

21 October 2025

Hearings Panel
Proposed Far North District Plan
Far North District Council
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Tēnā koutou Commissioners,

Proposed Far North District Plan – Hearing 17 – General / Miscellaneous / Sweep Up & Tangata Whenua Matters

Introduction

Foodstuffs North Island Limited (**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, 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.

As I understand it, in Foodstuff's experience across New Zealand, 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 submitter statement addresses the implications of the PDP for Foodstuffs, focused specifically on the non-provision of nesting tables as addressed within the Hearing 17 s42A Report – Sweep Up (**s42A Report**).

Supported Recommendations of the s42A Report

Foodstuffs support the Reporting Officer's recommendation contained in "Section 42A Report – Sweep Up" to accept their submission point in relation to a new definition for 'supermarket'.¹ This has already been addressed in Hearing 14.

Nesting Tables

Foodstuffs are also in disagreement with the Reporting Officer's recommendation to reject the inclusion of nesting tables for key definitions (such as commercial activities, rural production activities, residential

¹ S363.005.

activities and industrial activities). Although the Reporting Planner acknowledges that nesting tables can be a valuable tool, they note that such tables are not a requirement under the National Planning Standards, do not carry statutory weight, and are most effective when integrated early in the drafting process, rather than at this late stage, to avoid altering the original intent of the PDP.² Foodstuffs consider that there is a strong case for the inclusion of nesting tables within PDP for the following reasons:

- (1) The PDP is a hybrid activities and effects based plan, with a much greater focus on activity based provisions (e.g., objectives, policies and rules) that direct, control or restrict certain activities within particular zones compared to the currently operative Far North District Plan. As such, the clear and consistent use of activity based definitions throughout the PDP is important to the clear and consistent application of the provisions.
- (2) Nesting tables, while not mandatory within the National Planning Standards, are commonly used in second generation district plans under the Resource Management Act 1991, featuring for instance in the Auckland Unitary Plan and the Whangārei District Plan. An example of a clear nesting table for a key activity definition such as “commercial activities” is presently utilised within the Whangārei District Plan see **Figure 1** below.³ Nesting tables give clear direction that if a more overall activity term is referenced, then it clearly applies to all of the other terms that “nest” under that activity definition. This is incredibly important and helpful, as for example, if an objective or policy refers to “commercial activities”⁴ it quite clearly then captures all of the activities (e.g., retail activities and grocery stores) within the nesting table. This avoids unnecessary confusion and inconsistency in the interpretation and application of the plan provisions for plan users.
- (3) There appears to be agreement from the Reporting Officer that nesting tables are useful and helpful⁵, but the issue appears to be that they consider it challenging to include them now because they were not embedded early in the plan-making process. Foodstuffs consider that this insufficient justification to recommend declining this relief. Foodstuffs, and a number of other submitters, made clear and consistent requests within their original submissions to include nesting tables. The careful review of definitions and the inclusion of nesting tables can, and arguably should have been undertaken earlier, to avoid or mitigate the risk of broadening or misrepresenting the scope of certain activities. If there is agreement from the Panel to Foodstuffs and other submitter’s position that the inclusion of nesting tables will improve the efficiency and effectiveness of the PDP provisions, then the suggestion that this will be challenging or time consuming for Council to do this now is inadequate reasoning to recommend rejection.

² See paragraph 386 of the s42A.

³ See **Attachment 1** – for a full copy of the nesting tables used in the Whangārei District Plan.

⁴ See for instance MUZ-P1 in the PDP.

⁵ See the first sentence of paragraph 385 of the s42A. “In response to the submitters who have requested the inclusion of nesting tables within the PDP, these tables can be a valuable tool when used during the initial drafting of plan provisions, as they help clarify the relationship between activities and definitions, improving transparency and aiding interpretation during consent processes.”

Commercial Activities	Retail Activity	Trade Retail	Marine Retail
			Hire Premise
			Motor Vehicle Sales
			Trade Suppliers
		Drive-Through-Facilities	
		General Retail	
		Grocery Store	
	Commercial Services		
	Food and Beverage Activity		
	Entertainment Facilities		
	Visitor Accommodation		
	Service Stations		
	Funeral Home		
	General Commercial		

Figure 1: Commercial Activities Definition Grouping

Conclusion

I can confirm that Foodstuffs will not be filing evidence for Hearing 17 at this stage and does not wish to be heard at the hearing. However, I am available to answer any questions from the Hearing Panel either in writing or via videoconference if required.

Yours sincerely | Nāku noa, nā

Barker & Associates Limited



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Attachment 1 – Nesting Tables Example from Whangārei District Plan

7. There are five “definition groupings” which gather specific land use activities into similar categories. These include: Rural Production Activities, Industrial Activities, Residential Activities, Commercial Activities and Community Activities. Within each grouping, activities are listed with the more general term on the left of Figures 1-5 and the more specific term on the right of Figures 1-5. Where a District Plan rule manages a general activity, that general activity includes all the specific activities listed in the definition grouping unless otherwise specified in the rules. Each definition grouping activity must also comply with any building and built form rules that are relevant to the activity. The five definition groupings are detailed in Figures 1-5 below.

Rural Production Activities	Farming
	Plantation Forestry
	Intensive Livestock Farming
	Farm Quarrying

Figure 1: Rural Production Activities Definition Grouping

Industrial Activities	General Industry
	Manufacturing
	Repair and Maintenance Services
	Artisan Industrial Activities
	Marine Industry
	Waste Management Facility
	Landfill
	Storage

Figure 2: Industrial Activities Definition Grouping

Residential Activities	Residential Unit	Principal Residential Unit
		Minor Residential Unit
	Supported Residential Care	
	Retirement Village	

Figure 3: Residential Activities Definition Grouping

Commercial Activities	Retail Activity	Trade Retail	Marine Retail
			Hire Premise
			Motor Vehicle Sales
			Trade Suppliers
		Drive-Through-Facilities	
		General Retail	
		Grocery Store	
	Commercial Services		

Figure 4: Commercial Activities Definition Grouping

Community Activities	Place of Assembly	Community Corrections Activity
	Recreational Facilities	
	Emergency Services	
	Care Centre	
	Educational Facilities	
	Hospital	
	General Community	

Figure 5: Community Activities Definition Grouping