

# Foodstuffs North Island Limited

## Submission on PDP

Full Name: Foodstuffs North Island Limited

Address for Service: Barker & Associates Attention: Matt Norwell Mattn@barker.co.nz

Date: 21 October 2022

Re: Submission on Proposed Far North District Plan (**PDP**) – Foodstuffs Limited

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### Submission Information:

Foodstuffs North Island Limited could not gain an advantage in trade competition through this submission.

The specific provisions of the Plan Changes that Foodstuffs North Island Limited submission relates to are attached.

Foodstuffs North Island Limited seeks amendment to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions that Foodstuffs North Island Limited wishes Far North District Council (**FNDC**) to make to ensure the issues raised by Foodstuffs North Island Limited are dealt with are also contained in the attached document.

Foodstuffs North Island Limited wishes to be heard in support of this submission in support of this submission.

If others make a similar submission, Foodstuffs North Island Limited will consider presenting a joint case with them at a Hearing.



**Matt Norwell, Director Barker & Associates, on behalf of Foodstuffs**

## Submission on PDP

### 1.0 Introduction

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Foodstuffs North Island Limited (**Foodstuffs**) welcomes the opportunity to submit on the Far North District Council (**FNDC**), proposed District Plan (PDP), as released on 27 July 2021.

Foodstuffs is made up of several independent co - operatives, with all employees and retail members supportive of the organisation's commitment to provide New Zealanders with the best possible service and quality products. The Foodstuffs North Island co - operative employs more than 1700 people who support the 102 New World (NW), 43 PAK' n' SAVE and 167 Four Square owner - operated retail supermarkets throughout the North Island. Of these, Foodstuffs currently has 16 established supermarkets in the Far North District.

In Foodstuffs' experience, regional and district planning frameworks often do not properly recognise the need for business growth to occur, including alongside residential growth. Given Foodstuffs' significant past and planned further investment in New Zealand, the contents of any future District Plan provisions will be integral to the continuing operation and development of Foodstuffs in the Far North.

This submission covers matters addressed by the PDP which Foodstuffs have an interest. Specific points of submission are detailed in **Attachment 2**, whilst general feedback is detailed in Section 3 below.

### 2.0 Zoning

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As notified, all sites of interest to Foodstuffs have been mapped either Mixed Use Zone (**MUZ**) or Rural Settlement Zone (**RSZ**), with Waipapa Four Square being mapped Light Industrial Zone (**LIZ**). **Attachment 1** of this memo identifies the zones and overlays that apply to each site of interest to Foodstuffs.

A number of the sites of interest are also affected by overlays, these include:

- Coastal Environment;
- River Flood Hazard Zone -100 Year ARI Event
- River Flood Hazard Zone 10-Year ARI Event
- Coastal Flood (Zone 2 100 Year Scenario)
- Coastal Flood (Zone 1 50 Year Scenario)
- Coastal Flood Hazard 3 – 100 year + rapid sea level rise
- Building Height Control – Area B
- Notable Tree
- Heritage Area – Mangonui and Rangitoto Peninsula Heritage Area A
- Heritage Area – Part A The Strand
- Pedestrian frontage.

## Submission on PDP

Specific points of submission with respect to site zoning and zone provisions are detailed in **Attachment 2**, whilst general feedback is detailed in **Section 3.0** below.

### 3.0 General Feedback

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Foodstuffs acknowledges and appreciates the work that FNDC have put into developing the PDP. However, Foodstuffs have general concern that the Strategic Direction chapter contains objectives for each topic, and not policies. In Foodstuffs' view, the objectives need policies to demonstrate how they are going to be achieved in the Plan. It is also important at this strategic level of the PDP, that the policies provide clear direction for the consideration of resource consents where there is conflict between different areas of strategic direction.

The Strategic Direction Chapter does not include any form of direction by way of mapping or provisions to set a clear hierarchy of centres. There is no identification of small, medium or large centres, or rural/coastal settlements versus large towns. Foodstuffs consider this lack of strategic direction and centres hierarchy to be a significant flaw in the plan. Several sites of interest to Foodstuffs are located in larger urban areas within the Far North, which would benefit from stronger policy direction with respect to economic growth and development.

Foodstuffs have not been able to confirm that the proposed Strategic Direction objectives are appropriate under section 32 (1)(a) of the RMA, because the section 32 report does not include an evaluation of the proposed objectives.

In terms of the notified zones and provisions, Foodstuffs do not support the proposed rezoning of their sites to MUZ, RSZ and LIZ. The PDP does not provide alternative commercial zones providing only a Mixed-Use Zone. Foodstuffs are unable to understand why Council has chosen to only use one commercial zone being the MUZ. As drafted the MUZ will limit the expansion or redevelopment of many of the Foodstuffs' sites of interest, and may not be the most appropriate site zoning. The National Planning Standards provide a range of commercial zones, which could be utilised:

- Neighbourhood Centre Zone
- Local Centre Zone
- Commercial Zone
- Large Format Retail Zone
- Mixed Use Zone
- Town Centre Zone
- Metropolitan Centre Zone
- City Centre Zone

Council has not undertaken an analysis of the range of zones provided in the proposed District Plan, there has been no section 32 evaluation of the appropriateness of the suite of zones and no consideration of an alternative combination of business zones.

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The complete lack of policy direction and rule framework surrounding supermarket activities within the proposed zones is opposed, Foodstuffs are very concerned that supermarkets are not enabled as a permitted activity anywhere in the Far North District. In addition, Foodstuffs considers that a number of the proposed provisions relating to urban design requirements and parking and access requirements impose unnecessarily restrictive controls on supermarket activities.

Foodstuffs is also concerned that a number of the proposed provisions fail to recognise the operational requirements of supermarkets, the benefits they provide to the wider community, and may unnecessarily restrict future plans to develop new or existing facilities over the ten-year lifespan of the District Plan.

Foodstuffs have made a number of specific submission points as outlined within **Attachment 2** to improve the PDP and to efficiently and effectively achieve the proposed objectives of the plan change package, and the purpose of the RMA.

### 4.0 Conclusion

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In conclusion, Foodstuffs North Island Limited seeks the following relief:

- (a) Foodstuffs North Island Limited's general feedback in **Section 3.0** and specific feedback in **Attachment 2** is addressed and necessary changes incorporated into the PDP.
- (b) Any further necessary consequential amendments required to achieve (a) above.

Foodstuffs North Island Limited looks forward to working collaboratively with FNDC to address the above relief and is happy to meet with FNDC policy staff or consultants to work through these matters.

# Foodsuffs North Island Limited

## Submission on PDP

### Attachment 1: Foodstuffs sites of interest

Address	Operative District Plan (ODP)	Proposed District Plan (PDP)
4SQ Bay (Russell) - 9/11 York Street, Russell	<b>Zone:</b> Commercial <b>Overlays:</b> Heritage Area – Map HP4 (The Strand Precinct)	<b>Zone:</b> Mixed use <b>Overlays:</b> Coastal Environment River Flood Hazard Zone (100 Year ARI Event) Coastal flood hazard zone 2 – 100 year scenario Coastal Flood Hazard 3 – 100 year + rapid sea level rise Heritage Area – Part A The Strand
4SQ Coopers Beach - 9 Coopers Drive, Coopers Beach/147 State Highway 10	<b>Zone:</b> Commercial <b>Overlays:</b> None	<b>Zone:</b> Mixed use <b>Overlays:</b> Coastal Environment
4SQ Houhora Wharf - Far North Road, Pukenui, Houhora, RD 4, Kaitaia.  <i>4A Lamb Road, Pukenui</i>	<b>Zone:</b> Coastal Residential <b>Overlays:</b> None	<b>Zone:</b> Settlement <b>Overlays:</b> Coastal Environment
4SQ Kaeo - 13 Leigh Street, Kaeo	<b>Zone:</b> Commercial <b>Overlays:</b> None	<b>Zone:</b> Mixed use <b>Overlays:</b> River Flood Hazard Zone -100 Year ARI Event River Flood Hazard Zone 10-Year ARI Event Coastal Flood (Zone 2 100 Year Scenario) Coastal Flood (Zone 1 50 Year Scenario)
NW Kaikohe – 8-10 Memorial Avenue, Kaikohe	<b>Zone:</b> Commercial <b>Overlays:</b> Pedestrian frontage	<b>Zone:</b> Mixed use <b>Overlays:</b> Pedestrian frontage
4SQ Kaikohe - 120 Broadway, Kaikohe	<b>Zone:</b> Commercial <b>Overlays:</b> Pedestrian frontage	<b>Zone:</b> Mixed use <b>Overlays:</b> Pedestrian frontage

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PnS Kaitaia and PnS Fuel - 111 North Road, Kaitaia	<b>Zone:</b> Commercial <b>Overlays:</b> None	<b>Zone:</b> Mixed use <b>Overlays:</b> River Flood Hazard Zone 10-Year ARI Event
4SQ Kawakawa - 71 Gillies Street, Kawakawa	<b>Zone:</b> Commercial <b>Overlays:</b> Pedestrian frontage	<b>Zone:</b> Mixed use <b>Overlays:</b> Pedestrian frontage
NW Kerikeri - 99 Kerikeri Road, Kerikeri	<b>Zone:</b> Commercial <b>Overlays:</b> None	<b>Zone:</b> Mixed use <b>Overlays:</b> None
4SQ Mangonui - 115 Waterfront Drive, Mangonui	Unable to select this site on the maps.	This site is not shown on the Proposed District Plan Maps. <b>Overlays:</b> Coastal Environment Heritage Area – Mangonui and Rangitoto Peninsula Heritage Area A River Flood Hazard Zone 10-Year ARI Event Coastal Flood (Zone 2 100 Year Scenario) Coastal Flood (Zone 1 50 Year Scenario)
4SQ Moerewa - 64 State Highway 1, Moerewa	<b>Zone:</b> Commercial <b>Overlays:</b> Pedestrian frontage	<b>Zone:</b> Settlement <b>Overlays:</b> Pedestrian frontage
4SQ Opononi - 29 State Highway 12, Opononi or 31 Hokianga Harbour Drive	<b>Zone:</b> Commercial <b>Overlays:</b> Notable tree – ID 93	<b>Zone:</b> Mixed use <b>Overlays:</b> Coastal Environment Notable tree overlays – ID 92, 93 and 92a-b River Flood Hazard Zone 10-Year ARI Event Coastal Flood (Zone 3: 100 Year + Rapid Sea Level Rise Scenario) Coastal Flood (Zone 2 100 Year Scenario) Coastal Flood (Zone 1 50 Year Scenario) Coastal Erosion (Zone 2: 100 Year Scenario) Coastal Erosion (Zone 1: 50 Year Scenario)
4SQ Paihia - 41 Williams Road, Paihia	<b>Zone:</b> Commercial	<b>Zone:</b> Mixed use

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	<p>Overlays:</p> <p>Paihia Commercial Zone (A3)</p> <p>Pedestrian frontage</p>	<p><b>Overlays:</b> Pedestrian frontage</p> <p>Building Height Control – Area B</p> <p>Coastal environment</p> <p>River Flood Hazard Zone (100 Year ARI Event)</p>
<p>4SQ Russell - 27 The Strand, Russell</p>	<p><b>Zone:</b> Commercial</p> <p><b>Overlays:</b> Heritage Area (The Strand Precinct)</p> <p>Historic Item – Site 39 (General Store)</p>	<p><b>Zone:</b> Mixed use</p> <p><b>Overlays:</b> Coastal Environment</p> <p>Heritage Area – Part A The Strand</p> <p>River Flood Hazard Zone (100 Year ARI Event)</p> <p>Coastal Flood Hazard 3 – 100 year + rapid sea level rise</p> <p>Historic Item – Site 39 (General Store)</p>
<p>4SQ Waimamaku - 7233 State Highway 12, Waimamaku, South Hokianga</p>	<p><b>Zone:</b> Commercial and Rural Production</p> <p><b>Overlays:</b> None</p> <p>Non-district plan overlays:</p> <p>Flood susceptible land</p>	<p><b>Zone:</b> Settlement</p> <p><b>Overlays:</b> River Flood Hazard Zone (100 Year ARI Event)</p> <p>River Flood Hazard Zone (10 Year ARI Event)</p>
<p>4SQ Waipapa - 1993 State Highway 10, Waipapa, Kerikeri</p>	<p><b>Zone:</b> Industrial</p> <p><b>Overlays:</b> None</p> <p>Non-district plan overlays:</p> <p>Flood susceptible land</p>	<p><b>Zone:</b> Light industrial</p> <p><b>Overlays:</b></p> <p>River Flood Hazard Zone (100 Year ARI Event)</p> <p>River Flood Hazard Zone (10 Year ARI Event)</p>

# Foodstuffs North Island Limited Submission on PDP



## Attachment 2: Foodstuffs specific submissions

Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
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### Entire Plan

1	Entire Plan	Seek Amendment	Foodstuffs notes that the PDP does not include any form of direction by way of mapping or provisions to set a clear hierarchy of centres. There is no identification of small, medium or large centres. Foodstuffs consider this lack of strategic direction and centres hierarchy to be a significant flaw in the plan that will hinder the ability to achieve a sustainable and compact urban form.	Establish a centre hierarchy to set a clear policy direction for the larger urban areas within the District, and amend provisions and zoning as necessary to implement the hierarchy that achieves a compact urban form.
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S363.001

### Part 1 – Introduction and General Provisions – How the Plan Works

2	How the plan works	Seek amendment	Foodstuffs have identified that the overlay chapters are inconsistent with respect to referencing rules for “activities not otherwise listed”. The How the Plan Works chapter includes a statement that <u>some overlays</u> will automatically default to a permitted activity. Noting that resource consent may still be required under other Part 2: District-wide	Amend “Applications Subject to Multiple Provisions” as follows (or to similar effect):  <i>The overall activity status of a proposal will be determined on the basis of <b>all rules which apply to the proposal</b>. This includes rules in the District-Wide Matters and Area-Specific Matters. When a proposal involves several activities that are subject to multiple rules</i>
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S363.002

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			<p>Matters chapters and/or Part 3: Area-Specific chapters (including the underlying zone).</p> <p>This lack of consistency will cause confusion for plan users:</p> <ol style="list-style-type: none"> <li>1. The overlay chapters do not include notes to this effect.</li> <li>2. Each overlay chapter has a different approach activity status default rules.</li> <li>3. Overlays and zone chapters use different terminology.</li> </ol> <p>Applying an automatic permitted activity default could lead to unintentional consequences, for example:</p> <p>Coastal environment is silent with respect to farm quarries, defaulting to a permitted activity under How the Plan Works. Rule RPROZ-R12 Farm Quarry provides for this activity as a permitted activity.</p>	<p><i>with different activity statuses, and/or involves an activity/activities across multiple zones, precincts, areas, overlays or features, and it is appropriate to "bundle" the activities, <b>the proposal will be assessed on the basis of the most restrictive activity status</b> (unless otherwise stated).</i></p> <p><i>Where a rule for an overlay, zone or precinct controls an activity by reference to a proportion or percentage of the site, the control will be limited to that part of the site to which the overlay or zone applies.</i></p> <p><del><i>Some of the Overlay chapters only include rules for certain types of activities (e.g. natural character, natural features and landscapes or coastal environment). If your proposed activity is within one of these overlays, but there are no overlay rules that are applicable to your activity, then your activity can be treated as a permitted activity under the Overlay Chapter unless stated otherwise. Resource consent may still be required under other Part 2: District wide Matters chapters</i></del></p>

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				<p><del>and/or Part 3: Area Specific chapters (including the underlying zone).</del></p> <p>...</p> <p>And amend all relevant overlay chapters as necessary to insert rules for <u>“Activities not otherwise listed in this chapter”</u> consistent with zone chapters.</p>
3	How the plan works	Seek amendment	<p>Each PDP chapter includes implementation advice notes. Many of these notes apply across chapters e.g. Infrastructure chapter note 5, limits the infrastructure provisions to network utility operators only.</p> <p>This note is easily missed any could lead to plan interpretation issues.</p>	<p>Review all implementation advice notes across the plan to ensure consistency, and list notes which apply across multiple chapters in the How the plan works chapter.</p>
Part 1 – Introduction and General Provisions – Interpretation - Definitions				
4	Definitions	Seek Amendment	<p>The PDP includes activity-based rules which manage the establishment and operation of activities within zones and sites. However, the rules (particularly with respect to the MUZ rules of interest to Foodstuffs) include terms as activity rules that do not have definitions. It is difficult for Foodstuffs to confirm</p>	<p>Foodstuffs seek that FNDC review all definitions, and amend overlaps or create definitions for terms which are not currently defined and incorporate nesting tables.</p>

# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			<p>activities permitted within the sites of interest in the absence of clear definitions. Foodstuffs support a clear and well written plan to support ease of reading and implementation for plan users.</p> <p>No definition nesting tables are used in the Draft PDP. Foodstuffs consider that it is worthwhile to include nesting tables to provide certainty for plan users as to what activities are captured in the rules. The introduction and explanation of nesting tables would need to be included within the Definitions Chapter.</p>	
5	Definitions	Seek Amendment	<p>As currently drafted, a supermarket would be considered a ‘commercial activity’ (defined term), and further classified as a ‘supermarket’ within the parking and trip generation standards. Supermarket is not a defined term within the PDP.</p> <p>In addition, the term supermarket is used inconsistently throughout the proposed provisions, which could lead to confusion and inconsistent application.</p>	<p>Amend the definition chapter to insert the following definition of supermarket (or to similar effect):</p> <p><b><u>Supermarket means a self-service retail activity selling mainly food, beverages and small household goods.</u></b></p>

S363.005

# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
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Part 2 – District Wide Matters – Strategic Direction – Economic and Social Wellbeing

6	Strategic Direction	Seek amendment	The Strategic Direction chapters do not contain policy which give effect to proposed objectives. Foodstuffs consider that there is no clear policy direction to give effect to the proposed objective which could lead to an ineffective plan.	<p>That the strategic direction chapter be reconsidered to provide clear direction for growth and development throughout the Far North District.</p> <p>Insert appropriate policy in to the Strategic Direction chapters to give effect to strategic direction objectives.</p> <p>That FNDC establish a centre hierarchy to set a clear policy direction for the larger urban areas within the District, and amend zoning as necessary to implement the hierarchy.</p> <p>That proposed objectives be evaluated in accordance with section 32AA to confirm that these are the <u>most appropriate</u> objectives.</p>	S363.006
7	Strategic Direction	Seek amendment	The Strategic Direction does not provide high level policy direction with respect to sufficient provision of business land to meet demand. Foodstuffs consider that policy should reflect and give effect to the National Policy Statement on Urban Design.	<p>Insert objectives and policies to give effect to NPS-UD as follows(or to similar effect):</p> <p><u>Objective: Ensure that there are sufficient opportunities for development of residential and business land to meet demand.</u></p>	S363.007

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
				<u>Policy: To ensure that there is sufficient residential and business development capacity by zoning land where development is feasible and: Is serviced with development infrastructure; or Funding for development infrastructure is identified in the Long Term Plan.</u>
Energy, Infrastructure and Transport – Transport				
8	TRAN-R1 and TRAN-Table 1	Seek amendment	<p>The PDP has retained minimum parking requirements. For supermarket/convenience/general store the threshold is 1 car park per 25m<sup>2</sup>) GFA and now includes a requirement for 1 bicycle space per 15 employers.</p> <p>Foodstuffs note that the National Policy Statement for Urban Development (<b>NPSUD</b>) requires Tier 1, 2 and 3 territorial authorities to remove provisions which require a minimum number of car parks. Therefore, it is considered that these minimum standards should be removed from the PDP to ensure consistency with the NPSUD.</p>	Delete minimum parking standards in TRAN-Table 1.

S363.008

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought	
9	TRAN-R2	Seek amendment	Of particular relevance to Foodstuff is the discretionary activity trigger for any alterations to an existing vehicle crossing onto State Highway. This would mean that any upgrades to the sites of interest with access to State Highways that result in the need to upgrade a vehicle crossing would require discretionary consent.	Amend PER-3 to ensure that existing access from State Highways can be upgraded as a permitted activity.	S363.009
10	TRAN-R5	Seek amendment	<p>The trip generation thresholds have changed from zone-specific daily traffic volumes to district-wide standards set by a combination of daily volumes, gross business area, and occupancy-based thresholds.</p> <p>For a supermarket, the restricted discretionary threshold is 200m<sup>2</sup> GFA, any new development that cannot comply with this threshold would trigger a restricted discretionary activity status. As currently drafted, there is no specific direction for extensions, and it considered that where the extension results in a total GFA of or over 200m<sup>2</sup> restricted discretionary consent would be required.</p>	Amend TRAN-R5 to increase the threshold to appropriately provide for supermarkets particularly within zones where supermarkets are a permitted activity, amendments to the provisions to provide for extension of activities.	S363.010

# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought	
11	Transport Chapter	Seek amendment	The Council’s Environmental Engineering Standards are referenced throughout the transport chapter setting minimum standards for the establishment of roads. Foodstuffs are concerned that this is inconsistent application of engineering standards. Furthermore, the referenced Environmental Engineering Standards do not ensure sustainable, safe and efficient provision of roading infrastructure.	Review and refine the relationship of the District Plan to the Environmental Engineering Standards to: <ul style="list-style-type: none"> <li>a. Ensure the District Plan requires the delivery of infrastructure in a manner that achieves sustainable, safe and efficient provision of infrastructure.</li> <li>b. Ensure referencing of the Environmental Engineering Standards in the District Plan is appropriate and results in clear and measurable rules.</li> <li>c. Cross-referencing to Environmental Engineering Standards is consistent across all chapters.</li> </ul>	S363.011
Part 2 – District Wide Matters – Natural Hazards					
12	NH-R2	Seek Amendment	The PDP seeks to manage the risk from natural hazards to people, property and infrastructure. A number of Foodstuffs sites are subject to Coastal and Flood hazards, while Foodstuffs appreciate the importance of managing risk from natural hazards, it considers that existing activities and buildings	That NH-R2 be amended to provide for additions and alterations to existing activities as a permitted activity in the 1 in 10 and 1 in 100 River Flood Hazard Area	S363.012

# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			should be recognised and provided for. Foodstuffs consider that the default performance standard of no increase in GFA or footprint of structures, is overly restrictive and will require unnecessary resource consent applications.	

## Part 2 – District Wide Matters – Historical and Cultural Values

13	Heritage Area Overlay – Kororareka Russell	Seek amendment	<p>Russell Four Square is located within Kororareka Russell Heritage Area Part A (The Strand). It is a permitted activity to undertake maintenance and repair of the building (HA-R1) provided that the structure of the building is not altered and the existing visual appearance of the building is not changed, and any painting or repainting complies with heritage colours specified (HA-S2). Parking, access and earthworks are also limited within the Kororareka Russell Heritage Area. Any redevelopment of this site is likely to require resource consent as a discretionary activity.</p> <p>Foodstuffs generally support the concept heritage areas, and recognise the importance of the Russell Four Square building within The Strand Precinct, however Foodstuffs consider</p>	That provisions within the Kororareka Russell Heritage Area Overlay be amended to default to a restricted discretionary activity status.
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S363.013  
S363.038,  
S363.039,  
S363.040

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			that a discretionary activity default is onerous when the scope of potential effects are limited and well understood, a restricted discretionary activity default is supported	

## Part 2 – District Wide Matters – General District Wide Matters – Coastal Environment

14	CE-R1, and Standards CE-S1 and CE-S2	Seek amendment	<p>The Coastal Environment (CE) overlay effectively adopts the Northland Regional Policy Statement (RPS) mapping of the coastal environment and from that, identifies areas of high and outstanding natural character.</p> <p>It is considered that these rules and standards place unnecessarily restrictive rules upon urban areas such as Paihia within the CE where amenity and character has already been compromised.</p>	Amend CE-R1, CE-S1 and S2 to exclude land zoned MUZ, RSZ and LIZ or any equivalent commercial zone, to enable development to occur in accordance with the underlying zone provisions.	S363.014
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## Part 2 – District Wide Matters – General District Wide Matters – Signs

15	SIGN-R5 and SIGN-R6	Seek amendment	<p>Rules SIGN-R5 and SIGN-R6 refer to free standing, double sided and V-shaped signs. There are no definitions to clarify what these signs are. Foodstuffs consider that signs could potentially fall into multiple rules in the absence of clear definitions.</p>	<p>Amend SIGN-R5 and SIGN-R6 to manage signs, utilising standards to clearly articulate types of signs with specified limits.</p> <p>Or alternatively insert definitions for free standing, double sided and V-shaped signs.</p>	<p>S363.015</p> <p>S363.016</p>
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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
16	Signage – SIGN -R7	Seek amendment	<p>Foodstuffs considers that where signage is attached to a building, and the signage is directly related to the use of that building/comprises branding it should be exempt from the maximum area (SIGN-S) and maximum number (SIGN – S1) standards.</p> <p>Foodstuffs also notes that PER-1 and PER-3 SIGN – S2 are a double up and considers it unnecessary to specify ‘window’ or ‘wall’ which are parts of buildings.</p> <p>Accordingly Foodstuffs seeks the following amendments to SIGN-R7 and suggest that a separate rule be include to address signage on fences.</p>	<p>Amend SIGN – R7 as follows (or to similar effect):</p> <p>Signs on or attached to a building, <del>window, fence or wall</del> (excluding a scheduled heritage resource</p> <p>Activity status: Permitted</p> <p>Where:</p> <p><del>PER-1</del>  <del>The sign does not protrude above the highest point of the building or structure.</del></p> <p>PER-2                      The sign complies with standards:</p> <p><del>SIGN-S1 Maximum area;</del>                      SIGN-S2 Maximum height;  <del>SIGN-S3 Maximum number;</del>                      SIGN-S4 Traffic safety; and                      SIGN-S5 Sign design and content.</p> <p>PER-3</p>

S363.017

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
				<p>The sign is not for third party advertising, <u>and is directly related to a permitted activity undertaken within the building or</u></p> <p>Include additional rule for fences R7</p>

## Part 3 – Area Specific Matters - Zones

	Zones	Seek amendment	<p>The PDP utilises MUZ for all existing urban centres, with no alternative commercial zones proposed. The National Planning Standards provide a range of commercial zones:</p> <ul style="list-style-type: none"> <li>• Neighbourhood Centre Zone</li> <li>• Local Centre Zone</li> <li>• Commercial Zone</li> <li>• Large Format Retail Zone</li> <li>• Mixed Use Zone</li> <li>• Town Centre Zone</li> <li>• Metropolitan Centre Zone</li> <li>• City Centre Zone.</li> </ul> <p>In the absence of a section 32 evaluation, Foodstuffs are unable to understand why</p>	<p>That Council provide clear strategic direction for a compact urban form and establish a centres hierarchy within the Plan. Reconsider the approach to commercial zones and reconsider the most appropriate zoning for existing centres and villages which accurately reflects existing and planned levels of development specific to those areas.</p> <p>Provide sufficient section 32 evaluation to support the approach to zoning.</p> <p>S363.018</p>
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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			Council has chosen to only use one commercial zone being the MUZ.	
	Zoning of Foodstuff Sites Listed in Attachment 1.	Seek amendment	<p>The PDP utilises MUZ for all existing urban centres, with no alternative commercial zones proposed. The MUZ does not provide for supermarket activities as a permitted activity. In the absence of a section 32 evaluation, Foodstuffs are unable to understand why Council has chosen to only use one commercial zone being the MUZ.</p> <p>The proposed RSZ and LIZ does not provide for supermarkets as a permitted activity.</p> <p>Foodstuffs are concerned that this zoning fails to recognise the operational requirements of supermarkets, the benefits they provide to the wider community and will unnecessarily restrict future plans to development new or existing facilities over the 10 year lifespan of the District Plan.</p>	<p>That Council provide clear strategic direction for a compact urban form and establish a centres hierarchy within the Plan. Reconsider the approach to commercial zones and reconsider the most appropriate zoning for existing centres and villages which accurately reflects existing and planned levels of development specific to those areas.</p> <p>Provide sufficient section 32 evaluation to support the approach to zoning.</p> <p>That Council reconsider MUZ and rezone sites to an appropriate and enabling commercial zone.</p> <p>That Council rezone the Waipapa Site from LIZ to a more appropriate and enabling commercial zone. <span style="float: right; color: red;">S363.019</span></p> <p>That Council provide for supermarkets within the RSZ as a permitted activity. <span style="float: right; color: red;">S363.020</span></p>
<b>Mixed Use Zone</b>				

# Foodsuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought	
	Mixed Use Zone	Seek amendment	A large number of Foodstuffs sites of interest have been zoned MUZ. Being the only commercial zone proposed the MUZ, logically it is intended to provide for a range of business activities and enable supermarket activities. As drafted the MUZ does not provide any form of policy direction with respect to appropriate business activities.	That Council reconsider the approach to commercial zones and reconsider the most appropriate zoning for existing centres and villages which accurately reflects existing and planned levels of development specific to those areas. Provide sufficient section 32 evaluation to support the approach to zoning.  Alternatively, that MUZ is amended to include policy supporting and enabling supermarkets within MUZ.	S363.021, S363.037
	MUZ-R1 and MUZ-S1-S9	Seek amendment	MUZ-R1 provides for new buildings and structures, and additions to existing buildings and structures where the total gross floor area is less than 400m <sup>2</sup> and compliance with performance standards MUZ-S1-S9 can be achieved which include a 12m height limit and minimum landscaping requirements.  Where compliance with the 400m <sup>2</sup> GFA cannot be achieved, discretionary activity status is triggered. Non-compliance with the performance standards listed in MUZ-S1-S9 only (and compliance with the GFA can be	Amend MUZ-R1 to provide for an increase to GFA, to ensure that supermarkets (buildings) can be established as a permitted activity and a restricted discretionary activity status where compliance cannot be achieved with the GFA cannot be achieved.  Amend MUZ-R1 to provide for additions and alterations to existing buildings with a GFA of more than 400m <sup>2</sup> where they do not change the existing footprint.  Delete the MUZ-R1 note.	S363.022

# Foodstuffs North Island Limited Submission on PDP



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			<p>achieved), triggers restricted discretionary activity status.</p> <p>This is further restricted by the rule note which requires all buildings to comply with the maximum GFA except where it is specifically provided for by another rule.</p> <p>It is considered that a GFA of less than 400m<sup>2</sup> with a default to discretionary activity where compliance cannot be achieved is particularly onerous within the MUZ given this is the only commercial zone providing for supermarket activities.</p> <p>Foodstuffs consider that building bulk and scale should be managed separately to the scale of activities, MUZ-R1 note is confusing these effects, resulting unnecessary restrictions upon activities within the MUZ.</p> <p>Flexibility is also required for extensions and alterations for existing legally established structures of more than 400m<sup>2</sup> GFA.</p>	
	MUZ-R1 and MUZ-S5-S6	Seek amendment	Several of the Foodstuff’s sites of interest have been identified with a pedestrian frontage overlay. Additional controls for	Foodstuffs seek exemption for supermarkets from pedestrian frontage requirements.

S363.023

S363.024

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# Foodstuffs North Island Limited Submission on PDP



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			pedestrian frontages and verandahs would apply to new buildings and structures and additions to existing buildings. Foodstuffs consider that these pedestrian frontage provisions are particularly onerous within the MUZ given this is the only commercial zone providing for supermarket activities.	
	MUZ-R2	Seek amendment	<p>As currently drafted, a supermarket would be considered a 'commercial activity' (defined term), with no further definition or classification of 'supermarket'. MUZ-R2 provides for some commercial activities as a permitted activity in the MUZ where PER-R1 the activity is a service station and PER-2 any office does not exceed GFA of 200m<sup>2</sup>. Any activity that fails to comply is a discretionary activity.</p> <p>Foodstuffs consider that this is completely inappropriate, inefficient and ineffective as the MUZ is the only commercial zone intended to enable supermarkets.</p>	That MUZ-R2 be amended to clearly provide for supermarkets, without a GFA limit. <span style="color: red;">S363.025</span>

## Settlement Zone

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# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought	
	RSZ-R1	Seek amendment	<p>RSZ-R1 provides for new buildings and structures, and additions to existing buildings and structures where the existing buildings accommodate a permitted activity.</p> <p>Foodstuffs consider that building bulk and scale should be managed separately to the scale of activities, RSZ-R1 note is confusing these effects, resulting unnecessary restrictions upon activities within the RSZ.</p>	Amend RSZ-R1 to provide for an increase to buildings to a scale which is appropriate to the RSZ.	S363.026
	RSZ-R8	Seek amendment	<p>As currently drafted, a supermarket would be considered a 'commercial activity' (defined term), with no further definition or classification of 'supermarket'. RSZ-R8 provides for some commercial activities as a permitted activity in the RSZ under PER-R1 retail activities are permitted and PER-2 office activities. Any activity that fails to comply is a discretionary activity.</p> <p>Foodstuffs consider that this is completely inappropriate, inefficient and ineffective as the supermarkets are essential services for small communities and RSZ is the only zone eligible.</p>	That RSZ-R8 be amended to clearly provide for supermarkets, with an appropriate GFA limit.	S363.027

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# Foodstuffs North Island Limited Submission on PDP



Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
	RSZ-R8	Seek amendment	<p>RSZ-R8 provides for retail and office activities at a larger scaler scale as a permitted activity within Moerewa, with a smaller scale applied to other settlements.</p> <p>Whilst Foodstuffs support the GFA limit applied to retail activities within Moerewa, there is no clear justification or s32 support for a smaller limit in other settlements.</p> <p>Foodstuffs are concerned that this provision fails to recognise the benefits supermarkets provide to the wider community.</p>	<p>That RSZ-R8 be amended to clearly provide for supermarkets, with an appropriate GFA limit consistently across all settlements. <span style="color: red;">S363.028</span></p>
<b>Light Industrial Zone</b>				
	LIZ-R1	Seek amendment	<p>Foodstuffs seek amendment to the building and structures provisions to ensure that supermarkets (buildings) can be established as a permitted activity where an appropriate GBA is met. It is considered that a GBA of less than 450m<sup>2</sup> with a default to discretionary activity is particularly onerous given approach.</p> <p>Flexibility is also required for extensions and alterations for existing legally established</p>	<p>That LIZ-R1 be amended to default to a restricted discretionary activity. <span style="color: red;">S363.029</span></p> <p>That LIZ-R1 be amended to enable additional and alterations where they do not change the existing footprint.</p> <p>That the reference to industrial activities in LIZ-PER be removed.</p>

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			<p>structures. As currently notified, any alteration to an existing building or structure that is already more than 450m<sup>2</sup> GBA would require discretionary resource consent, regardless as to whether this is internal/external or the degree of change to the approved footprint</p> <p>In regards to PER-2 note that no industrial activities have been provided for in the Light Industrial Zone as a permitted activity.</p>	
	LIZ-R5	Seek amendment	<p>As currently drafted, a supermarket would be considered a 'commercial activity' (defined term), with no further definition or classification of 'supermarket'. LIZ-R5 refers to 'convenience store' with a permitted activity limit of 200m<sup>2</sup> GFA. Any activity that fails to comply is a discretionary activity.</p> <p>Foodstuffs consider that this is completely inappropriate, inefficient and ineffective as the LIZ is the only zone intended to enable supermarkets.</p>	<p>That Council rezone the Waipapa Site from LIZ to a more appropriate and enabling commercial zone.</p> <p>Or alternatively</p> <p>That LIZ-R5 be amended to clearly provide for supermarkets.</p>
	LIZ-R7	Seek amendment	<p>As currently drafted, a supermarket would be considered a 'commercial activity' (defined term). LIZ-R5 refers to 'convenience store'</p>	<p>Amend LIZ-R7 and LIZ-R5 to establish supermarkets as a permitted activity.</p>

S363.030

S363.031

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Sub-#	Feedback Topic	Support/Oppose/Seek Amendment	Comments/Reasons	Relief Sought
			<p>with a permitted activity limit of 200m<sup>2</sup> GFA, whilst convenience store is not defined. LIZ-R7 ensures all commercial activities are a discretionary activity.</p> <p>Foodstuffs consider that lack of clear definition and activity status will result in confusion and an ineffective plan.</p>	
	LIZ-S8	Seek amendment	<p>All stormwater collection systems must be designed in accordance with the Council's Environmental Engineering Standards 2022.</p> <p>Foodstuffs are concerned that this is an inconsistent application of engineering standards. Furthermore, the referenced Environmental Engineering Standards do not ensure sustainable, safe and efficient management of stormwater.</p>	<p>Review and refine the relationship of the District Plan to the Environmental Engineering Standards to:</p> <ol style="list-style-type: none"> <li>Ensure the District Plan requires the management of stormwater in a manner that achieves sustainable, safe and efficient provision of infrastructure.</li> <li>Ensure referencing of the Environmental Engineering Standards in the District Plan is appropriate and results in clear and measurable rules.</li> <li>Cross-referencing to Environmental Engineering Standards is consistent across all chapters.</li> </ol>

S363.032