

# 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.

## Submission on PDP

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.

















# Foodstuffs North Island Limited Submission on PDP



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

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> |
| 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>   |

S363.006

S363.007

**Barker & Associates**

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# Foodstuffs North Island Limited Submission on PDP



| 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

# Foodstuffs North Island Limited Submission on PDP



| 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 |





























