

NOTES FOR HEARING

Commercial and Industrial Zones

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Representing myself and Buller Conservation Group, I have read the s42A report of Briar Alayne Belgrave.

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General comment: I am starting to see inconsistencies in planners' arguments and resulting rules. This is more an observation than a complaint due to the complexity and massiveness of the TTPP (an unneeded massiveness, which could be slimmed down). I am documenting what I consider inconsistencies as I troll through the pertinent missives.

CMUZ

O2A

Require commercial and other activities to avoid, remedy, or mitigate adverse effects within and adjoining the commercial areas

What type of adverse effects are to be avoided etc within and adjoining commercial areas? It is easy enough to understand adverse effects to indigenous biodiversity, but to commercial areas?

Foodtuffs' suggested amendment;

managing amenity effects on adjoining sensitive activities ; this makes more sense than the planner's final amendment.

Require commercial and other activities to manage amenity effects on adjoining sensitive activities .

P11

Remove 'three waters' - becoming an obsolete term.

COMZ

Overview

There needs to be reference to the WCLWP in relation to earthworks.

Commercial Zone Rules

In some cases, consent may be required under rules in this chapter as well as rules in other chapters in the Plan

This clause should be added to other chapters of the Plan, especially MINZ.

R1

R1.3 Landscaping shall be provided as follows:

i. *The area adjoining the road frontage of all sites shall contain a minimum 1.5m landscaping strip to provide for shrubbery*

This further explanation for landscaping strips is needed as replacement for what has been deleted, and as encouragement to plant and to soften angular lines.

R1.3.ii The planner says

I support the deletion of the requirement for a landscaping strip adjoining a Residential Zone as there are rules which manage the form and location of buildings at this interface, such that I do not consider that additional landscape screening is necessary.

I disagree. A landscaping strip is necessary to maintain amenity value by softening the lines of angular buildings and creating aesthetic appeal, as well as ameliorating windtunnelling; and 2 metres wide is appropriate.

My amendment:

On sites adjoining RESZ a 2m wide landscaping strip shall be provided adjacent to the RESZ boundary to provide for flora.

This should apply to MUZ R1 also.

R2

2.5 *Any other structure must not exceed 10m² and 2m in height.*

The building code now allows structures to be up to 30m² before a building consent is

required. Can this plan require a lesser area?

R4 Relocated buildings

S42A@250

If R4 is to be deleted then R1 (which the planner says covers relocated buildings) needs to be upgraded to **include** relocated buildings. Building alterations, as stated in R1, is not equivalent to a relocated building. This needs to be added to COMZ R6 (R7 deleted), MUZ R1 (MUZ R8 deleted), MUZ R9A (No equivalent MUZ restricted discretionary rule deleted), TCZ R1 (no equivalent deleted rule)), possibly TCZ R2.4, TCZ R3.3, NCZ R1 (NCZ R4 deleted). FUZ- R6 - 'Relocated buildings' is also deleted.

S42A reasoning is that

relocatable buildings are addressed under the Building Act.

Probably a majority of entries in the TTPP are also addressed under applicable Acts or Regulations but that does not exclude them from the TTPP. Relocatable buildings are an important issue and need to be addressed in the TTPP, if only to specify that issues around relocatable buildings are addressed in the Building Act, but surely the Building Act does not address any amenity issues linked to relocated buildings?

Special Purpose Zones S42A@118 says

the principal issue that the TTPP seeks to manage in relation to relocated buildings is amenity issues for adjacent neighbours I agree that there are some zones where regulation of relocated buildings is unnecessary.

Here are 2 different sets of reasoning to exclude relocated buildings.

In e.g. FUZ R11: Relocated buildings (controlled): drinking, waste and storm waters are considered, as are appearance, landscape and design, which could be considered amenity issues, and would not be covered in the Building Act.

Special Purpose Zones, S42A@174, HOSZ- R6, the planner says

I consider the main reason that there are provisions in TTPP around relocated buildings is to address amenity provisions. Building consents are also required for all relocated buildings and within the Hospital Zone I consider that further regulation under the district plan is unnecessary.

.....which sums up both reasons, but the reasoning is not carried through to address amenity issues linked to relocated buildings.

R5

Residential Buildings and Activities

'buildings' in the heading is proposed to be deleted, but 'activities' does not cover spatial requirements in this rule (reference to 'units', storage space etc) therefore, unless the rule is drastically changed, 'buildings' needs to be retained.

'buildings' needs to be added to MUZ R4 also.

MUZ

TCZ

R13 Relocated buildings

Why is this rule pertaining to relocated buildings a restricted discretionary rule when, in other sub-chapters (COMZ, MUZ) it is proposed to be treated under permitted rule 1?

Is it because local councils want only new builds in town centre zones? If that was the case though, then why have this rule restricted discretionary?

R17 Residential Activities and Buildings in New Buildings

As for COMZ R5 above, 'activities' is different to spatial area, and it is spatial area, not activities, that this rule deals with.

TTPP's Appendix 3

Urban Design Guidelines

GF8

In reference to the photo of the bright green shop: it is not true that the brightness is in contrast to adjacent buildings. 'The Tool Shed' next door to the bright green shop, is a bold teal colour, branding the franchise. I consider the bright green shop to be in character with the clientele for whom it serves, and the general 'mood' of the town. Yes, the colours of the 'News' building in the photo above the 'bright green' photo are sophisticated and aesthetically pleasing, but The News building is a (possibly registered) historic building and is rightly painted so, but all buildings aspiring to that do not a town's character make. The bright green building does not have peeling, faded paint, which should be a more

important consideration, and strangely, requiring paint to not be faded or excessively peeling does not appear to be included in this appendix. The bright green building is also contrasted nicely with black which adds interest to the building. I feel GF8 is unnecessarily patronising.

NCZ neighbourhood centre zone

R1 New Buildings, External Additions and Alterations to Existing Buildings, ,
S42A@475 and @230 S450.220

The planner says that a separate rule should apply to performance standards yet he contradicts himself by having some in R1, being external heavy vehicle storage and hours of operation.

1 Is it really necessary to describe in the heading what the subclauses of the rule are? Surely something more holistic could be employed, such as 'Activities'.

2 External heavy vehicle storage and hours of operation need to be transferred to R5A, being a rule concerned with activities/ performance standards.

3 These changes have ended up being mixed up/ confusing and perhaps the original title,

Commercial Activities and Buildings, Community Facilities and Emergency Service Facilities

should be retained.

NCZ includes residential units, and R1 does not exclude them, yet R1.6 gives a temporal restriction on activity. In particular a restriction such as

R1.6.ii(b) *There are no visitors, customers or deliveries outside the above hours.*

should not be applied to residential units, in particular to visitors.

R1.1

Education Facilities, Community Facilities, Emergency Service Facilities, retail and office activities are a maximum of 250m² gross floor area per activity. ;

R1.1 is a stand-alone restriction yet having 'provided' ties it to the other R1 clauses.

R1.6

R1.6 should be transferred to R5A (if the R5A amendment is accepted) since R1.6 is an activity rather than a spatial item.

INZ

GIZ

Once again, confusion around spatial items and performance standards, with the notion to separate them out but that not happening completely. GIZ R1 contains a clause concerning vibration which is a performance standard not a spatial item.

My concern here extends to LIZ

R1.6

S42A@640 S552, S553.167

Request that odour is included, in order to be avoided. Noted also that 'dust' is proposed to be deleted.

The argument is that both are air discharges and therefore should be addressed in the regional plans. Also BDC says they are both hard to monitor at the permitted level.

I consider that no matter how hard such discharges are to monitor and/or enforce is no reason to eliminate them from the Plan,

s such discharges can be devastatingly debilitating, depending on intensity and frequency. If they are not given constraints in a permitted rule then there will be no restrictions no matter how debilitating or intense they can potentially be. Both dust and odour can result from land use, including as a result of issuing district RCs for land use, therefore a district plan should address these issues

RMA, S31 *Functions of territorial authorities under this Act*

(1) *Every territorial authority*

(a) *the establishment, implementation, and review of objectives, policies, and methods to achieve **integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district***

(b) *the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—*

(ia) the prevention or mitigation of any adverse effects of the development,

subdivision, or use of contaminated land:

UFD urban form and development

Definitions

S42A@49 Foodstuffs S464.006

Supermarket - do we really need a definition of supermarket? Surely that will be the TTPP's lampoon definition.

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