZ-R14 (Emergency service facility), MUZ-R15 (Any other activity not otherwise provided for), MUZ-R16 (Potentially high-impact industrial activities), and MUZ-R17 (Intensive indoor primary production), and seeks that these provisions be retained as notified.

165. FENZ [163.121] and CRC [271.707] address MUZ-S1 (Maximum height). FENZ supports the standard in part but seeks an exemption for emergency service towers and communication poles. CRC supports MUZ-S1 and seeks that it be retained as notified.

166. CRC [271.708, 271.709, 271.710] supports MUZ-S2 (Height in relation to boundary), MUZ-S3 (Building coverage) and MUZ-S4 (Minimum pervious surface area) and seeks they be retained as notified.

167. KiwiRail [233.117] and CRC [271.711] support MUZ-S5 (Road and rail corridor boundary setbacks) and seek that it be retained as notified. KiwiRail supports the 4.5m setback

from the rail corridor boundary to ensure safe and efficient rail operations and protect the function of a nationally significant asset.

168. Z Energy [203.59] and CRC [271.712] support MUZ-S6 (Internal boundary setbacks) and seek that it be retained as notified. Z Energy supports the standard where it applies to sites adjoining an Open Space, Sport and Active Recreation Zone or Residential Zone.

169. FENZ [163.122], Z Energy [203.63] and CRC [271.713] address MUZ-S7 (Landscaping along the road boundary). FENZ opposes the standard and seeks an exemption for emergency service facilities. Z Energy supports the standard in part but seeks an exemption for service stations. CRC supports MUZ-S7 and seeks that it be retained as notified.

170. Z Energy [203.61] and CRC [271.714] support MUZ-S8 (Landscaping of internal boundaries) and seek that it be retained as notified. Z Energy supports the standard where it applies to sites adjoining an Open Space, Sport and Active Recreation Zone or Residential Zone.

171. Z Energy [203.64] and CRC [271.715] address MUZ-S9 (Outdoor storage screening). Z Energy supports the standard in part and seeks amendments so outdoor storage screening applies to public places and adjoining Open Space, Sport and Active Recreation, and Residential Zones. CRC supports MUZ-S9 and seeks that it be retained as notified.

172. FENZ [163.123], Z Energy [203.62], Foodstuffs [237.3] and CRC [271.716] address MUZ-S10 (Hours of operation). FENZ opposes the standard and seeks an exemption for emergency service facilities. Z Energy supports the standard where it applies to sites adjoining an Open Space, Sport and Active Recreation Zone or Residential Zone. Foodstuffs seeks amendments to provide extended operating hours for a specified supermarket site. CRC supports MUZ-S10 and seeks that it be retained as notified.

173. CRC [271.717] supports MUZ-S11 (Outdoor living space) and seeks that it be retained as notified.

174. FENZ [163.62], Z Energy [203.65] and CRC [271.718] address MUZ-S12 (Servicing and firefighting water supply and access). FENZ supports the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. Z Energy seeks an exemption from the standard for non-occupiable buildings at service stations. CRC supports the standard in part and seeks amendments to address circumstances where reticulated services are unavailable.

175. CRC [271.719] supports MUZ-S13 (Minimum privacy separation setbacks between residential buildings) and seeks that it be retained as notified.

7.7.2 Analysis

176. CRC [271.675] seeks an amendment to the Mixed Use Zone introduction to recognise Mixed Use Zone land at Ōmarama. The introduction currently refers to Mixed Use Zone land within Ōamaru, and CRC considers it should also acknowledge other Mixed Use Zone areas within the district. The requested amendment is minor in nature and would

improve the accuracy and completeness of the chapter introduction by reflecting the full spatial extent of the zone. The relief sought does not alter the intent or operation of the Mixed Use Zone provisions and can be supported.

177. Z Energy [203.57] seeks amendments to MUZ-P2 (Development within the Mixed Use Zone) to amend the outdoor storage screening requirements so that screening is only required from public places and adjoining sites within the Open Space Zone, Sport and Active Recreation Zone, and Residential Zone. I consider MUZ-P2 provides appropriate high-level direction for development within the Mixed Use Zone and supports the management of amenity effects arising from activities and development. The relief sought relates to the implementation of outdoor storage screening requirements rather than the strategic direction of the policy itself. Accordingly, I recommend retaining MUZ-P2 as notified and consider the relief sought through the assessment of MUZ-S9 (Outdoor storage screening).

178. FENZ [163.72], Z Energy [203.58] and CRC [271.690] address MUZ-R1 (Building activity). FENZ supports the rule in full and wish to retain as notified. Z Energy seeks an exemption from MUZ-S12 for non-occupiable buildings at service stations, including EV charging canopies and forecourt canopies, on the basis that it is not appropriate or practicable for such structures to comply with reticulated servicing and firefighting water supply requirements. CRC also seeks amendments to MUZ-S12 relating to servicing requirements. As the relief sought relates directly to the operation of MUZ-S12, I consider it appropriate to address this matter in the assessment of MUZ-S12 rather than MUZ-R1.

179. Z Energy [203.60] and Foodstuffs [237.2] seek amendments to MUZ-R2 (Commercial activity). Z Energy seeks an exemption from MUZ-S7 for service stations, citing operational and safety constraints associated with landscaping along road boundaries. Foodstuffs seeks amendments to provide for a supermarket as a permitted activity on specified sites and to facilitate future expansion and redevelopment opportunities. The relief sought by Z Energy is more appropriately considered in the assessment of MUZ-S7. The Foodstuffs submission raises broader zoning and activity status matters that warrant separate consideration through the relevant site-specific zoning requests to be heard in Hearing Stream 5 as recommended in the Local Centre Zone analysis (refer to paragraph 144).

180. FENZ [163.121] seeks amendment to MUZ-S1 (Maximum height) to exempt emergency service towers and communication poles from the maximum height standard. I acknowledge the functional and operational requirements of emergency service facilities and have considered the direction applying to fire and emergency services under the NPS-I, together with the PDP Infrastructure provisions and potential application of the NES-TF. As identified in the Residential and Industrial Zones S42A reports, these considerations do not necessarily require the same zone-specific height exemption across all receiving environments.

181. I consider the Mixed Use Zone is more comparable to the Local Centre and Residential Zones than the Industrial Zones in this respect. In particular, residential activities are permitted within the MUZ and form part of the anticipated mix of activities within the zone. The potential effects of taller towers and communication poles on residential

amenity therefore remain relevant. While the Industrial Zones S42A recommends a targeted exemption on the basis that the greater height and scale of this infrastructure is compatible with the anticipated industrial receiving environment, I do not consider the same justification applies within the MUZ.

182. Accordingly, where the functional or operational requirements of an emergency service facility necessitate a tower or communication pole exceeding the 12m height limit, I consider it appropriate for the additional height to be assessed through the applicable resource consent pathway rather than providing a permitted activity exemption. This approach recognises the operational needs of emergency services while allowing the effects of additional height on the mixed-use receiving environment, including residential activities, to be considered. I therefore recommend rejecting FENZ [163.121] and retaining MUZ-S1 as notified.

183. FENZ [163.122] and Z Energy [203.63] and [203.60] seek amendments to MUZ-S7 (Landscaping along the road boundary). FENZ seeks an exemption for emergency service facilities, while Z Energy seeks an exemption for service stations. CRC [271.713] supports MUZ-S7 and seeks that it be retained as notified. While I acknowledge that emergency service facilities and service stations can have specific operational and safety requirements, I consider landscaping along road boundaries contributes to the amenity, visual quality, and streetscape character of the Mixed Use Zone. The standard assists in ensuring development provides an attractive interface with public roads and contributes positively to the surrounding environment. On balance, I consider the submitters have not demonstrated that a blanket exemption from the standard is necessary. Accordingly, I support the relief sought by CRC and recommend retaining MUZ-S7 as notified.

184. Z Energy [203.64] seeks amendments to MUZ-S9 (Outdoor storage screening) so that screening is limited to views from public places and adjoining Open Space, Sport and Active Recreation, and Residential Zones. CRC [271.715] supports MUZ-S9 and seeks that it be retained as notified. I agree with Z Energy that the notified requirement to screen outdoor storage from all adjoining sites is broader than necessary. I have considered the approach to outdoor storage screening in the Residential and Industrial Zones S42A reports in light of s104(1A) of the RMA. In particular, s104(1A)(f) requires views from private property to be disregarded when considering the effects of a district land use activity. I therefore do not consider it appropriate to retain a visibility based screening requirement whose purpose is to protect views from adjoining private property.

185. I nevertheless consider that screening of outdoor storage from public places remains appropriate, as outdoor storage has the potential to affect the streetscape and public-facing amenity of the Mixed Use Zone. Consistent with the approach recommended in the Residential and Industrial Zones, I consider the visibility requirement should therefore be limited to views from public property, assessed from an eye level of 1.7m above ground level.

186. While Z Energy also seeks to retain screening requirements at interfaces with adjoining Open Space, Sport and Active Recreation, and Residential Zones, any such requirement would need to be justified by effects other than the protection of views from private property. In the absence of a separate effects-based justification for MUZ-S9, I do not

consider that those interfaces should be retained as part of the visibility-based screening requirement. I therefore recommend accepting Z Energy [203.64] in part, rejecting CRC [271.715] in part, and amending MUZ-S9 so that outdoor storage is not visible from public property when viewed from an eye level of 1.7m above ground level.

187. FENZ [163.123] and Foodstuffs [237.3] seek amendments to MUZ-S10 (Hours of operation). FENZ seeks an exemption for emergency service facilities to recognise their need to operate at all times. Foodstuffs also seeks an exemption to enable extended operating hours for a specified supermarket site. In regards to the FENZ submission, MUZ-R14 (Emergency service facility) does not require emergency service facilities to comply with MUZ-S10. The relief sought is therefore already achieved through the notified rule framework, and no amendment is necessary. I recommend accepting the submission in part insofar as emergency service facilities are not subject to MUZ-S10, but otherwise retaining the provisions as notified. The Foodstuffs relief raises site-specific matters relating to supermarket activities and I recommend that this submission point is reallocated for consideration alongside their rezone request in Hearing Stream 5.

188. FENZ [163.62] supports MUZ-S12 (Servicing and firefighting water supply and access) and supports the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, subject to a minor amendment to correct the title of the standard. Z Energy [203.65] seeks an exemption from MUZ-S12 for non-occupiable buildings associated with service stations, while CRC [271.718] seeks amendments to provide for alternative servicing where reticulated services are unavailable.

189. I do not consider that the exemption sought by Z Energy is necessary. While structures such as forecourt and EV charging canopies may fall within the definition of a building despite being non-occupiable, the purpose of MUZ-S12 is to ensure that development is appropriately serviced and that adequate firefighting water supply and access is available. Service stations involve the storage and dispensing of fuel and, irrespective of whether an individual structure is occupied, I consider it appropriate that the development demonstrates compliance with the relevant servicing and firefighting water supply and access requirements. Where a service station development includes both occupied and non-occupied buildings and structures, compliance with MUZ-S12 can appropriately be considered across the development as a whole. This is consistent with the approach taken to the equivalent relief sought by Z Energy in the Industrial Zones.

190. I also do not consider the amendment sought by CRC is necessary. The MUZ applies to areas serviced by reticulated infrastructure, and no specific circumstances have been identified that demonstrate a need to provide an alternative on-site servicing pathway within the zone. I therefore consider that introducing such a pathway would add unnecessary complexity to the standard.

191. I support FENZ's minor amendment to correct the title of the relevant Firefighting Water Supplies Code of Practice. Accordingly, I recommend accepting FENZ [163.62], rejecting Z Energy [203.65] and CRC [271.718], and otherwise retaining MUZ-S12 as notified, subject to the minor correction to the title of the Code of Practice.

7.7.3 Recommendations

192. Amend the Mixed Use Zone Introduction to include the following at the end of paragraph three:

"There is also Mixed Use Zone land at Ōmarama, which accommodates a range of commercial, service and residential activities that support the township and surrounding rural catchment."[9]

193. Amend MUZ-S9 as follows:

MUZ-S9	**Outdoor storage screening**
1. Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscaping or building, or a combination of these, so it is not visible from any public place when viewed from an eye level of 1.7m above ground level.[10] ~~a. public place; and~~ ~~b. adjoining site~~ 2. Clause 1 does not apply to motor vehicles ancillary to the activity on the site or the display of goods for sale.	**Matters of discretion are restricted to:** 1. any adverse effects on the streetscape; and 2. any adverse effects on the amenity values of properties of adjoining sites (including those opposite, where separated by a road).

194. Amend MUZ-S12 as follows;

MUZ-S12	**Servicing and firefighting water supply and access**
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS[11] 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

[9] CRC [271.675]
[10] Z Energy [203.64]
[11] FENZ [163.62]

7.7.4 Evaluation

195. The recommended amendment to the Mixed Use Zone introduction constitutes a minor refinement to the notified chapter and is within the scope of matters raised through the submission process. The amendment improves the accuracy and completeness of the introduction by recognising that Mixed Use Zone land is located at Ōmarama as well as within Ōamaru. The amendment does not alter the intent, function or operation of the Mixed Use Zone provisions. Rather, it provides a more accurate description of the spatial extent of the zone and improves the usability of the chapter for plan users. Overall, the recommended amendment is an efficient and effective response to submissions. It improves the accuracy of the chapter without changing the anticipated costs or benefits of the notified provisions and is therefore considered the most appropriate way to achieve the objectives of the Plan.

196. The recommended amendment to MUZ-S9 is more appropriate, efficient and effective because it focuses the screening requirement on the public-facing amenity and streetscape effects of outdoor storage, while removing requirements relating to visibility from private property that are inconsistent with the approach required by s104(1A). The use of a 1.7m viewing height also provides a clear and practical basis for determining compliance and aligns with the approach recommended for equivalent outdoor storage provisions in the Residential and Industrial Zones.

197. The recommended amendments to MUZ-S12 (Servicing and firefighting water supply and access) constitute a minor refinement to the notified provision and are within the scope of matters raised through the submission process. The recommended approach retains the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008, while correcting the title of the Code of Practice to improve consistency and accuracy across the Plan. The relief sought by CRC [271.718] is not supported. All Mixed Use Zone land identified in the PDP is serviced by reticulated infrastructure, and therefore the circumstances identified by the submitter are unlikely to arise. Introducing alternative servicing provisions would add unnecessary complexity without a demonstrated need. The relief sought by Z Energy [203.65] is also not supported. MUZ-S12 ensures that development within the Mixed Use Zone is appropriately serviced and that adequate firefighting water supply and access is available. While non-occupiable structures may have different operational characteristics to occupied buildings, they still form part of sites where emergency access and servicing requirements are relevant. Providing an exemption could undermine the effectiveness and consistent application of the standard. The recommended amendments are an efficient and effective response to submissions. They improve the accuracy of the provision while retaining a robust servicing and firefighting framework for the Mixed Use Zone. The recommended approach maintains the effectiveness of the notified provision and is considered the most appropriate way to achieve the objectives of the Plan.

7.8 Town Centre Zone (TCZ)

198. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 21 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Fire and Emergency New Zealand	163.63, 163.73, 163.124
Fuel Companies	238.76
KiwiRail Holdings Limited	233.118
Ministry of Education Te Tāhuhu o Te Mātauranga	242.65, 242.66, 242.67
NPHS Te Waipounamu	164.42
Waitaki District Council	83.19
Z Energy Limited	203.37, 203.38, 203.39, 203.40, 203.41, 203.42, 203.43, 203.44, 203.45, 203.46, 203.47

7.8.1 Submissions

7.8.1.1 Objectives

199. MOED [242.65] supports TCZ-O1 (Purpose of the Town Centre Zone) and seeks that it be retained as notified. MOED supports the objective as it enables a range of activities that support the local community, including educational facilities.

200. NPHS Te Waipounamu [164.42**]** supports TCZ-O4 (Infrastructure) and seeks that it be retained as notified.

7.8.1.2 Policies

201. Z Energy [203.37] supports TCZ-P4 (Amenity values of adjoining zones) in part but seeks amendments to TCZ-P4.3. Z Energy considers outdoor storage screening should be assessed from ground-level views only and should be limited to sites adjoining Open Space, Sport and Active Recreation, or Residential Zones.

202. Fuel Companies [238.76] and MOED [242.66**]** support TCZ-P5 (Sensitive activities) and seek that it be retained as notified. Fuel Companies consider the policy appropriately manages reverse sensitivity effects, while MOED supports the policy as it ensures new sensitive activities are designed to avoid conflicts with existing activities.

203. FENZ [163.124] supports TCZ-P8 (Servicing) and seeks that it be retained as notified.

7.8.1.3 Rules and Standards

204. Waitaki District Council [83.19], FENZ [163.73] and Z Energy [203.38] submitted on TCZ-R1 (Building activity - external alterations and additions to existing buildings and structures). Waitaki District Council seeks the deletion of TCZ-R1(PER-2), considering the requirement for buildings to adjoin the road boundary may result in unintended

consenting consequences for buildings located to the rear of sites. FENZ supports the servicing and firefighting water supply and access requirements and seeks that the rule be retained as notified. Z Energy supports the rule in part but seeks amendments so that TCZ-S3, TCZ-S7 and TCZ-S11 do not apply to non-occupiable structures associated with service stations, and that PER-2 does not apply to service stations.

205. Z Energy [203.39] supports TCZ-R2 (Commercial activity, excluding large format retail activity) and seeks that it be retained as notified. Z Energy supports a permitted activity pathway for commercial activities, including service stations, subject to its requested amendments elsewhere in the chapter.

206. MOED [242.67] supports TCZ-R5 (Educational facility) and seeks that it be retained as notified. MOED considers the rule appropriately manages the operation of educational facilities within the Town Centre Zone.

207. Z Energy [203.40] supports TCZ-R12 (Building activity - erection or placement of new buildings and structures) in part and seeks amendments so that TCZ-S3, TCZ-S7 and TCZ-S11 do not apply to service stations.

208. Z Energy [203.41] opposes TCZ-R15 (Service stations) and seeks that the rule be deleted. Z Energy considers the non-complying activity status for service stations in the Town Centre Zone inappropriate.

209. Z Energy [203.42] supports TCZ-S3 (Active street frontage) in part and seeks amendments so that the standard does not apply to non-occupiable buildings at service stations.

210. KiwiRail [233.118] supports TCZ-S5 (Rail corridor setbacks) and seeks that it be retained as notified. KiwiRail considers the setback necessary to protect safe and efficient rail operations and reduce the risk of interference with the rail corridor.

211. Z Energy [203.43] supports TCZ-S7 (Maximum setback from internal boundaries) in part and seeks amendments so that the standard does not apply to non-occupiable buildings at service stations.

212. Z Energy [203.45] supports TCZ-S8 (Landscaping of internal boundaries) provided it only applies to sites adjoining Open Space, Sport and Active Recreation, or Residential Zones, and seeks that it be retained as notified.

213. Z Energy [203.47] supports TCZ-S9 (Outdoor storage screening) in part and seeks amendments so that screening is assessed from ground-level views only and applies only to adjoining Open Space, Sport and Active Recreation, or Residential Zones.

214. Z Energy [203.46] supports TCZ-S10 (Hours of operation) provided it only applies to sites adjoining Open Space, Sport and Active Recreation, or Residential Zones, and seeks that it be retained as notified.

215. FENZ [163.63] and Z Energy [203.44] submitted on TCZ-S11 (Servicing and firefighting water supply and access). FENZ supports the standard but seeks a minor amendment to correct the grammatical error within the title of the standard. Z Energy supports the standard in part and seeks amendments so that it does not apply to non-occupiable buildings at service stations.

7.8.2 Analysis

216. Z Energy [203.37] seeks amendments to TCZ-P4 (Amenity values of adjoining zones) to limit outdoor storage screening requirements to ground-level views and to sites adjoining the Open Space Zone, Sport and Active Recreation Zone, or Residential Zone. I consider TCZ-P4 provides appropriate high-level policy direction for managing amenity effects on adjoining sensitive zones. The relief sought relates to the implementation of outdoor storage screening requirements rather than the strategic intent of the policy. Accordingly, I recommend retaining TCZ-P4 as notified and considering the detailed relief sought through amendments to TCZ-S9.

217. Waitaki District Council [83.19] seeks the deletion of TCZ-R1(PER-2), which requires buildings to adjoin the road boundary. The submitter considers that the rule may result in unintended consenting consequences by requiring building alterations or additions located away from the road frontage to obtain a discretionary activity consent. I agree with this concern. As currently drafted, TCZ-R1(PER-2) only provides a permitted activity pathway where alterations or additions are undertaken to buildings adjoining the road boundary. This creates a situation where relatively minor alterations to buildings located toward the rear of a site, which are less likely to adversely affect the streetscape or public realm, may require resource consent, while alterations to buildings at the street frontage have a permitted activity pathway. In my view, this outcome is not proportionate to the potential effects generated by such activities and may create an unnecessary consenting burden. The Town Centre Zone objectives and standards continue to provide an appropriate framework for achieving an active, pedestrian-oriented streetscape and high-quality urban form. Accordingly, I support the relief sought and recommend deleting TCZ-R1(PER-2), as the requirement is not necessary to achieve the intended outcomes of the zone and may result in unintended consenting consequences.

218. Z Energy [203.38, 203.40, 203.41, 203.42, 203.43 and 203.44] seeks a range of amendments to the Town Centre Zone provisions relating to service stations, including deletion of the non-complying activity status under TCZ-R15 and exemptions from TCZ-S3 (Active Street frontage), TCZ-S7 (Maximum setback from internal boundaries) and TCZ-S11 (Servicing and firefighting water supply and access). I acknowledge the submitter's concern that certain standards may be difficult to apply to non-occupiable structures associated with service stations, such as canopies. However, I do not consider this justifies exempting service stations from standards that are fundamental to achieving the purpose and character of the Town Centre Zone. The Town Centre Zone is intended to provide a vibrant, attractive and pedestrian-focused environment, and the application of these standards supports the outcomes sought by TCZ-O1 (Purpose of the Town Centre Zone) and TCZ-O2 (Character and qualities of the Town Centre Zone). Exempting service stations and associated structures from these requirements would undermine the effectiveness of the built form and streetscape provisions and could detract from the amenity and pedestrian experience anticipated within the zone. I accept that a non-complying activity status may be unnecessarily restrictive. While service stations are not generally anticipated within the Town Centre Zone and can generate effects that are inconsistent with its intended character, these effects can be appropriately considered through a Discretionary Activity framework. Accordingly, I support the relief sought in part

by recommending that service stations be classified as a Discretionary Activity rather than a Non-Complying Activity, but do not support exemptions from TCZ-S3, TCZ-S7 or TCZ-S11, or any associated amendments to TCZ-R1 and TCZ-R12 that would remove the application of those standards.

FENZ [163.63] seeks amendments to TCZ-S11 (Servicing and firefighting water supply and access) to correct the title of the standard. They seek to amend as follows: 'All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.' This is noted to be correct in some instances across the plan and not in others. I recommend accepting this change to the correct title.

219. Z Energy [203.47] seeks amendments to TCZ-S9 (Outdoor storage screening) to limit the visibility requirement to ground-level views and specified sensitive-zone interfaces. For the same reasons set out in my assessment of MUZ-S9, I consider the notified requirement to screen outdoor storage from adjoining private sites is broader than necessary and should instead focus on visibility from public property. I therefore recommend accepting Z Energy [203.47] in part and amending TCZ-S9 so that outdoor storage is not visible from public property when viewed from an eye level of 1.7m above ground level.

7.8.3 Recommendations

7.8.3.1 TCZ-R1 Building activity – external alterations and additions to existing buildings and structures

220. Amend as follows:

TCZ-R1	**Building activity – external alterations and additions to existing buildings and structures**	
Town Centre Zone	**Activity status: Permitted** **Where:** PER-1 All of the following standards are complied with where relevant: 1. TCZ-S1 Maximum height; 2. TCZ-S2 Height in relation to boundary; 3. TCZ-S3 Active street frontage; 4. TCZ-S4 Shopping frontage (verandas); 5. TCZ-S5 Rail corridor setbacks; 6. TCZ-S6 Internal boundary setbacks; 7. TCZ-S7 Maximum setback from internal boundaries; and 8. TCZ-S11 Servicing and firefighting water supply and access ~~and~~	**Activity status when compliance is not achieved: Restricted Discretionary** **Where:** RDIS-1 Compliance is not achieved with PER-1 **Matters of discretion are restricted to:** 1. the matters of discretion listed in any of the standards TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4, TCZ-S6, TCZ-S7, and/or TCZ-S11 that are not complied with. ~~**Activity status when compliance is not achieved: Discretionary**~~ ~~**Where:**~~ ~~DIS-1~~ ~~Compliance is not achieved with PER-2~~

	~~PER-2~~[12] ~~The building must adjoin the road boundary.~~	

7.8.3.2 TCZ-S9 Outdoor storage screening

221. Amend TCZ-S9 as follows:

TCZ-S9	Outdoor storage screening
1. Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscaping or building, or a combination of these, so it is not visible from any public place when viewed from an eye level of 1.7m above ground level.[13] ~~a. public place; and~~ ~~b. adjoining site~~ 2. Clause 1 does not apply to motor vehicles ancillary to the activity on the site.	**Matters of discretion are restricted to:** 1. any adverse effects on the streetscape; and 2. any adverse effects on the amenity values of properties of adjoining sites (including those opposite, where separated by a road).

7.8.3.1 TCZ-S11 Servicing and Firefighting water supply

222. Amend TCZ-S11 as follows:

TCZ-S11	Servicing and firefighting water supply and access
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS[14] 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

[12] 204. Waitaki District Council [83.19]
[13] Z Energy [203.47]
[14] 215. FENZ [163.63]

7.8.3.2 TCZ-R15 Service Stations

223. Amend TCZ-R15 as follows:

TCZ-R13	Service Stations	
Town Centre Zone	Activity status: ~~Non-Complying~~ [15]Discretionary	Activity status when compliance is not achieved: Not Applicable

7.8.3.3 Clause 16(2) Amendments

7.8.3.4

224. I also recommend the following alterations of minor effect and correction of minor errors, which may be made in accordance with clause 16(2) of Schedule 1 to the RMA:

- Renumbering of the following rules to allow for the placement of the amended rule TCZ-R15 Service Stations in the Discretionary Activities section.

TCZ-R1~~3~~4	Any other activity not provided for as a permitted, restricted discretionary or noncomplying activity.	
Town Centre Zone	Activity status: Discretionary	Activity status when compliance is not achieved: Not Applicable
TCZ-R1~~4~~5	Intensive indoor primary production	
Town Centre Zone	Activity status: Non-Complying	Activity status when compliance is not achieved: Not Applicable

225. This is a minor drafting amendment to recalibrate the numbering of rules following the insertion of a new discretionary activity rule as recommended in response to the submission by Z Energy [203.41].

7.8.4 Evaluation

226. The recommended amendment to TCZ-R1 responds directly to a concern raised through the submission process regarding the operation of TCZ-R1(PER-2). The notified rule only provides a permitted activity pathway for alterations and additions to buildings that adjoin the road boundary, which may result in relatively minor works to buildings located elsewhere on a site requiring resource consent. This outcome is not proportionate to the scale or potential effects of such activities and may create an unnecessary regulatory burden The amendment is appropriate as it removes a provision that could lead to unintended implementation outcomes while retaining the wider framework of objectives, policies and standards that promote an active and pedestrian-oriented town centre environment. The deletion of TCZ-R1(PER-2) will improve the efficiency and effectiveness of the rule by ensuring that consent requirements are more closely aligned with the

[15] Z Energy [203.41]

potential effects of the activity. Overall, the recommended amendment is an appropriate response to submissions and represents the most effective and efficient way to achieve the intended outcomes of the Town Centre Zone.

227. The recommended amendment to TCZ-S9 is more appropriate, efficient and effective because it focuses the screening requirement on the public-facing amenity and streetscape effects of outdoor storage, while removing requirements relating to visibility from private property that are inconsistent with the approach required by s104(1A). The use of a 1.7m viewing height also provides a clear and practical basis for determining compliance and aligns with the approach recommended for equivalent outdoor storage provisions in the Residential and Industrial Zones.

228. The proposed amendment corrects the title of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008 and improves consistency and accuracy within the Plan. As the amendment is administrative in nature and does not alter the intent or operation of TCZ-S11, it can be accepted.

229. The recommended amendments in response to Z Energy [203.41] constitute a refinement of the notified Town Centre Zone provisions and are within the scope of matters raised through the submission process. The amendments recognise that a non-complying activity status for service stations may be unnecessarily restrictive, while retaining the standards that support the intended built form, amenity and pedestrian-oriented character of the Town Centre Zone. The recommended approach balances the need to provide an appropriate consenting pathway for service stations with the need to maintain the outcomes sought by TCZ-O1 and TCZ-O2. Reclassifying service stations as a Discretionary Activity enables potential effects to be assessed on a case-by-case basis, while retaining the application of TCZ-S3, TCZ-S7 and TCZ-S11 ensures that service stations remain subject to the same built form and servicing expectations as other development within the zone. Overall, the recommended amendments are an efficient and effective response to submissions. They provide greater flexibility for service stations while retaining the provisions necessary to achieve a vibrant, attractive and pedestrian-focused town centre environment. The amendments represent the most appropriate way to achieve the objectives of the Plan and avoid undermining the effectiveness of the Town Centre Zone built form framework.

7.9 Large Format Retail Zone (LFRZ)

230. The following table sets out the submission points covered in this section of the report (which may be individually or more broadly discussed). The decision requested in relation to each point is provided in full in **Appendix 2**. Overall, 5 original submission points are addressed here.

Submitter Name	Submission Point Number(s)
Fire and Emergency New Zealand	163.74, 163.125, 163.145

Submitter Name	Submission Point Number(s)
NPHS Te Waipounamu	164.43, 164.44

7.9.1 Submissions

7.9.1.1 Objectives

231. NPHS [164.43] supports LFRZ-O2 as notified, noting that enabling active transport can contribute to improved public health outcomes and reduce the risk of Type 2 diabetes and other health conditions. The submitter seeks that the objective be retained as notified.

232. NPHS [164.44] supports LFRZ-O3 as notified, considering that public health and safety are maintained through the appropriate provision of infrastructure. The submitter seeks that the objective be retained as notified.

7.9.1.2 Policies

233. FENZ [163.125] supports LFRZ-P5 as notified, which requires development to be appropriately serviced, including wastewater, stormwater and water supply infrastructure. The submitter seeks that the policy be retained as notified.

7.9.1.3 Rules and Standards

234. FENZ [163.74] supports LFRZ-R1 as notified, including the requirement for building activities to comply with the servicing and firefighting water supply and access standard. The submitter seeks that the rule be retained as notified.

235. FENZ [163.145] supports LFRZ-S14 as notified, including the requirement for all new buildings to comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008. The submitter seeks that the standard be retained as notified.

7.9.2 Analysis

236. NPHS [164.43, 164.44] and FENZ [163.74, 163.125, 163.145] support LFRZ-O2, LFRZ-O3, LFRZ-P5, LFRZ-R1 and LFRZ-S14 as notified. I agree that these provisions appropriately provide for active transport outcomes, public health and safety, infrastructure servicing, and firefighting water supply and access. As no amendments are sought and I consider the provisions remain appropriate and effective in achieving the objectives of the Large Format Retail Zone, I recommend they be retained as notified.

7.9.3 Recommendations

237. I recommend that no changes are made in response to the submissions raised on this topic.

7.9.4 Evaluation

238. No further evaluation is required

8 Conclusion

239. Having considered the submissions and further submissions received on the Commercial Zones provisions, I recommend retaining the overall framework, subject to a number of targeted amendments. The recommended changes improve the clarity, accuracy and operation of the provisions while maintaining the distinct roles and functions of the Local Centre Zone, Mixed Use Zone, Town Centre Zone and Large Format Retail Zone. The recommended amendments are set out in Appendix 1, with responses to individual submission points provided in Appendix 2.

8.1 Definitions

240. The following amendments are recommended to the definitions addressed in this report:

- amend the definition of Repair Workshop to clarify that it applies to the commercial mechanical repair and servicing of motor vehicles;
- amend the definition of Camping Ground to include a note clarifying that nohoaka entitlements established under the Ngāi Tahu Claims Settlement Act are excluded.

241. These amendments improve clarity and certainty for plan users while ensuring the definitions appropriately capture the activities they are intended to regulate.

242. No amendments are recommended to the definitions of Commercial Activity, Recreational Activity, Visitor Accommodation, Service Station, or Vehicle Oriented Commercial Activity. The notified provisions are considered appropriate and effective, and in some instances are prescribed by the National Planning Standards.

8.2 Local Centre Zone

243. The following amendment is recommended to the Local Centre Zone provisions:

- amend LCZ-R10 (Emergency Service Facility) to exempt emergency service facilities from the Hours of Operation standard.

244. This amendment recognises that emergency service facilities may need to operate on a 24-hour basis and that the application of hours of operation restrictions could unnecessarily constrain their ability to respond to emergencies. The amendment provides appropriate operational flexibility while maintaining the overall intent of the Local Centre Zone provisions

245. No further amendments are recommended to the Local Centre Zone. In particular, exemptions sought for service station canopies and other non-occupiable structures from setback, servicing and firefighting requirements are not supported, as these standards remain important for managing amenity, urban form, site functionality and safety outcomes.

8.3 Mixed Use Zone

246. The following amendments are recommended to the Mixed Use Zone provisions:

- amend the chapter introduction to recognise Mixed Use Zone land located in Ōmarama;
- amend MUZ-S9 (Outdoor Storage Screening) to require screening from public places when viewed from an eye level of 1.7 metres above ground level; and
- amend MUZ-S12 (Servicing and Firefighting Water Supply and Access) to correct the title of the applicable Firefighting Water Supplies Code of Practice.

247. These amendments improve the accuracy and usability of the chapter and ensure that outdoor storage screening provisions are focussed on public-facing amenity and streetscape effects. The amendments also improve consistency with the approach recommended elsewhere in the PDP and reflect the requirements of recent legislative changes.

8.4 Town Centre Zone

248. The following amendments are recommended to the Town Centre Zone provisions:

- delete TCZ-R1(PER-2), which currently requires buildings to adjoin the road boundary before a permitted activity pathway applies for external alterations and additions;
- amend TCZ-S9 (Outdoor Storage Screening) to focus screening requirements on visibility from public places when viewed from an eye level of 1.7 metres above ground level;
- amend TCZ-S11 (Servicing and Firefighting Water Supply and Access) to correct the title of the applicable Firefighting Water Supplies Code of Practice;
- amend TCZ-R15 (Service Stations) to provide a Discretionary Activity pathway rather than a Non-Complying Activity pathway; and
- make associated consequential amendments to rule numbering.

249. These amendments improve the efficiency and proportionality of the Town Centre Zone provisions while continuing to support the intended built form, amenity and pedestrian-focused character of the town centre. The discretionary activity pathway for service stations enables site-specific assessment of effects without imposing the higher threshold associated with a non-complying activity status.

8.5 Large Format Retail Zone

250. No amendments are recommended to the Large Format Retail Zone provisions. The submissions received supported the provisions as notified, and I consider they remain appropriate and effective in achieving the purpose and outcomes anticipated for the zone.

8.6 Overall Conclusion

251. Overall, the recommended amendments provide a proportionate response to the submissions. They improve the accuracy, clarity and practical operation of the Commercial Zones provisions, recognise the operational requirements of emergency service facilities, refine outdoor storage screening controls, and provide greater certainty within the definition framework. At the same time, the recommendations retain the overall commercial centres hierarchy, support well-functioning urban environments, protect amenity where appropriate, and maintain the distinct roles of the Local Centre, Mixed Use, Town Centre and Large Format Retail Zones. The recommended amendments are therefore considered the most appropriate way to achieve the objectives of the Proposed Waitaki District Plan.

Appendix 1
Recommended Changes to Provisions

Definitions

Repair workshop means the commercial mechanical repair and servicing of motor vehicles (includes motorcycles, caravans, boat motors, trailers) inside a building.

Camping ground: "has the same meaning as section 2 of the Camping Grounds Regulations 1985: means any area of land used, or designed or intended to be used, for rent, hire, donation, or otherwise for reward, for the purposes of placing or erecting on the land temporary living places for occupation, by two or more families or parties (whether consisting of one or more persons) living independently of each other, whether or not such families or parties enjoy the use in common of entrances, water supplies, cookhouses, sanitary fixtures, or other premises and equipment Note: This definition excludes nohoaka entitlements as identified in the Ngāi Tahu Claims Settlement Act.

Mixed Use Zone

Introduction

The Mixed Use Zone provides for a compatible mixture of residential dwellings, commercial, recreational, educational and community activities. Retail activity is only provided for where the goods are manufactured, processed or repaired on site and floor space is capped. These measures seek to preserve the role and viability of town centres or local centres and prevent a dispersion of retail activities.

Ōamaru has a generous amount of mixed use land wrapping around the eastern and northern end of the town centre. The zone anticipates a range of lighter industrial uses and service-orientated businesses, with associated retail, wholesale and office functions. There are scatterings of commercial activities, education activity, community uses, and residential living.

There is also mixed use land south of the town centre, predominantly between Tyne Street and the waterfront. The mixed use land in this area is also addressed by the Ōamaru Harbour Precinct chapter, recognising that it is an important area for recreation, visitor activities and visitor accommodation, with the harbour home to the Ōamaru Blue Penguin Colony, a bike park, steampunk playground, campground and other accommodation, as well as being the end point of the A2O cycle trail. These activities sit alongside the harbour which continues to function as a working port. The additional objectives, policies and rules for the Ōamaru Harbour Precinct provisions are contained in the Ōamaru Harbour Precinct chapter. There is also Mixed Use Zone land at Ōmarama, which accommodates a range of commercial, service and residential activities that support the township and surrounding rural catchment.

The Ōamaru Town Centre Design Guidelines have been developed to provide advice and principles for new development in the town centre, and also incorporate design guidance for mixed use gateway areas into the town centre and the Ōamaru Harbour Precinct.

Standards

MUZ-S9	Outdoor storage screening
1. Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscaping or building, or a combination of these, so it is not visible from any public place when viewed from an eye level of 1.7m above ground level.[16] ~~a. public place; and~~ ~~b. adjoining site~~ 2. Clause 1 does not apply to motor vehicles ancillary to the activity on the site or the display of goods for sale.	**Matters of discretion are restricted to:** 1. any adverse effects on the streetscape; and 2. any adverse effects on the amenity values of properties of adjoining sites (including those opposite, where separated by a road).

MUZ-S12	Servicing and firefighting water supply and access
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.

Town Centre Zone

Rules

TCZ-R1	Building activity – external alterations and additions to existing buildings and structures	
Town Centre Zone	**Activity status: Permitted** **Where:** PER-1 All of the following standards are complied with where relevant: 1. TCZ-S1 Maximum height; 2. TCZ-S2 Height in relation to boundary; 3. TCZ-S3 Active street frontage; 4. TCZ-S4 Shopping frontage (verandas); 5. TCZ-S5 Rail corridor setbacks; 6. TCZ-S6 Internal boundary setbacks; 7. TCZ-S7 Maximum setback from internal boundaries; and 8. TCZ-S11 Servicing and firefighting water supply and access **and** ~~PER-2~~ ~~The building must adjoin the road boundary.~~	**Activity status when compliance is not achieved: Restricted Discretionary** **Where:** RDIS-1 Compliance is not achieved with PER-1 **Matters of discretion are restricted to:** 2. the matters of discretion listed in any of the standards TCZ-S1, TCZ-S2, TCZ-S3, TCZ-S4, TCZ-S6, TCZ-S7, and/or TCZ-S11 that are not complied with. ~~**Activity status when compliance is not achieved: Discretionary**~~ - ~~**Where:**~~ ~~DIS-1~~ ~~Compliance is not achieved with PER-2~~

TCZ-R13	Service Stations	
Town Centre Zone	**Activity status: ~~Non-Complying~~ Discretionary**	**Activity status when compliance is not achieved: Not Applicable**

TCZ-R13~~4~~	**Any other activity not provided for as a permitted, restricted discretionary or noncomplying activity.**	
Town Centre Zone	**Activity status: Discretionary**	**Activity status when compliance is not achieved: Not Applicable**
TCZ-R14~~5~~	**Intensive indoor primary production**	
Town Centre Zone	**Activity status: Non-Complying**	**Activity status when compliance is not achieved: Not Applicable**

Standards

TCZ-S9	**Outdoor storage screening**
1. Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscaping or building, or a combination of these, so it is not visible from any public place when viewed from an eye level of 1.7m above ground level.[17] ~~a. public place; and~~ ~~b. adjoining site~~ 2. Clause 1 does not apply to motor vehicles ancillary to the activity on the site.	**Matters of discretion are restricted to:** 1. any adverse effects on the streetscape; and 2. any adverse effects on the amenity values of properties of adjoining sites (including those opposite, where separated by a road).

TCZ-S11	**Servicing and firefighting water supply and access**
1. All new buildings must be connected to reticulated services where these are available; and 2. All new buildings must comply with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.	**Matters of discretion are restricted to:** 1. The extent to which the site is appropriately serviced including wastewater, stormwater, and water supply, including a firefighting water supply and access to that supply in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008.