

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:			
Company / Organisation Name: (if applicable)	Woolworths New Zealand Limited		
Contact person (if different):	Ross Burns		
Full Postal Address:	Private Bag 93306, Otahuhu		
	Auckland		
Phone contact:	Mobile: 0273945183	Home:	Work:
Email (please print):	ross.burns@countdown.co.nz		
2. (Please select one of the two options below)			
<input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission <input type="checkbox"/> I could gain an advantage in trade competition through this submission			
<i>If you could gain an advantage in trade competition through this submission, please complete point 3 below</i>			
3. <input checked="" type="checkbox"/> I am directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition <input type="checkbox"/> I am not directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition			
<i>Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991</i>			
The specific provisions of the Plan that my submission relates to are:			
1. PART 1 – INTRODUCTION AND GENERAL PROVISIONS / INTERPRETATION / Definitions: introduction of a definition for ‘supermarket activity’			
2. PART 3 – AREA-SPECIFIC MATTERS / ZONES / Commercial and mixed use zones / Mixed use: amend objectives, policies and rules within chapter to specifically provide for supermarket activities			



3. PART 2 – DISTRICT-WIDE MATTERS / GENERAL DISTRICT-WIDE MATTERS / Coastal environment – CE-R1: amend rule to provide for new buildings or structures that exceed 300m² GFA and are located outside high or outstanding natural character areas as a Restricted Discretionary Activity.
4. PART 2 – DISTRICT-WIDE MATTERS / GENERAL DISTRICT-WIDE MATTERS / Coastal environment – CE-S2: remove requirement under (2) to have an exterior finish within the BS5252 standard colour palette.
5. PART 2 – DISTRICT-WIDE MATTERS / ENERGY, INFRASTRUCTURE, AND TRANSPORT / Transport – TRAN-Table 11 – Trip generation: increase the trip generation threshold for supermarkets

Confirm your position: Support Support In-part Oppose
(please tick relevant box)

My submission is:

Thank you for the opportunity to submit on the Proposed District Plan. Woolworths NZ is proud to work with communities and councils to create and deliver successful supermarkets that support and foster community wellbeing. Woolworths NZ wishes to submit this submission of support in part for the Proposed District Plan for the reasons outlined below. Woolworth's NZ, through its subsidiary, General Distributors Limited, operates the Countdown Waitangi store located on Puketona Road/State Highway 11.

While Woolworths NZ generally supports the intent of the Proposed District Plan, being a move towards an activity-based plan, there are a number of proposed rules and standards that will affect the continued operation of Countdown supermarkets within the District. These are discussed in numerical order below, corresponding with the numerical order of submission points the sections above and requested changes below.

1. Introduction of a definition for 'supermarket activity'

The Proposed District Plan does not include a definition of supermarket or supermarket activity. It is considered that a specific definition for supermarket activity is needed to enable for the activities associated with the operation of supermarkets to be better provided for in the Mixed Urban Zone. This will also ensure consistency with many other second generation plans around the country. Proposed wording of the definition is provided in the following section of this submission.

2. Provision for supermarket activities in the Mixed Urban Zone

Under the Proposed District Plan, it is considered that supermarkets would be captured by the definition of 'Large Format Retail', which require resource consent as a Discretionary Activity in the Mixed Urban Zone. The objective of the Mixed Urban Zone is to provide for commercial activities, while providing for residential development where compatible. However, the proposed rule framework seeks to restrict and control large format retail - which the Countdown supermarket is considered to be. Further to this, policy MUZ-P5 states:

"Restrict activities that are likely to have an adverse effect on the function, role, sense of place and amenity of the Mixed Use zone, including:

- a. residential activity, retirement facilities and visitor accommodation on the ground floor of buildings, except where a site adjoins an Open Space zone;*
- b. light or heavy industrial activity;*
- c. storage and warehousing;*
- d. large format retail activity over 400 m²; and*
- e. waste management activity."*

This rule and policy framework suggest that large format retail, which a supermarket is currently classed as, needs to be restricted in this zone as it is likely to have adverse effects on the zone. Unlike the other activities listed above, there is no other zone which provides for large format retail activities. It is considered that a more enabling policy framework is required, which supports those limited activities and services, such as a supermarket, which are necessary to support businesses, residents and visitors, while ensuring that associated effects are appropriately managed.



It is considered that the effects generated by supermarkets are distinct from those of general large format retail activities, and specific provision for supermarkets as permitted activities within the zone is necessary.

3. Consenting pathway for buildings in Coastal Environment

The activity status in the Coastal Environment where there is a non-compliance with the GFA for a new building is not currently stated in the plan unless it is located in a more sensitive (high natural character area or outstanding natural character area). The subject site is not within either of these, and as such there is a current gap in the rule framework. Where a non-compliance with the GFA of an addition/alteration occurs, resource consent appears to be required as a Discretionary Activity under CE-R1. This is considered unnecessary for buildings that are provided for within the underlying zone and not located within a more sensitive area. It is considered that this should be provided for as a Restricted Discretionary Activity.

4. Defined colours of buildings

Under CE-S2, paint colour and reflectivity is specified. Countdown's 'pawpaw green' colour has a light reflective value of 12%, but given this is a custom colour it is not located within this generic Resene colour palette and therefore any repainting of the existing store or additions to the store would require resource consent as a Discretionary Activity. This is considered unnecessary for a paint colour that is used and accepted nationwide with no known visual effects, and maintains a low light reflectivity which is understood to be the intent of such rule.

5. Trip generation threshold for supermarkets

The Proposed District Plan currently provides for a trip generation of threshold of 200m² for supermarkets. This is considered to be unnecessarily low, noting that many other districts in the country have trip generation thresholds for supermarkets and commercial activities ranging between 1,000m² GFA to 2000m² GFA. It is considered that a trip generation threshold of 1,500m² for supermarket activities is appropriate.

I seek the following decision from the Council:


Woolworths NZ seek the following changes to the Proposed District Plan:

1. Introduce a specific definition for 'supermarket activity' in the Definitions section and provide for this definition throughout the Proposed District Plan. A proposed definition of supermarket activity is:
"Means activities associated with the operation of a retail shop selling a wide range of foodstuffs for consumption off-site, including but not limited to fresh produce, meat, fish and dairy; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; non-food grocery items and household goods including cooking, cleaning and washing products, kitchenwares and toiletries, where foodstuffs comprise more than 90 per cent of the total retail floor space." S458.001
2. Amend the rule and policy framework of the Mixed Urban Zone (MUZ) to specifically provide for supermarket activities as a Permitted Activity. S458.002
3. Provide for the non-compliance with gross floor area of a new building in the Coastal Environment as a Restricted Discretionary Activity, noting that there is currently no consenting pathway provided in the Proposed District Plan for this non-compliance. S458.003
4. Amend Rule CE-S2 where it restricts the exterior colours of buildings. This should only restrict the reflectivity value and not specify a pre-approved colour palette. S458.004
5. Increase the trip generation threshold for supermarket activities in TRAN-Table 11 to 1500m². S458.005

I **wish** to be heard in support of my submission
 I **do not wish** to be heard in support of my submission
 (Please tick relevant box)

If others make a similar submission, I will consider presenting a joint case with them at a hearing



<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you wish to present your submission via Microsoft Teams? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Signature of submitter: <i>(or person authorised to sign on behalf of submitter)</i>  Date: 21/10/2022 <i>(A signature is not required if you are making your submission by electronic means)</i>

Important information:

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

Send your submission to:

Post to: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Email to: pdp@fndc.govt.nz

Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.

Submissions close 5pm, 21 October 2022

Please refer to pdp.fndc.govt.nz for further information and updates.

Please note that original documents will not be returned. Please retain copies for your file.

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- 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.



SUBMISSION NUMBER