

FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO, A SUBMISSION ON NPDC'S NOTIFIED PROPOSED DISTRICT PLAN

Clause 8 of Schedule 1 Resource Management Act 1991

To: New Plymouth District Council
Address: Private Bag 2025, New Plymouth 4342
Email: districtplan@npdc.govt.nz

Further Submitter Details

Name of further submitter: Bluehaven Commercial Limited

Contact person (if different from above): Jeremy Brophy (BTW Company Limited)

Postal address: PO Box 551, New Plymouth 4340

Email address for service: jeremy.brophy@btw.nz

Phone number: 027 362 2562

The Council will serve all formal documents by email. Where there is no email address provided, the documents will be posted to the postal address stated above.

I am: (please tick relevant box)

- a) A person representing a relevant aspect of the public interest.
(In this case, also specify the grounds for saying that you come within this category); or
- b) A person who has an interest in the proposal that is greater than the interest of the general public.
(In this case, also explain the grounds for saying that you come within this category); or
- c) The local authority for the relevant area.

Please state the grounds as to why you come within the category selected above:

Bluehaven Commercial Limited (Bluehaven) has an interested that is greater than the interest the general public has, for the reasons below:

- Bluehaven made an original submission on matters raised or affected by those submissions. A number of the submission points relate to provisions in the City Centre Centre Zone, that may have a relationship to the proposed Sub Regional Centre Zone provisions that will be drafted.
- Bluehaven is representing a relevant aspect of the public interest, namely the redevelopment of 662 Devon Road. This will include removal of a public health risk being the deteriorating asbestos buildings on the property at 662 Devon Road. The development of a modern commercial complex will create jobs locally during construction and once operational on a main entrance corridor to the city.
- Bluehaven has an interest as a landowner in respect to the property at 662 Devon Road, New Plymouth which will be developed as a commercial complex. This future development and zoning of this land is potentially affected (directly or indirectly) by the relevant submissions.

Council Hearing (please tick relevant box)

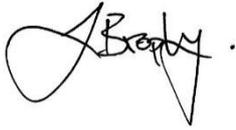
Do you wish to be heard in support of your further submission? Yes No

If others make a similar submission would you consider presenting a joint case with them at a hearing? Yes No

Submission

The submission points, support or opposition, reasons and decisions sought are set out in the attached document.

Note: *Any attachments to your submission should only be supporting information, not the submission.*

A handwritten signature in black ink, appearing to read 'Becky', with a large loop at the start and a dot at the end.

Signature of the person making further submission
or the person authorised to sign on behalf of the
person making further submission

25/8/2020

Date

1. Introduction

This further submission provides an update on progress that has been made obtaining relevant resource consents and approvals to establish a commercial complex at 662 Devon Road, Waiwhakaiho. Comments are also provided on other relevant submissions that have been lodged as part of the Proposed District Plan (PDP) review process.

2. Suite of Resource Consents that have now been Obtained

Since Bluehaven Commercial Limited (Bluehaven) lodged their original submission on the PDP, all relevant resource consents have been obtained from New Plymouth District Council (NPDC) and the Taranaki Regional Council (TRC) to progress development of the commercial complex on the property at 662 Devon Road, Waiwhakaiho.

Reformation of Aōtere Pā is also part of this resource consent approval, which will be completed on land that is owned by Ngāti Tawhirikura Hapū Charitable Trust adjoining Smart Road. Bluehaven intend to give effect to these resource consents this year, with asbestos clad buildings being deconstructed and remediation of soils commencing towards the end of 2020.

The following resource consents have been obtained to establish the proposed commercial development, including reformation of Aōtere Pā:

- The NPDC land use consent LUC17/47175 was granted on 3 April 2020.
- The following TRC resource consents were granted on 12 February 2020:
 - Consent 10789-1.0 Land Use Consent for erosion protection on the Mangone Stream.
 - Consent 10788-1.0 Discharge Permit for Stormwater from Bulk Earthworks.
 - Consent 10787-1.0 Land Use Consent to construct a new bridge over the Mangone Stream.

With these consents having been obtained (and shortly being given effect to) they are now considered to form part of the existing environment, whereby NPDC shall consider the development as part of the PDP. As a result of soil remediation and bulk earthworks commencing shortly a specific zone is sought to provide for this significant development.

To 'give effect' to LUC17/47175 Bluehaven are only required to commence soil disturbance activities related to NESCS process. This has been confirmed and agreed by NPDC within the granted resource consent as an advice note under condition 14. Once soils disturbance activities related to the NESCS process occur all activities that were described in the resource consent can be established and the consent approval will not lapse.

As outlined in the original submission, the current notified PDP General Industrial Zone provisions poorly align with this confirmed future use, and a 'Sub Regional Centre Zone' is sought to be created to provide a suite of relevant provisions for this development.

The following parties provided their written approval to the District and Regional Council, land use consents and support the development:

1. Te Kotahitanga o Te Atiawa
2. Ngāti Tawhirikura Hapū
3. Puketapu Hapū
4. Heritage New Zealand Pohere Taonga
5. New Zealand Transport Agency
6. Gasoline Properties NZ (owner of 636-646 Devon Road) Z Service Station (occupier)
7. Marsden Machinery Limited (owner of 680 Devon Road, on behalf of occupiers)
8. Otago Foundation Trust Board Limited, Southern Capital Limited (owner of 38-42 Smart Road) Hirepool (occupier)
9. Ravensdown Fertiliser Limited (owner and occupier of 55 Smart Road)
10. John and Mary Hamblyn (owner of 674 Devon Road), Entec and NZ Couriers (occupiers)
11. New Plymouth District Council, Infrastructure Team

3. Support Provided to Ngāti Tawhirikura Hapū and Te Kotahitanga o Te Atiawa

Development of 662 Devon Road will provide an opportunity for Ngāti Tawhirikura Hapū to reassert their tribal identity in their Waiwhakaiho rohe with reformation of Aōtere Pā. Bluehaven has worked collaboratively with hapū and iwi over the past few years progressing resource consents for the development of 662 Devon Road and supports their continued involvement in the PDP review, as kaitiaki.

4. Support Provided to Other Adjoining Landowners

Bluehaven supports the submissions lodged by Bro Devon Limited (690 Devon Road), Gordon Stables Industries (686-688 Devon Road), Marsden Machinery Limited (680 Devon Road) and Ian Humphrey (which seek that the General Industrial Zoning of their properties fronting Devon Road (located directly to the north of Bluehaven's property at 662 Devon Road), that was notified in the PDP, be changed to Mixed-Use Zone. Industrial activity businesses that cannot not afford to occupy these entry corridor sites and are more suited to operating in less visually prominent industrial zoned land holdings.

As an entry corridor to New Plymouth, a Mixed-Use Zone for these properties would complement the future commercial development of 662 Devon Road and positively contribute to New Plymouth's entry corridor.

John and Mary Hamblyn's (owners of 684 Devon Road, occupied by Entec and NZ Couriers) submission seeking that their property is zoned 'Sub Regional Centre Zone' is also supported.

5. Key theme's that Bluehaven Hold Strong Policy Views on

- Urban Design Guidelines

Bluehaven opposes the PDP's application of urban design guides and believes that this prescriptive form of control has the potential to affect architectural creativity and the resultant urban design outcomes. Bluehaven's Commercial development has been designed by specialist commercial complex Architects, who have drawn on their considerable experience in shaping and creating functional urban spaces. It is noted that the City Centre Zone, Residential Zone and Subdivision provisions as notified under the PDP would all be subject to Design Guides. The Design Guides as currently proposed create prescriptive standards that will in effect be treated as rule triggers instead of guidelines. Bluehaven therefore formally lodges a further submission to oppose design guides where any consequential changes to the PDP affect the property at 662 Devon Road.

- Commercial Signage (Including Digital and Third-Party Signs)

As outlined in Bluehaven's primary submission, the PDP's general intent to restrict digital signage only to the City Centre Zone, and restrictions/new provisions on third party signage is opposed. The PDP considers any third-party sign that is not in the Central City Zone as a non-complying activity, which is considered to be overly onerous. Bluehaven therefore formally lodges a further submission opposing all provisions related to digital and third-party signage as proposed. Digital signage is a modern form of advertising and has its place within urban environments, including the 'Sub Regional Centre Zone'.

6. Recent National Level Policy Direction

The National Policy Statement for Urban Development 2020 (NPSUD) has recently been gazetted by the Government. Of note is the requirement for Territorial Authorities to not require a minimum number of onsite parking spaces. Developers may still choose to provide car parking in many areas, but the number of car parks will be driven by market demand.

NPDC is a tier 2 territorial authority, whereby they are required to implement the policies no later than 18 months after commencement of the NPSUD. Territorial authorities must remove the provisions from their District Plans without using a public plan change process. Given this change will be required, it is considered to be most efficient for NPDC to provide for this Central Government legislated change as part of this PDP review process. The further submission table below notes a number of provisions where it is recommended that NPDC provide for this requirement.

7. Consultation with NPDC Policy Team

On 17 June 2020 the first consultation meeting was held between NPDC District Plan Review Staff, Bluehaven and their consultants. Liam Hodgetts (NPDC Group Manager Strategy), Juliet Johnson (NPDC Planning Manager) and Sarah Edwards (NPDC District Plan Lead) attended this meeting with Nathan York (Bluehaven Chief Executive), Bryan Perring (Kaitiaki Property Development Director) and Jeremy Brophy (BTW Manager Planning) to discuss Bluehaven's development.

The meeting enabled Bluehaven to introduce the commercial development complex to NPDC's District Plan Review Team, and to discuss implications of the recent covid-19 outbreak on the local economy.

It was acknowledged by NPDC that with resource consent being obtained for the development of 662 Devon Road, NPDC will consider the implications of this and will update their Section 32 economic assessment regarding provision for industrial, commercial land that had been completed by Property Economics. Bluehaven looks forward to receiving a copy of this amended Section 32 report when it has been revised.

8. Correction to Summary Documents

It is noted that the requested change of zone from General Industrial Zone to Sub Regional Zone has been omitted from the Planning Maps submission summary document. This submission point needs to be added for properties 662 Devon Road (Bluehaven) and 674 Devon Road (John and Mary Hamblyn).

9. Overall Conclusions

Given that relevant resource consents have now been obtained (and will be given effect to shortly) the PDP shall consider the proposed development as part of the existing environment. The PDP provisions should reflect this future intended commercial use, which is completely inconsistent with the notified General Industrial Zone provisions for the property.



Name of Further Submitter: Bluehaven Commercial Limited

My specific further submission(s) are as follows:

(Please only insert one further submission point per line. Add further sheets as required)

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Venture Taranaki - Anne Probert - 296 9 Robe St 9 Robe St New Plymouth 4340 Phone: 067595168 Mobile: 067595168 Email: anne@venture.org.nz	Sub No. / Point No. 295.1	Support / Oppose Support n part	Provision DP General	Supports some of the theme's raised in the submission supporting the Proposed District Plan to be "future focused, consistent" and "and avoids restrictions that could limit the region's potential to diversify, elevate and evolve". The Bluehaven development represents a modern commercial complex that provides an opportunity for tenants that are not currently in New Plymouth, providing for job creation, a greater variety of shopping locally and entertainment.	Allow.
Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren - 459 PO Box 1097, Taranaki Mail Centre, New Plymouth 4340 Email: sarah@teatiawa.iwi.nz	Sub No. / Point No. 459.351	Support / Oppose Support	Provision DP General	Support is given to the use of Te Reo throughout the Proposed District Plan.	Allow.
Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren - 459 PO Box 1097, Taranaki Mail Centre, New Plymouth 4340 Email: sarah@teatiawa.iwi.nz	Sub No. / Point No. 459.354	Support / Oppose Support	Provision DP General	Agrees that only Tāngata Whenua shall be considered as cultural effects experts.	Allow.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Landpro Limited - Kathryn Hooper – 475 Postal address: P. O. Box 8235 New Plymouth 4310 Email: kathryn@landpro.co.nz	Sub No. / Point No. 475.1	Support / Oppose Supports in part.	Provision DP General	Partly agrees that the activities-based plan will create more discretionary activities, where planning interpretation can vary widely.	Allow in part.
Landpro Limited - Kathryn Hooper - 475 Postal address: P. O. Box 8235 New Plymouth 4310 Email: kathryn@landpro.co.nz	Sub No. / Point No. 475.18	Support / Oppose Support.	Provision DP General	Considering the length of time NPDC had to prepare the Proposed District Plan, the submitter agrees with this point – two months is not enough time to carefully consider each objective, policy, rules and standards. However, it is noted that this statutory timeframe is a Resource Management Act requirement.	Allow.
Ngāti Tawhirikura Hapū - Ngamata Skipper - 519 c/- 5 Hume Street , WAITARA 4320 Email address: Tawhirikura.hapu@gmail.com, nskipper@xtra.co.nz	Sub No. / Point No. 519.28b	Support / Oppose Support.	Provision Planning Maps	Supports the addition of Pukeweka, Katere Historic Reserve/Katere Scenic Reserve and Aōtere Pā as Māori Purpose Zone.	Allow.
Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren - 503 PO Box 1097, Taranaki Mail Centre, New Plymouth 4340 Email: sarah@teatiawa.iwi.nz	Sub No. / Point No. 503.2	Support / Oppose Support.	Provision Statutory Context	Supports the amendment to include references to Te Ati Awa's Iwi Environmental Management Plan Tai Whenua, Tai Tangata, Tai Ao within the Proposed District Plan.	Allow.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Bunnings Limited - Mary Wong (Barker & Associates Limited) – 208 3-13 Shortland Street Auckland City Auckland 1140 Email: maryw@barker.co.nz	Sub No. / Point No. 208.1b	Support / Oppose Support.	Provision Definitions Nesting Tables	A definition for trade supplier should be added to the Proposed District Plan, and trade supplier shall be retained within the nesting table.	Allow.
John and Mary Hamblyn - Jeremy Brophy (BTW Company Limited) - 581 Postal address: PO Box 551, New Plymouth Email: jeremy.brophy@btw.nz	Sub No. / Point No. 581.1	Support / Oppose Support.	Provision GIZ / Zoning	Supports the submitters opposition to the General Industrial Zone on their property at 674 Devon Road.	Allow.
Harvey Norman Properties (NZ) Limited - Daniel Shao (Haines Planning Consultants Limited) - 502 PO Box 90842, Victoria Street West AUCKLAND 1142 Email: daniel.shao@hainesplanning.co.nz	Sub No. / Point No. 502. 2	Support / Oppose Oppose	Provision Definitions / LARGE FORMAT RETAIL ACTIVITIES	Submission does not acknowledge that there can be a range of LFR stores across all types of retail. The specific industry standards are not specified in the submission.	Disallowed.
Woolworths New Zealand Limited - R Ritchie (The Property Group Limited) - 296 PO Box 2874 Wellington 6140 Email: rritchie@propertygroup.co.nz	Sub No. / Point No. 296.9	Support / Oppose Support	Provision Definitions / SUPERMARKETS	Supports provision for pharmacy related activities within the definition of supermarket.	Allow.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Speedy Signs New Plymouth - Kevin Jones – 465 93 Gill Street New Plymouth Email address: owner.newplymouth@speedysigns.co.nz	Sub No. / Point No. 465.1	Support / Oppose Support	Provision SIGN / Policies / SIGN-P3	Support is provided that third party signage should be provided for beyond the City Centre Zone, including on State Highways. Submission summary states: Policy SIGN-P3 (Incompatible signs) is restrictive and should be amended to allow for third party signage beyond the City Centre Zone, as the state highways provide a better visual opportunity to advertise than on-location in town.	Allow
Craig Williamson - 358.6 21 Puni Street, Fitzroy, New Plymouth 4312 E-mail address: mail@surfingtaranaki.org	Sub No. / Point No. 358.6	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Support is provided to this submission. Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone, for the following reasons: <ul style="list-style-type: none"> • third party signs play an important role in identification, information, direction and safety • third party signs are important for advertising and providing income for building owners • billboards and comprehensive development signage contribute to social and economic well-being Submission summary states: Amend Rule SIGN-R13 as follows: SIGN-R13: Third party signs (excluding temporary signs) <ul style="list-style-type: none"> (1) City Centre Zone <u>Town Centre Zone</u> <u>Local Centre Zone</u> <u>Mixed Use Zone</u> <u>Large Format Retail Zone</u> <u>General Industrial Zone</u> <u>Open Space and Recreation Zone</u> Activity status: PER <ul style="list-style-type: none"> (2) Town Centre Zone Local Centre Zone Mixed Use Zone Large Format Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones 	Allow. Include 'Sub Regional Centre' as a zone that is enabled in a similar way to the City Centre Zone.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
				Special Purpose Zones Rural Zones Activity status: NC	
Damian Ellerton - 143 12 Rossiter Cres Lynmouth New Plymouth 4310 Phone: 021473969 Email: damian@marshallday.co.nz	Sub No. / Point No. 143.7	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone, for the following reasons: <ul style="list-style-type: none"> • third party signs play an important role in identification, information, direction and safety • third party signs are important for advertising and providing income for building owners • billboards and comprehensive development signage contribute to social and economic well-being Submission summary states: Amend Rule SIGN-R13 as follows: SIGN-R13: Third party signs (excluding temporary signs) (1) City Centre Zone <u>Town Centre Zone</u> <u>Local Centre Zone</u> <u>Mixed Use Zone</u> <u>Large Format Retail Zone</u> <u>General Industrial Zone</u> Activity status: PER (2) Town Centre Zone Local Centre Zone Mixed Use Zone Large Format Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zones Rural Zones Activity status: NC	Allow. Include 'Sub Regional Centre' as a zone where digital signage is enabled in a similar way to the City Centre Zone.
Ekdahl Properties Limited - Paul Ekdahl – 497 284 Junction Road, New Plymouth	Sub No. / Point No. 497.10	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Support is provided to this submission. Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone, for the following reasons: <ul style="list-style-type: none"> • third party signs play an important role in identification, information, direction and safety 	Allow. Include 'Sub Regional Centre' as a zone where digital signage is enabled in a similar way to the City Centre Zone.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Email: kauri.holdings@xtra.co.nz				<ul style="list-style-type: none"> • third party signs are important for advertising and providing income for building owners • billboards and comprehensive development signage contribute to social and economic well-being <p>Submission summary states:</p> <p>Amend Rule SIGN-R13 as follows: SIGN-R13: Third party signs (excluding temporary signs)</p> <p>(1) City Centre Zone <u>Town Centre Zone</u> <u>Local Centre Zone</u> <u>Mixed Use Zone</u> <u>Large Format Retail Zone</u> <u>General Industrial Zone</u> <u>Open Space and Recreation Zone</u></p> <p>Activity status: PER</p> <p>(2) Town Centre Zone Local Centre Zone Mixed Use Zone Large Format Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zones Rural Zones</p> <p>Activity status: NC</p>	
Ekdahl Property Management - Mike Ekdahl - 213 178a Devon St East New Plymouth 4310 Email: mike@ekdahl.co.nz	Sub No. / Point No. 213.6	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Support is provided to this submission. Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone, for the following reasons: <ul style="list-style-type: none"> • third party signs play an important role in identification, information, direction and safety • third party signs are important for advertising and providing income for building owners • billboards and comprehensive development signage contribute to social and economic well-being <p>Submission summary states:</p>	Allow. Include 'Sub Regional Centre' as a zone where digital signage is enabled in a similar way to the City Centre Zone.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
				Amend Rule SIGN-R13 as follows: SIGN-R13: Third party signs (excluding temporary signs) (1) <u>City Centre Zone</u> <u>Town Centre Zone</u> <u>Local Centre Zone</u> <u>Mixed Use Zone</u> <u>Large Format Retail Zone</u> <u>General Industrial Zone</u> <u>Open Space and Recreation Zone</u> Activity status: PER (2) Town Centre Zone Local Centre Zone Mixed Use Zone Large Format Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zones Rural Zones Activity status: NC	
Ekdahl Property Management - Steve Ekdahl - 496 178a Devon St East New Plymouth 4310 Email: ekdahlsteve@gmail.com	Sub No. / Point No. 496.8	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone, for the following reasons: <ul style="list-style-type: none"> • third party signs play an important role in identification, information, direction and safety • third party signs are important for advertising and providing income for building owners • billboards and comprehensive development signage contribute to social and economic well-being Submission summary states: Amend Rule SIGN-R13 as follows: SIGN-R13: Third party signs (excluding temporary signs) (1) <u>City Centre Zone</u> <u>Town Centre Zone</u> <u>Local Centre Zone</u> <u>Mixed Use Zone</u> <u>Large Format Retail Zone</u>	Allow. Include 'Sub Regional Centre' as a zone where digital signage is enabled in a similar way to the City Centre Zone.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
				General Industrial Zone Open Space and Recreation Zone Activity status: PER (2) Town-Centre Zone Local-Centre Zone Mixed-Use Zone Large-Format-Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zones Rural Zones Activity status: NC	
Harvey Norman Properties (NZ) Limited - Daniel Shao (Haines Planning Consultants Limited) - 502 PO Box 90842, Victoria Street West AUCKLAND 1142 Email: daniel.shao@hainesplanning.co.nz	Sub No. / Point No. 502.16	Support / Oppose Support	Provision SIGN / Rules / SIGN-R13	Support is provided to this submission. Rule SIGN-R13 (Third party signs) is restrictive and should be amended to allow for third party signs beyond the City Centre Zone. The submitter considers the non-complying component of the rule to be draconian; does not reflect an appropriate balancing of the positive and negative attributes of signs (outside of the CBD); and is untenable in light of Objective SIGN-O1.	Allow - Amend Rule SIGN-R13(2) by reducing the activity status from non-complying to discretionary.
Harvey Norman Properties (NZ) Limited - Daniel Shao (Haines Planning Consultants Limited) - 502 PO Box 90842, Victoria Street West AUCKLAND 1142 Email: daniel.shao@hainesplanning.co.nz	Sub No. / Point No. 502.13	Support / Oppose Support	Provision SIGN / Rules / SIGN-R14	Support is provided to Rule SIGN-R14 (Digital signage) being too restrictive and should be amended to allow for third party signs beyond the City Centre Zone. The submitter considers the non-complying component of the rule to be draconian; does not reflect an appropriate balancing of the positive and negative attributes of signs (outside of the CBD); and is untenable in light of Objective SIGN- O1.	Allow – Provide for the 'Sub Regional Centre Zone' to enable digital signage, in a similar way to how the City Centre Zone is currently drafted.
Waka Kotahi New Zealand Transport Agency – 566 PO Box 973 Email address: mike.wood@nzta.govt.nz	Sub No. / Point No. 566.100	Support / Oppose Oppose	Provision SIGN / Rules / SIGN-R14	Bluehaven supports use of digital signage that maintains the safety of the State Highway and Local Road network. However, the current provisions are considered to provide a sufficient level of assessment with regards to traffic safety effects. The Sub Regional Centre Zone	Disallow.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
				<p>should enable digital signage in a similar way that the City Centre Zone provisions do</p> <p>Submission summary states:</p> <p>Clause (1) of Rule SIGN-R14 (Digital signs), which relates to restricted discretionary activities, requires strengthening and should be amended to:</p> <ul style="list-style-type: none"> • manage the effect of driver distraction on the safe operation of the transport network • be consistent with NZTA practice and AS/NZS4282:2019 <p>Clause (2) of Rule SIGN-R14 (Digital signs), which relates to non-complying activities, is supported.</p> <p>Amend Rule SIGN-R14 as follows: SIGN-R14: Digital signs and signs containing moving images, text or lights (other than touch-screen interactive digital signs) (1) City Centre Zone Activity status: RDIS Where: ... 2. the sign is not: ... c. creating more than 10.0 lux spill (horizontal and vertical) of light when measured or calculated 2m within the boundary of any adjacent site and/or arterial road and/or collector road. 3. In addition to (1) and (2) above, for digital displays, where: ... b. the sign only displays still images, and where multiple still images are displayed, each still image must be displayed for a minimum of seven seconds each before changing to a different still image; ... f. the sign does not include flashing or revolving lights or any animation. 4. the Sign Effects Standards SIGN-S8 and SIGN-S10 are complied with.</p>	

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				Matters over which discretion is restricted: ... 6. Whether the extent of the impacts of the sign are increased or lessened due to: ... b. the prominence of the sign due to its illuminated or animated nature and ability to draw the eye; ... d. the proximity of the display to other properties and the likely effects of such intermittent or flashing lights or changing images upon those properties and their occupants. ... Retain Rule SIGN-R14(2) (Non-complying Digital signs) as notified.	
Waka Kotahi New Zealand Transport Agency - Mike Wood (Principal Planner) 566 PO Box 973 Email address: mike.wood@nzta.govt.nz	Sub No. / Point No. 566.24	Support / Oppose Support	Provision TRAN / Policies / TRAN-P1	Bluehaven supports policy TRAN-P1 (Road transport network hierarchy).	Allow.
Waka Kotahi New Zealand Transport Agency - Mike Wood (Principal Planner) 566 PO Box 973 Email address: mike.wood@nzta.govt.nz	Sub No. / Point No. 566.12	Support / Oppose Support in part	TRAN / Policies / TRAN-P3	Bluehaven supports policy TRAN-P3 (Activities close to the transport network) is supported because it supports the safe, efficient and effective operation of the transport network.	Allow.

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Bluehaven Commercial Limited - Jeremy Brophy (BTW Company Limited) - 584 Postal address: PO Box 551, New Plymouth Email: jeremy.brophy@btw.nz	Sub No. / Point No. 584.31	Support / Oppose Oppose	Provision TRAN / Policies / TRAN-P9	The policy needs to be further amended in light of the recent NPS for Urban Development 2020, requiring that Territorial Authorities remove the requirement for onsite parking within 18 months from NPS commencement date.	Disallow – PDP provisions to reflect the NPS for Urban Development 2020 in relation to on-site parking.
Waka Kotahi New Zealand Transport Agency - Mike Wood (Principal Planner) - 566 PO Box 973 Email address: mike.wood@nzta.govt.nz	Sub No. / Point No. 566.48	Support / Oppose Oppose	Provision TRAN / Policies / TRAN-P18	An ITA should relate to safety and efficiency of road network and should not specifically include likely costings and budget allocations for improvements to the road transport network. This is a matter to be addressed outside of a resource consent process, which has a focus on environmental effects under the RMA. Submission summary states: Policy TRAN-P18 (High trip generator activities required to manage adverse effects) requires strengthening and should be amended to ensure that the ITA is sufficiently robust, including additional references to alternative modes and identifying any likely costings and budget allocations for improvements to the road transport network.	Disallow in part.
John and Mary Hamblyn - Jeremy Brophy (BTW Company Limited) - 581 Postal address: PO Box 551, New Plymouth Email: jeremy.brophy@btw.nz	Sub No. / Point No. 581.40	Support / Oppose Support	Provision TRAN / Policies / TRAN-P18	Support submission as is aligns with Bluehaven's position.	Allow.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
Waka Kotahi New Zealand Transport Agency - Mike Wood (Principal Planner) - 566 PO Box 973 Email address: mike.wood@nzta.govt.nz	Sub No. / Point No. 566.46	Support / Oppose Oppose	Provision TRAN / Policies / New policy	Bluehaven opposes the addition of funding terminology within the Proposed District Plan. Submission summary states: A further policy should be added to the Transport Chapter to ensure land use, subdivision and urban growth is aligned with infrastructure planning and funding.	Disallow in part.
Kāinga Ora - Homes and Communities - Dr Claire Kirman – 563 Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140 Email: claire.kirman@kaingaora.govt.nz; adevine@ellisgould.co.nz	Sub No. / Point No. 563.261	Support / Oppose Support	Provision TRAN / Rules / TRAN-R6	Supports in part the submission that Rule TRAN-R6 (Erection of structures on or adjacent to an indicative road network) is retained.	Allow.
Z Energy Limited - 284 201 Victoria Street West PO Box 911 310 Email: matthewt@4sight.co.nz	Sub No. / Point No. 284.40	Support / Oppose Support	Provision TRAN / Rules / TRAN-R9	Supports in part the submission to consider vehicle access points onto a State Highway where a non-compliance with effects standards occurs to be a restricted discretionary activity, instead of a full discretionary activity. Submission summary states: Rule TRAN-R9 (Vehicle access points onto a state highway) is onerous and should be amended so that where non-compliance with an effects standard occurs, the activity defaults to restricted discretionary, rather than full discretionary. The submitter considers that the effects of non-compliance will be limited to transportation matters and these can be more than adequately addressed via the restricted discretionary activity process.	Allow in part.

I support/oppose the submission of: <i>(State the submission no., name and address of the person making the original submission)</i>	The particular part of the submission I support/oppose are: <i>(State the Submission No./Point no. of the original submission you support or oppose, together with any relevant provisions of the proposal)</i>			The reasons for my support / opposition are: <i>(State the nature of your further submission, giving reasons)</i>	I seek that the whole (or part) of the submission be allowed / disallowed: <i>(Give precise details of the decision you want the Council to make)</i>
				<p>The submitter considers that this is a common issue with the way the transport provisions have been drafted and suggests the change could be adopted throughout the Transport Chapter.</p>	
<p>The Oil Companies (Z Energy, Mobil Oil New Zealand, BP Oil New – 551</p> <p>201 Victoria Street West PO Box 911 310 Email: matthewt@4sight.co.nz</p>	<p>Sub No. / Point No.</p> <p>551.53</p>	<p>Support / Oppose</p> <p>Support</p>	<p>Provision</p> <p>TRAN / Rules / TRAN-R9</p>	<p>Supports in part the submission to consider vehicle access points onto a State Highway where a non-compliance with effects standards occurs to be a restricted discretionary activity, instead of a full discretionary activity.</p> <p>Submission summary states: Rule TRAN-R9 (Vehicle access points onto a state highway) is onerous and should be amended so that where non-compliance with an effects standard occurs, the activity defaults to restricted discretionary, rather than full discretionary. The submitter considers that the effects of non-compliance will be limited to transportation matters and these can be more than adequately addressed via the restricted discretionary activity process.</p> <p>The submitter considers that this is a common issue with the way the transport provisions have been drafted and suggests the change could be adopted throughout the Transport Chapter.</p>	<p>Allow in part – that the activity defaults to restricted discretionary, rather than full discretionary.</p>
<p>John and Mary Hamblin - Jeremy Brophy (BTW Company Limited) - 581</p> <p>Postal address: PO Box 551, New Plymouth Email: jeremy.brophy@btw.nz</p>	<p>Sub No. / Point No.</p> <p>581.15</p>	<p>Support / Oppose</p> <p>Support</p>	<p>Provision</p> <p>UFD / Strategic Objectives / UFD-18</p>	<p>Support is given to the submission as it aligns with Bluehaven's position.</p>	<p>Allow.</p>
<p>Te Kotahitanga o Te Atiawa Trust - Hemi Sundgren - 459</p> <p>PO Box 1097, Taranaki Mail Centre, New Plymouth 4340</p>	<p>Sub No. / Point No.</p> <p>459.153</p>	<p>Support / Oppose</p> <p>Support</p>	<p>Provision</p> <p>WB / Objectives / WB-O4</p>	<p>Support is given to the specific listing of statutory acknowledgements.</p> <p>Submission summary states: Supports Objective WB-O4 (tangata whenua relationship with waterbodies) but seeks an amendment to reflect not only the relationship of Māori with their traditions associated</p>	<p>Allow.</p>

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Email: sarah@teatiawa.iwi.nz				within waterbodies, but also their culture and associations, to accord with RMA Section 6.	
Ekdahl Property Management - Mike Ekdahl – 213 178a Devon St East New Plymouth 4310 Email: mike@ekdahl.co.nz	Sub No. / Point No. 213.8	Support / Oppose Oppose	Provision APP3 / City and Town Centre Design Guide	Support is provided to this submission that the Central City Design Guide (CCDG) may create significant additional costs for little benefit. Supports the opposes to mandatory assessment of the CCDG as part of resource consents in a way that becomes standards. Submission summary states: Opposes the CCDG as it may create additional compliance costs without clear benefits. Opposes the mandatory CCDG information requirements for resource consents. Opposes the emphasis within the CCDG on creating positive street and public spaces by ensuring consistency of building height as this conflicts with wider policy direction for compact growth. Considers that good street and public spaces are dictated by building design at first two levels and not building tops.	Allow.
Kāinga Ora - Homes and Communities - Dr Claire Kirman Ellis Gould Lawyers, Level 17, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140 Email: Email: claire.kirman@kaingaora.govt.nz; adevine@ellisgould.co.nz	Sub No. / Point No. 563.565	Support / Oppose Support in part	Provision CCZ / Policies / CCZ-P5	The suggested amendments are supported, as it is acknowledged that the Central City Zone will evolve over time. Submission summary states: Supports CCZ-P5 (maintain the role, function and predominant character of the City Centre Zone...) but considers that it should be amended to recognise the evolving character of the zone compared to existing development under the Operative Plan.	Allow submission and suggested amendments - Amend CCZ-P5 as follows: <u>Maintain Enable development that is consistent with the planned role and function and predominant character</u> of the City Centre Zone by controlling the effects of: ...

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Ekdahl Property Management - Mike Ekdahl 178a Devon St East New Plymouth 4310 Email: mike@ekdahl.co.nz	Sub No. / Point No. 213.15	Support / Oppose Oppose	Provision APP3 / City and Town Centre Design Guide	Opposes the CCDG as it may create additional compliance costs without clear benefits. Opposes the mandatory information requirements for resource consents. Opposes the policies within the CCDG with respect to buildings adjacent to heritage buildings. Considers that each building should be judged on its own merits at the time of consent application.	Allow.
Murali Bhaskar and Eloise Pollard - Eloise Pollard - 336 37 King Street New Plymouth 4310 Phone: 021744007 Email: eloisepollard@hotmail.com	Sub No. / Point No. 336.10	Oppose	Provision APP3 / City and Town Centre Design Guide	Support is provided to this submission. The submission opposes the CCDG as it may create additional compliance costs without clear benefits. Opposes the mandatory CCDG information requirements for resource consents. Opposes the emphasis within the CCDG on creating positive street and public spaces by ensuring consistency of building height as this conflicts with wider policy direction for compact growth. Considers that good street and public spaces are dictated by building design at first two levels and not building tops.	Allow.
Ekdahl Property Management - Steve Ekdahl - 496 178a Devon St East New Plymouth 4310 Email: ekdahlsteve@gmail.com	Sub No. / Point No. 496.16d	Support / Oppose Oppose Oppose	Provision APP3 / City and Town Centre Design Guide	Support is provided to this submission. Opposes use of the City and Town Centre Design Guide as it may stifle potential developments and create additional compliance costs, and considers that it needs to be clarified when an assessment against it is required. Specifically opposes the "Respond to Existing Context" section which states that a building design for a site adjacent to a heritage building should aim for similarities because this may unduly restrict a building to inappropriate setbacks, short height, small bulk and scale which does not have proportional benefits and is not an efficient scale and intensity of use of a centre city site.	Allow.
Murali Bhaskar and Eloise Pollard - Eloise Pollard - 336 37 King Street New Plymouth 4310 Phone: 021744007	Sub No. / Point No. 336.8	Support / Oppose Oppose	Provision APP3 / City and Town Centre Design Guide	Support is provided to this submission. Opposes the CCDG as it may create additional compliance costs without clear benefits. Opposes the mandatory CCDG information requirements for resource consents.	Allow. - Amend the Rules within the City Centre Zone and CCDG to make clear the activity status of each rule and when an assessment against the CCDG is required.

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Email: eloisepollard@hotmail.com					
Harvey Norman Properties (NZ) Limited - Daniel Shao (Haines Planning Consultants Limited) - 502 PO Box 90842, Victoria Street West AUCKLAND 1142 Email: daniel.shao@hainesplanning.co.nz	Sub No. / Point No. 502.5	Support / Oppose Support	Provision LFRZ / Rules / LFRZ-R1	Support is provided to this submission. Supports LFRZ-R1 (large format retail activities being a permitted activity in the LFRZ) because it gives effect to LFRZ-O1 and LFRZ-P1 of the Large Format Retail Zone.	Allow - Retain LFRZ-R1 as notified.

Note to Further Submitter

This further submission on the Proposed District Plan must be received by the New Plymouth District Council by **5pm on Tuesday 25 August 2020**.

To get your further submission to us, either:

Post to: New Plymouth District Council, Reply Paid DX, DX Box NX10026, New Plymouth.

Attention: District Planning Team

Deliver to: Civic Centre, Liardet Street, New Plymouth
or to library and service centres at Bell Block, Inglewood or Waitara

Email to: districtplan@npdc.govt.nz

Visit our website: newplymouthnz.com/eplan

A copy of your further submission MUST be served on the original submitter within 5 working days after it is served on the local authority. Contact details for all submitters can be found on our Proposed Plan page at newplymouthnz.com/eplan.

Please note all information provided in your submission, including your personal information, will be made publicly available.

Your submission (or part of it) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of it):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.