

**BEFORE THE HEARING PANEL**

**UNDER**

the Resource Management Act  
1991 (**RMA**)

**IN THE MATTER OF**

the Proposed Far North District  
Plan (**PDP**)

**STATEMENT OF EVIDENCE OF DAVID BADHAM ON BEHALF OF MCDONALD'S  
RESTAURANTS (NZ) LIMITED**

**PLANNING**

**7 July 2025**

**1. INTRODUCTION**

1.1 This evidence has been prepared on behalf of McDonald's Restaurants (NZ) Limited (**McDonald's**) as it relates to its submission and further submission on the PDP - Hearing Stream 14. My evidence focuses on responses to the recommendations in the Far North District Council (**Council**) Urban Zones 42A Hearing Report (**s42A**).

1.2 My full name is David Eric Badham. I am a Partner and Northland Manager of Barker and Associates (**B&A**), a planning and urban design consultancy with offices across New Zealand. I am based in the Whangārei office, but undertake planning work throughout the country, although primarily in Te Tai Tokerau / Northland.

**Qualifications and experience**

1.3 My qualifications, experience and involvement with McDonald's on the PDP are set out in Attachment 1 to my evidence filed on 13 May 2024 which addressed planning matters in relation to Hearing Stream 1 – Strategic Direction for McDonald's. I also filed a statement on behalf of McDonald's on:

(a) 7 October 2024 on Hearing Streams 6 & 7; and

(b) 14 April 2025 on Hearing Stream 11.

**Purpose and scope of evidence**

1.4 This evidence addresses the submission (#S385) and subsequent further submission (#FS406) by McDonald's on the PDP.

1.5 My evidence will address the following topics:

- (a) My involvement with the PDP on behalf of McDonald's and Submission Context (Section 2);
- (b) Supported recommendations of the Hearing 14 Section 42A Report (Section 3);
- (c) Zoning framework (Section 4);
- (d) Definitions (Section 5);
- (e) Mixed Use Zone (**MUZ**) provisions (Section 6);
- (f) Section 32AA Assessment (Section 7); and
- (g) Concluding comments (Section 8).

#### **Code of conduct**

1.6 Although this is not an Environment Court proceeding, I have read and am familiar with the Environment Court's Code of Conduct for Expert Witnesses, contained in the Environment Court Practice Note 2023 and agree to comply with it. My qualifications as an expert are set out in Attachment 1 to my Hearing Stream 1 evidence filed on 13 May 2024. Other than where I state I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

1.7 I note that the Reporting Officer for the Urban Zone s42A is Sarah Trinder. Ms Trinder worked at B&A for approximately one and a half years from March 2023 – July 2024 before she returned to work for Council. I confirm that I have had no involvement in the Urban Zone topic, nor Ms Trinder's preparation of the Urban Zone s42A, which was undertaken after she left B&A. I have no conflict of interests to declare as it relates to this evidence.

## 2. INVOLVEMENT WITH PDP ON BEHALF OF MCDONALD'S AND SUBMISSION CONTEXT

- 2.1 My involvement with McDonald's and the context of McDonald's submission and its presence in the Far North District is outlined in Section 4 of my planning evidence statement for Hearing Stream 1 – Strategic Direction on behalf of McDonald's.

## 3. SUPPORTED RECOMMENDATIONS OF THE S42A REPORT

- 3.1 The S42A Reporting Officer for the Urban Zone chapters has recommended the acceptance of a number of McDonald's submission points or has recommended amendments which are consistent with the relief sought by McDonald's. For the submission points outlined in **Attachment 1**, McDonald's has confirmed that it is satisfied with the recommendations. I do not address them further within my evidence.
- 3.2 The remainder of my evidence focuses on the areas in contention where I have a different opinion to that of the Reporting Officer.

## 4. ZONING FRAMEWORK

- 4.1 On behalf of McDonald's and other submitters<sup>1</sup>, I presented planning evidence during Hearing 1 which was critical of the lack of direction regarding a centres hierarchy in the Strategic Direction Chapter, and in particular, the lack of zones that have been utilised in the PDP. This is particularly relevant to McDonald's, as all of its existing sites within the Far North District are located within the proposed MUZ.
- 4.2 Based on the expert planning evidence of Matthew Lindenberg, the Reporting Officer has recommended the introduction of a new 'Town Centre Zone (TCZ) stating that:<sup>2</sup>

"93. As stated above in Key Issue 1 NPS- UD, Council has revised its position on the application of the NPS-UD. We are now treating Kerikeri – Waipapa as an urban environment and the Far North District as a Tier 3 local authority. This shift has influenced out analysis of the submission points seeking to introduce new zones for Kerikeri.

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<sup>1</sup> Such as Willowridge Developments and Foodstuffs.

<sup>2</sup> Paragraphs 93 - 97 of the S42A Report – Urban Zones.

94. Council has engaged Mr Linenburg (Planning), Mr McIlrath (Economics), and Ms Rennie (Urban design) to provide technical expertise to assist in my assessment of the merits of introducing a MDRZ and a TCZ for Kerikeri.

95. The approach notified in the PDP, firstly did not recognise Kerikeri / Waipapa as an urban environment, as stated by Mr Lindenberg, this meant the approach did not enable Kerikeri – Waipapa to evolve over time, or allow for a diverse range of housing and business options as per NPS-UD Policy 1. The notified approach is also now not aligned with the Kerikeri/Waipapa Spatial plan.

96. The MDRZ and TCZ are necessary to enable intensification and commercial activity in locations identified as having high housing demand, proximity to employment and commercial centres. The inclusion of these zones provides a mechanism to give effect to the NPS-UD by enabling a greater diversity of housing types and price points near town centres, supports a clear urban hierarchy and provides a planning framework that anticipates and accommodate future growth pressures.

97. I agree with the conclusions in Mr Lindenberg's evidence that the inclusion of both a new MDRZ and TCZ within the PDP, is the most appropriate way for Council to give effect to the relevant policy direction of the NPS-UD. This approach is within the scope of submissions on the PDP."

4.3 I support the conclusion regarding the Tier 3 status for Kerikeri / Waipapa, and the subsequent inclusion of a TCZ. While this is an improvement on the "one stop shop" approach of having a single commercial zone via the MUZ, this still does not go far enough in my opinion. I anticipated that the Council would also provide a more detailed response to the application of further zones as outlined in my Hearing 1 evidence, in particular a local centre zone or neighbourhood zone.<sup>3</sup>

4.4 In the meantime, I appreciate that the Reporting Officer has indicated that the spatial extent of the new TCZ and actual provisions will be deferred to Hearing 15D so that evidence can be presented. In my opinion, this presents complications for McDonald's, and other submitters in the process and evidence for Hearing 14 because:

- (a) The spatial extent of the TCZ is presently unknown – the indication is that this will apply to Kerikeri, but no further comment is made by the Reporting Officer or other experts regarding why a TCZ should not apply to Kaikohe or Kaitaia for instance. Even if it is to apply to only Kerikeri, this is frustrating for

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<sup>3</sup> See Section 7, paragraphs 7.1-7.9 of my Hearing 1 planning evidence statement for McDonald's dated 13 May 2024.

McDonald's as they must proceed on the basis that their existing restaurants are in the MUZ as notified, until confirmation is provided that it is either within or outside of the proposed TCZ.

- (b) The nature of the provisions that will apply to the TCZ are presently unknown. As such, McDonald's and other submitters do not know how their existing operations and interests will be impacted by the application of the TCZ.

4.5 McDonald's did not 'opt in' to the voluntary rezoning process for the Hearing 15D stream. This was primarily because McDonald's was awaiting Council's response to the matters raised in the Panel's Minute no.7, but also Council's response to its submission points on the MUZ Chapter. Now that it is clear that Council will defer the spatial extent of the TCZ and provisions until the Hearing 15D stream, McDonald's will reserve its right to circulate evidence and attend that hearing as necessary, once Council's recommendations are released.

## 5. DEFINITIONS

### Definition Nesting Tables

5.1 McDonald's had a general submission point to include definition nesting tables within the PDP,<sup>4</sup> noting the following specific reasoning:

"McDonald's considers that a definitions nesting table and carefully considered definitions are critical to ensuring the efficient and effective implementation of the Plan in a consistent manner and considers the How the Plan works chapter to be an appropriate location for this. Nesting tables provide a clear and succinct way of organising different land use activities in a broader term which is critical given the plan typically defaults to discretionary activity where not otherwise specified."

5.2 I understand that the Council have determined to hear general definition submission points in Hearing 17 in November 2025. In my view, there is some merit in considering McDonald's and other submitters requests for nesting tables now. This is particularly relevant for McDonald's within the scope of Hearing 14, as McDonald's existing and future operations will be classified as a "commercial activity" and "drive through facility" under the new proposed definition. In my opinion, confirming the inclusion of clear nesting tables for key activity definitions such as "commercial activity", "industrial

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<sup>4</sup> S385.001.

activity”, “civic activity”, “community activity” and “residential activity” now will assist plan usability and interpretation.

### **New Definition – Retail Activity**

- 5.3 McDonald’s sought the inclusion of a definition for “retail activity”.<sup>5</sup>
- 5.4 The Reporting Officer rejected this within the s42A and states that this is already sufficiently covered in the definition of “commercial activities.”<sup>6</sup>
- 5.5 In my opinion, “retail activity” is an important activity to define within the PDP. It is utilised in the Plan for instance within the Overview of the MUZ chapter where “retail activities” are specifically referenced within the first sentence. Under an appropriate nesting table set up, a definition of “retail activity” is a subset of “commercial activity”, and does not conflict with that definition, but rather gives additional meaning for more targeted provisions related to different activity categorisations. As such I recommend a definition of “Retail Activity” as follows and outlined in **Attachment 2**:

#### “Retail activity

means activities selling, exposing, displaying or offering: of goods, merchandise or equipment for sale or direct hire to the public.

This definition is included within the commercial activities definition grouping.”

- 5.6 I would also recommend that this is included within a nesting table for “commercial activities”, noting my earlier argument as to why nesting tables are necessary and helpful.

### **Large Format Retail**

- 5.7 McDonald’s sought to amend the definition of ‘Large Format Retail’ to remove reference to Gross Floor Area (**GFA**) and refer to retail activities that Council wants to capture through this definition.<sup>7</sup>
- 5.8 The Reporting Officer has rejected this submission, stating:<sup>8</sup>

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<sup>5</sup> S385.032.

<sup>6</sup> See paragraph 147 of the Urban Zone s42A.

<sup>7</sup> S385.003.

<sup>8</sup> Paragraph 150 of the Section 42A Report – Urban Zones.

"I do not support changes to the definition of Large format retail. This definition is consistent throughout other second generation plans. The use of this definition and associated rules has been discussed in Key Issue 22: Mixed Use Zone – Rules and Key Issue 29: Light Industrial Zone – Rules."

5.9 I disagree with this position for the following reasons:

- (a) First, it is unclear what second-generation plans have included the notified PDP definition as they are not specifically listed by the Reporting Officer. I consider that simply stating that such a definition is consistent throughout other second-generation plans is insufficient justification, as there is no specific reasoning as to why the definition, or more specifically the 450m<sup>2</sup> threshold is provided.
- (b) Secondly, I consider that the reliance on a GFA standard within the definition is flawed. This approach is confusing in a predominantly activities-based plan, results in difficult interaction with other activities-based definitions, and results in unclear rules. In my opinion, reliance should be held on the rules and standards, and not on the definition itself, to manage scale and associated effects arising from activities.
- (c) Finally, the inclusion of the 450m<sup>2</sup> GFA limit within the definition is confusing when you consider the Reporting Officer's inclusion of a number of permitted activity requirements referencing a 450m<sup>2</sup> GFA limit within various activity based rules.<sup>9</sup> Many of these rules default to a restricted discretionary activity status when compliance is not achieved. However, this is contradicted by MUZ-R14 which states that any "large format retail" is a blanket discretionary activity.

5.10 Noting the issues I have identified above, I recommend that the "large format retail" definition is simply deleted as outlined in **Attachment 2**, and that reliance is instead placed on the existing definitions<sup>10</sup> with GFA limits included within the rules, if they are sufficiently justified. I consequentially recommend the deletion of MUZ-R14, as this rule would now become redundant with the definition deleted.

### **New Definition – Food and Beverage Activity**

5.11 McDonald's sought:

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<sup>9</sup> See for instance MUZ-R2, MUZ-R6 – MUZ-R10 and MUZ-RXX.

<sup>10</sup> Including my recommended definition of "retail activities" above

- (a) To include a new definition for “restaurant and café” within the PDP as these are terms used in the Transport chapter and in the Light Industrial Zone chapter, but not presently defined.<sup>11</sup>
- (b) Definitions for “food and beverage activities”.<sup>12</sup>
- 5.12 McDonald’s submission point regarding a definition for “restaurant and café” has not been addressed within the s42A Report. McDonald’s submission point regarding “food and beverage” is recommended to be rejected by the Reporting Planner as this is already sufficiently covered in the definition of “commercial activities.”<sup>13</sup>
- 5.13 I consider this to be an important consideration for Hearing 14 and McDonald’s submission because at present it is not clear whether a McDonald’s restaurant would be captured by either of these activities, particularly within the Light Industrial Zone Rule LIZ-R5, which states that “convenience stores, restaurants, cafes and takeaway food outlets” are a permitted activity where they do not exceed 300m<sup>2</sup> GFA .
- 5.14 Having considered this matter more closely, I consider that the most efficient and effective approach would be to include a definition of “Food and Beverage Activity” as follows and outlined in **Attachment 2**:

“Food and Beverage

Premises where the primary business is selling food or beverages for immediate consumption on or off site.

Includes:

- Restaurants and cafes;
- Food halls; and
- Take-away food bars.

Excludes:

- Retail shops; and
- Supermarkets.

This definition is nested within the Commercial Activities nesting table.”

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<sup>11</sup> S385.005.

<sup>12</sup> S385.032.

<sup>13</sup> See paragraph 147 of the Urban Zone s42A.

- 5.15 I consider this definition will provide clarity and consistency as to what these activities constitute across the PDP, and ultimately improve plan usability and the effective application of the plan. I recommend that any other references to “restaurant, cafes and takeaway food outlets” or similar types of undefined activities are updated accordingly to reflect this new definition.<sup>14</sup> I would also recommend that this is included within a nesting table for “commercial activities”, noting my earlier argument as to why nesting tables are necessary and helpful.

## 6. MIXED USE ZONE

### 450m<sup>2</sup> GFA Requirement

- 6.1 McDonald’s submission sought a range of amendments to MUZ-R1.<sup>15</sup>
- 6.2 The Reporting Officer has accepted this in part and has recommended the following:
- (a) Amendments to MUZ-R1 so that compliance is only necessary with the height and height in relation to boundary standards in the MUZ for any extensions or alterations to existing buildings which do not increase the building footprint.
  - (b) Amendments to MUZ-R1 to remove the GFA permitted trigger and direction of this to the activities listed within the MUZ rules, and more specifically MUZ-R2 with a 450m<sup>2</sup> as it relates to “commercial activities.”
- 6.3 For the inclusion of the 450m<sup>2</sup> GFA threshold within MUZ-R2, the following justification from the Reporting Officer is provided:

“Consequently I recommended amendment to remove the GFA trigger from MUZ - R1. I consider it necessary to include GFA triggers in the other Permitted activity rules, Commercial activity, Healthcare facility, Emergency Service facility. I consider that regardless of the activity there could be adverse effects for activities with a larger GFA in the MUZ. I consider 450m<sup>2</sup> to be a threshold that allows a slight increase from the previously permitted GFA of 400m<sup>2</sup> and aligns with the GFA for Large format retail of 450m<sup>2</sup>. In my opinion the discretionary activity status for activities with a GFA greater than 450m<sup>2</sup> is appropriate. It is to be noted that for Waipapa, commercial activities,

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<sup>14</sup> I have recommended this change for LIZ-R5, but have not undertaken a full check across the PDP for any areas where further consequential amendments may be needed.

<sup>15</sup> S385.020.

large format retail and supermarkets are directed towards the LIZ, Waipapa control area.”

- 6.4 I am unaware of the technical basis for why the Reporting Officer considers that a 450m<sup>2</sup> GFA for “commercial activities” is necessary within the MUZ. A broad statement of “there could be adverse effects” is outlined, but there are no specific details of what those adverse effects are, or why they need to be addressed with the blunt application of a 450m<sup>2</sup> GFA requirement. As I outline further below, I consider that there are already comprehensive provisions within the PDP to manage traffic, access, bulk and location, signage, landscaping, noise and lighting which call into question why it is necessary to include a GFA requirement. On that basis, I recommend that PER-4 is deleted in MUZ-R2, as outlined in **Attachment 2**.

### **Drive Through Facilities**

- 6.5 McDonald’s submission sought the inclusion of a new permitted activity rule for ‘Drive-through facilities’ in the MUZ.<sup>16</sup>
- 6.6 The Reporting Officer has accepted this in part and has recommended the following:
- (a) The deletion of MUZ-R15 which made “drive through facilities” a blanket discretionary activity. I support this deletion.
  - (b) The inclusion of a new restricted discretionary activity requirement in MUZ-R2-PER-3 for “drive throughs.”<sup>17</sup>
- 6.7 For the approach to “drive through facilities” the following justification from the Reporting Officer for these recommended amendments is provided:<sup>18</sup>

“Given the broad nature of activities provided for in the MUZ, I do not consider it appropriate that Drive throughs have a permitted activity status. Drive throughs may generate a variety of potential adverse effects, and as such, a restricted discretionary pathway is more appropriate to assess those effects for any given location. The establishment of Drive throughs requires consideration of the transport network, noise,

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<sup>16</sup> S385.022.

<sup>17</sup> I note that the Reporting Officer has referred to this as “drive through” within the s42A recommended wording for MUZ-R2-PER3. I assume this is a typo, and would recommend that any reference within the provisions is to “drive through facilities” as the term that is recommended to be defined in the PDP.

<sup>18</sup> Paragraph 553 of the Section 42A Report – Urban Zones.

hours of operation and light, particularly if there are sensitive uses in the environment. I recommend adding a pathway for drive through to the Commercial activity rue, and subsequently MUZ-R15 is deleted.”

6.8 While I consider the restricted discretionary activity pathway for “drive through facilities” to be an improvement on the blanket discretionary activity status within the notified PDP, I disagree that the recommended rule is necessary for the following reasons:

(a) The Reporting Officer has recommended the following matters of discretion for an infringement of MUZ-R2-PER-3:

- a. The extent of any effect on the transport network;
- b. Any access is designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;
- c. Minimises building bulk, and signage while having regard to the functional requirements of the activity; and
- d. Landscaping is provided especially within surface car parking areas to enhance amenity values.

(b) In my opinion, these matters, and the effects they seek to address, are already addressed by other provisions within the PDP. For instance:

(i) Effects on the transport network (clause a) and access (clause b) are already addressed by the provisions within the Transportation Chapter. More specifically, there is permitted 200m<sup>2</sup> GFA threshold of for “drive-thru” activities in the Transport Chapter.<sup>19</sup> Any exceedance of this requires resource consent for a restricted discretionary activity and the commissioning of an integrated transport assessment under TRAN-R5. Access requirements are also addressed within the Transport Chapter with comprehensive provisions and consenting triggers included to address the matters raised in clause b.

(ii) Similarly building bulk and signage (clause c.) are already addressed. The MUZ includes a comprehensive set of standards (MUZ-S1 – MUZ-S7, and MUZ-S10) which address the applicable bulk and location requirements for the zone, with restricted discretionary activity resource consent required if the standards are not met. Similarly, the Signs

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<sup>19</sup> Noting that McDonald’s opposed this threshold in its submission and tabled a letter at Hearing 11 retaining that position.

Chapter includes a comprehensive set of provisions to manage signage, including within the MUZ, with appropriate resource consenting triggers when compliance is not met.

(iii) Finally for landscaping (clause d.), requirements are specifically included in MUZ-S8 and MUZ-S9, with a restricted discretionary activity resource consent requirement when these standards are not met.

(c) The Reporting Officer also within the justification of the rule highlights concerns with other matters such as noise and light. With regard to these matters, notwithstanding that they are not included within the matters of discretion, they are also already addressed within the Noise and Light Chapters which include comprehensive standards and resource consent requirements, when these are not met.

(d) With regard to all of the above, I see no additional benefit in essentially “double handling” traffic, access, bulk and location, signage, landscaping, noise and lighting assessment / resource consent requirements in the PDP for “drive through facilities” when these are already clearly and effectively addressed elsewhere. In my opinion, this leads to an inefficient and ineffective duplication of consenting requirements and associated costs, with no clear material benefit in terms of addressing apparent adverse effects.

6.9 As such, I recommend that MUZ-R2 is amended as outlined in **Attachment 2** to delete the restricted discretionary activity requirement for “drive through facilities.”

## 7. SECTION 32AA ASSESSMENT

7.1 Section 32AA of the RMA requires further evaluation where changes are made to a proposal since the original section 32 evaluation. I have recommended amendments to the definitions chapter, and the provisions of the MUZ and LIZ chapters, as set out in **Attachment 2** to my evidence. I consider that these amendments are the most appropriate way to achieve the relevant objectives of the PDP, for the following reasons:

(a) **Amendments to existing and new definitions:** My recommended amendments and inclusion of new definitions will improve plan usability by providing clear and consistent definitions of activity based terms. This will make

the application of rules and definitions clear for plan users, leading to the more consistent application of the PDP provisions.

- (b) **450m<sup>2</sup> Gross Floor Area:** This amendment ensures that “commercial activities” are enabled within the MUZ where they are logistically anticipated without resulting in unnecessary resource consents and associated costs. From a planning perspective, this improves the effectiveness and efficiency of this rule without removing the requirement to assess “commercial activity” proposals against the other permitted standards within the MUZ, and district wide chapters of the PDP.
- (c) **Drive Through Facilities:** my recommended amendments ensure that drive-through facilities are enabled within the MUZ without resulting in unnecessary duplicative resource consents and associated costs. From a planning perspective, this improves the effectiveness and efficiency of this rule without removing the requirement to assess drive-through facility proposals against the other permitted design standards within the MUZ, and the traffic, lighting and noise rules/standards within their respective chapters in the PDP.

7.2 Overall, I consider the social and economic benefits of the recommended amendments – including reduced compliance costs, improved clarity, and a more enabling framework for restaurant, café and drive-through facilities development – to outweigh any potential costs.

## 8. CONCLUSION

8.1 In conclusion, I consider that there are still issues outstanding from McDonald’s submission that need to be addressed by the Hearings Panel. These primarily relate to definitions, and the recommended provisions relating to drive through facilities and GFA requirements within the MUZ.

8.2 In particular, I highlight the following in summary:

- (a) The definition for “large format retail” should be deleted, and Nesting tables and new definitions for “food and beverage activity” and “retail activity” should be included to assist with the clear and consistent application of the PDP provisions;
- (b) The technical basis for the 450m<sup>2</sup> GFA requirement for “commercial activities” has not been clearly established in my opinion and there are existing provisions

within the PDP to manage effects on traffic, access, bulk and location, signage, landscaping, noise and lighting.

- (c) While the deletion of the blanket discretionary activity status for drive through facilities within the MUZ is an improvement, there are unnecessary overlaps with the Reporting Officer's recommended restricted activity requirements and matters of discretion that are already addressed in existing provisions within the PDP.

8.3 I have recommended amendments to the provisions as outlined in **Attachment 2**, and have undertaken a section 32AA Evaluation which I consider demonstrates that the amendments are more efficient and effective at achieving the relevant objectives within the PDP.

**David Eric Badham**

**Date:** 7 July 2025

**Attachment 1 – Areas of Agreement with the Reporting Officer / S42A**

### **Definitions**

These include the following submission points:

- (a) S385.004 – support the Reporting Officer's recommended new definition for 'Drive-through facilities.'

### **Mixed Use Zone**

These include the following submission points:

- (a) S385.018– support the Reporting Officer's recommendation to introduce a new Town Centre Zone – notwithstanding my additional comments in Section 4 above.
- (b) 385.020 – support the Reporting Officer's recommended amendments to MUZ-R1 – notwithstanding my recommended consequential amendments to MUZ-R2 in Section 6 above.

## **Attachment 2 – Recommended Amendments to MUZ Provisions**

S42A recommended wording = additions underlined text deletions ~~strikethrough text~~

David Badham recommended wording = additions underlined text deletions ~~strikethrough text~~

## DEFINITIONS

### Food and Beverage

Premises where the primary business is selling food or beverages for immediate consumption on or off site.

#### Includes:

- Restaurants and cafes;
- Food halls; and
- Take-away food bars.

#### Excludes:

- Retail shops; and
- Supermarkets.

This definition is nested within the Commercial Activities nesting table.

### Large Format Retail

means any individual retail tenancy with a gross floor area greater than 450m<sup>2</sup>;

### Retail activity

means activities selling, exposing, displaying or offering: of goods, merchandise or equipment for sale or direct hire to the public.

This definition is included within the commercial activities definition grouping.

## MIXED USE ZONE PROVISIONS

### **MUZ-R2– Commercial activity (excluding supermarkets)**

“Activity status: Permitted

#### **PER-1**

The activity is not a service station.

#### **PER-2**

Any office does not exceed GFA of 300m<sup>2</sup>.

### **PER-3**

**The activity is not a drive through.**

### **PER-4**

**The new building or structure, relocated building or extension or alteration to an existing building or structure on the site, does not exceed GFA 450m<sup>2</sup>.**

Activity status where compliance not achieved with PER-4 PER-2 or **PER-2**:  
**Restricted Discretionary**

**PER-2 Matters of discretion are restricted to:**

- a. **Any effects on the transport network.**

**PER-3 Matters of discretion are restricted to:**

- a. **The extent of any effect on the transport network;**
- b. **Any access is designed and located to provide efficient circulation on site and avoid potential adverse effects on adjoining sites, the safety of pedestrians and the safe and efficient functioning of the road network;**
- c. **Minimises building bulk, and signage while having regard to the functional requirements of the activity; and**
- d. **Landscaping is provided especially within surface car parking areas to enhance amenity values.**

Activity status where compliance not achieved with PER-1 **and 4:**

**Discretionary**

### **MUZ-R14 Large Format Retail**

**Activity Status: Discretionary**

## **LIGHT INDUSTRIAL ZONE PROVISIONS**

**LIZ-R5 Convenience stores and food and beverage activities, restaurants, cafes and takeaway food outlets**

Activity status: Permitted

Where:

### **PER-1**

The convenience store, restaurant, café or takeaway food outlet does not exceed a GFA of 2300m<sup>2</sup>.