

**NOTICE OF SUBMISSION TO THE PROPOSED PORIRUA DISTRICT PLAN: PURSUANT TO CLAUSE 6 OF  
THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991**

**To:** Proposed District Plan,  
Environment and City Planning,  
Porirua City Council,  
PO Box 50-218,  
**PORIRUA CITY**

Via email: [dpreview@porirua.govt.nz](mailto:dpreview@porirua.govt.nz)

**Submitter:**



Z Energy Limited  
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**WELLINGTON**

**Hereafter referred to as the “Z Energy”**

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## A. INTRODUCTION

Z Energy has business interests within Porirua City.

Z Energy is a publicly listed company on the Australian and New Zealand stock exchanges with around 10,000 shareholders. Z Energy's primary business includes a fuel retail network, pipelines, terminals and bulk storage terminal infrastructure situated around the country. Z Energy supplies fuel to retail customers and large commercial customers like airlines, trucking companies, mines, shipping companies and vehicle fleet operators. It also provides bitumen to roading contractors and manufacture ingredients used in detergents and other household products.

Z Energy owns and manages:

- a stake in Refining NZ which runs New Zealand's only oil refinery;
- a stake in Loyalty New Zealand which run Fly Buys;
- approximately 200 service stations;
- approximately 160 truck stops; and
- pipelines, terminals and bulk storage terminal infrastructure around the country.

In June 2016, Z purchased the assets of Chevron New Zealand, which sees Z as the wholesale fuel supplier to the network of Caltex-branded service stations. The Caltex-branded retail network remains independently owned and operated, with the operators setting their own retail fuel prices. Z Energy's predominant interests in Porirua City relate to its Z branded service stations, including truckstop assets.

## B. THE SPECIFIC PROVISIONS OF THE PROPOSED PORIRUA CITY PLAN THAT THIS SUBMISSION OF Z ENERGY RELATES TO ARE SUMMARISED AS FOLLOWS:

This submission by Z Energy relates specifically to the Proposed Porirua District Plan ("*PPDP*").

This submission addresses a range of site-specific matters pertaining to the zoning provisions applicable to Z Energy's Z branded assets within Porirua City. These include the following: Z Mana and Z Mungavin Ave Service Stations and the Z Plimmerton Truckstop.

The specific matters submitted on, the rationale for Z Energy's submission on each of the matters, and the relief sought, is described in the following **Schedule A**.

In addition to the specific relief sought, Z Energy seeks that the Council:

1. **Make** any additions, deletions or consequential amendments necessary as a result of the matters raised in this submission.
2. **Adopt** any other such relief as to give effect to this submission.

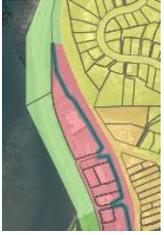
- C. Z ENERGY WISHES TO BE HEARD IN SUPPORT OF THIS SUBMISSION.**
- D. IF OTHERS MAKE A SIMILAR SUBMISSION, Z ENERGY WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.**
- E. Z ENERGY COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.**

Signed on and behalf of Z Energy Limited as authorised signatory:

A handwritten signature in black ink, appearing to read 'Sean Stirling', written over a horizontal dotted line.

Sean Stirling

*Dated this day of 17<sup>th</sup> November 2020*

Submission Point	Plan Provision	Position	Reason	Relief Sought
1	<p>Zoning Maps Z MANA -143 Mana Esplanade, Mana - Local Centre Zone.</p> 	Support	The Local Centre Zone (LCZ) applicable to Z MANA -143 Mana Esplanade, Mana provides for medium-scale commercial centres that are located conveniently to service the needs of the surrounding residential catchment and caters for a range of retail, commercial and community activities.	<u>Retain</u> the zoning of Z MANA -143 Mana Esplanade, Mana as Local Centre.
2	<p><b>Zoning Maps</b> Z MANA -143 Mana Esplanade, Mana Specific Controls: Active Street Frontage – Primary Frontage Control</p> 	The application of the Active Street Frontage – Primary Frontage Control to Z MANA -143 Mana Esplanade, Mana is <u>opposed</u> .	It is inappropriate to apply an active street frontage to this site. The site supports a vehicle orientated activity, is located on a major arterial route and at the edge of the local commercial centre where there is no material benefit to the provision of an active road frontage. Buildings on site are of limited scale, the forecourt is open in nature and provides a degree of visual interest to passers-by, and the open nature of the forecourt helps to achieve passive surveillance outcomes.	<u>Delete</u> the Active Street Frontage – Primary Frontage Control from Z MANA -143 Mana Esplanade, Mana.
3	<p><b>Zoning Maps</b> Z MUNGAVIN AVE– 5 Mungavin Ave, Ranui - Local Centre Zone.</p> 	Support	The Local Centre Zone (LCZ) applicable to Z Mungavin Ave, Ranui provides for medium-scale commercial centres that are located conveniently to service the needs of the surrounding residential catchment and caters for a range of retail, commercial and community activities.	<u>Retain</u> the zoning of Z MUNGAVIN AVE– 5 Mungavin Ave, Ranui as Local Centre.

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5	<p><b>Rule LCZ-R17</b> which provides that a drive-through activity requires discretionary activity consent.</p>	Support	Service stations are captured within the definition of Drive-through activities which are discretionary under the proposed plan.	<p><u>Retain</u> Rule LCZ-R17 insofar as it provides for drive through activities including service stations as a discretionary activity.</p>
6	<p><b>Rule LCZ-S4 – Active street frontages.</b> This rule requires that <i>for sites with primary or secondary street-facing façade controls identified on the planning maps, the following are required:</i></p> <ul style="list-style-type: none"> <li>• <i>Street verandahs;</i></li> <li>• <i>at least 55% of the ground floor building frontage must be display windows or transparent glazing and the principal public entrance be located on the front boundary (primary street frontages);</i></li> <li>• <i>at least 35% of the ground floor building frontage must be display windows or transparent glazing (secondary street frontage).</i></li> </ul> <p>Of the matters for discretion, consistency with the Local Centre Zone Design Guide is opposed.</p>	Oppose	Rule LCZ-S4 fails to appreciate that there are certain activities with functional and/or operational requirements that mean that compliance with active street frontage rules, and therefore also consistency with the Local Centre Zone Design Guide (which promotes the type of development envisaged by the standards), is not practicable.	<p><u>Amend</u> Rule LCZ-S4 so that it does not apply to existing service station developments. This could be achieved by making the follow amendments:</p> <p><b><i>LCZ – S4 Active street frontages</i></b></p> <p><u><i>This rule does not apply to existing service stations.</i></u></p> <p>1. <i>Along...</i></p> <p>And</p> <p><u>Amend</u> the Matters of discretion to remove the requirement for a development to be consistent with the Local Centre Design Guide, as follows:</p> <p>3. <u>The extent to which the building is consistent</u>  <del>Consistency</del> with the Local Centre Zone Design Guide.</p>
7	<p><b>Local Centre Zone Design Guide</b></p>	Support in Part	The Local Centre Zone Design Guide is included in the Plan. The inclusion of the following statement in the interpretation section of the Local Centre Zone Design	<p><u>Retain</u> the following in the interpretation section of the Local Centre Zone Design Guide: <i>Only design objectives and guidelines that are relevant to the</i></p>

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			<p>Guide is supported: <i>Only design objectives and guidelines that are relevant to the specific site, setting and development type should be applied.</i></p> <p>However, additional guidance is required to recognise that the design guide does not provide guidance on the design of commercial developments, such as service stations, which require a different built form to the type of development envisaged by and addressed in the Design Guide even though these types of uses may be appropriate in Local Centre Zones.</p>	<p><i>specific site, setting and development type should be applied.</i></p> <p><u>Include</u> new text in the interpretation section of the Local Centre Zone Design Guide to recognise that the design guide does not provide guidance on the design of commercial developments, such as service stations, which require a different built form to the type of development envisaged by and addressed in the Design Guide even though these types of uses may be appropriate in Local Centre Zones. This could be achieved by making the following change (additions underlined):</p> <p><i><u>This design guide does not provide guidance on the design of commercial developments, such as service stations, which require a different built form to the type of development envisaged by and addressed in the Design Guide even though these types of uses may be appropriate in Local Centre Zones. Only design objectives and guidelines that are relevant to the specific site, setting and development type should be applied.</u></i></p>
8	<p><b>Rule LCZ-S7</b> Requires full screening of certain areas within a site (including parking and storage areas) by a fence or landscaping from certain direct adjoining or visible properties.</p>	Oppose	<p>Rule LCZ-S7 inappropriately requires full screening of any service, outdoor storage or carparking areas from any directly adjoining site which, noting the 12m height limit, includes full screening of any such areas from upper floors. Such screening is neither considered practicable nor necessary.</p>	<p>Amend Rule LCZ-S7 to require screening to activities at ground level only from adjoining sites.</p>

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9.	<p><b>Zoning Maps</b>                      Z PLIMMERTON TRUCKSTOP - State Highway 1 [20 Northpoint Street], Plimmerton, - Mixed Use Zone.</p> 	Support	<p>The Mixed Use Zone provides for a wide range of activities, including residential, retail, commercial, recreational and community activities. The mixed use zone also provides for light industrial activities on a case by case basis through a consent process.</p> <p>This site was previously zoned Industrial, which would have been the preferred zone for the site, however given that the site lies within 100m of the State highway network and is therefore within the Noise Corridor Overlay where noise sensitive activities are subject to specific controls, the zoning is not opposed.</p>	<p><u>Retain</u> the zoning of Z PLIMMERTON TRUCKSTOP - State Highway 1 [20 Northpoint Street], as Mixed Use Zone.</p>
10.	<p><b>MUZ-R13 – Drive Through Activity: Permitted</b>                      Provided the gross floor area of the activity including parking and manoeuvring areas does not exceed 1,500m<sup>2</sup>; and compliance is achieved with MUZ-S6.</p> <p>Where compliance with MUZ-R13-1.a. (above) the activity status reverts to Restricted Discretionary.</p>	Support	<p>The permitting of drive through activities, including truckstops, is supported as being appropriate. The inclusion of parking and manoeuvring areas within the GFA limitation is supported to the extent that the GFA for a truckstop is nominal and therefore Z PLIMMERTON TRUCKSTOP - State Highway 1 [20 Northpoint Street] is a permitted activity per se in the Mixed Use zone.</p>	<p><u>Retain</u> Rule MUZ-R13.</p>
11	<p><b>Definition of Drive-through activity</b></p>	Support	<p>The definition of drive through activity is supported insofar as it includes service stations and truckstops.</p>	<p><u>Retain</u> the definition of drive through activity as follows:</p>

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				<i>means any activity with a substantial focus on drive-through transactions, including service stations and drive-in or drive-through retail and services outlets and restaurants.</i>
12	<p><b>Definition of Noise Sensitive Activities; means:</b></p> <ul style="list-style-type: none"> <li>a. residential activity;</li> <li>b. marae;</li> <li>c. hospital;</li> <li>d. healthcare activity;</li> <li>e. educational facility; or</li> <li>f. visitor accommodation activity.</li> </ul> <p><b>Noise Corridors Policy Noise-P4;</b></p> <p><b>Noise Corridors Rules Noise R5 and S1-S5.</b></p>	Support	<p>The General District-Wide Overlays: Noise Corridors (Railway and State Highway 100m) affect the Z Mana and Z Mungavin Ave service station sites and the Z Plimmerton Truckstop site.</p> <p>It is appropriate that the definition of noise sensitive activities does not include service stations / truckstops. It is also appropriate to permit activities that are not sensitive to noise within noise corridors. Specifically, the absence of controls in noise corridors to service stations and truckstops is supported. Conversely it is appropriate in those areas to control noise sensitive activities.</p>	<p><u>Retain</u> the definition of Noise Sensitive Activities; Noise Corridors Policy Noise-P4 and Noise Corridors Rules Noise R5 and S1-S5.</p>