

22 April 2025



Chief Executive
Hutt City Council
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Via email: district.plan@huttcity.govt.nz

Woolworths New Zealand Limited Submission on the Proposed Lower Hutt District Plan, Under Clause 6 of Schedule 1 of the Resource Management Act 1991

This is a submission by Woolworths New Zealand Limited ("WWNZ") on the Proposed Lower Hutt District Plan 2025 (PDP).

WWNZ does not consider it can gain an advantage in trade competition through this submission. In any event, WWNZ is directly affected by the subject matter of the submission that:

- Adversely affects the environment; and
- Does not relate to trade competition or the effects of trade competition.

WWNZ wishes to be heard in support of its submission.

Introduction:

WWNZ welcomes the opportunity to submit on the Lower Hutt Proposed District Plan 2025.

WWNZ currently operates 185 Woolworths stores nationwide and employs over 20,000 people. Woolworths NZ Ltd is also the franchisor for the Fresh Choice and Super Value brands, with a further 75 stores nationwide. There are four Woolworths stores in Lower Hutt:

- a. Petone Woolworths – 45 Jackson Street, Petone
- b. Lower Hutt Woolworths – 253 High Street, Lower Hutt
- c. Queensgate Woolworths – Queensgate Shopping Centre, 61 - 63 Knights Road, Lower Hutt
- d. Wainuiomata Woolworths – 9 Te Ara Raukura, Wainuiomata

WWNZ is proud to work with the Lower Hutt community and Hutt City Council to create and deliver successful supermarkets that support and foster community wellbeing. In Lower Hutt, WWNZ employs approximately 451 people across its four Woolworths stores. WWNZ's food rescue partners in the Hutt Valley are Kaibosh Food Resue and The Salvation Army. WWNZ takes its responsibilities seriously to care for, protect, and enhance the land and communities in which we operate.

Scope of Submission:

WWNZ has a **neutral** position toward the PDP as notified, subject to resolution of the matters raised in this submission.

Without limiting the generality of this submission, the following particular provisions are supported / changes are sought as set out below.

Specific Submission Points:

The specific matters of PDP that WWNZ's submission relates to include:

- 1) The CCZ – City Centre Zone Chapter in its entirety, and specific provisions
- 2) The MCZ – Metropolitan Centre Zone Chapter in its entirety, and specific provisions
- 3) SIGN - S2 – Signage Areas
- 4) NH – Natural Hazards Chapter.

The WWNZ submission points, changes sought and the reasons for those changes can be found within Appendix 1 of this submission.

WWNZ seeks the following decision from Hutt City Council:

The following relief is sought in response to the issues raised in this submission:

- a) That the specific amendments, additions, or retentions which are sought as specifically outlined in Appendix 1, with text changes shown in red, text to be removed ~~struck through~~ and text to be added underlined, are accepted and adopted into the PDP.
- b) All alternative or consequential relief as may be necessary to fully achieve the relief sought in this submission.

WWNZ wishes to be heard in respect of its submission.

WWNZ seeks to work collaboratively with the Council and would welcome the opportunity to discuss its submission on the PDP with Council officers prior to the hearing.



Debra Downing | Portfolio Manager

Woolworth New Zealand Limited

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APPENDIX 1: Decisions Sought on the Proposed Lower Hutt District Plan

The following table sets out the amendments sought to the Hamilton City Plan Change 14 and also identifies provisions that WWNZ supports.

Proposed changes are shown as ~~strikethrough~~ for deletion and underlined for proposed additional text.

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
1	CCZ- City Centre – Full Chapter	Amendment sought	<p>WWNZ supports a City Centre that provides for a wide range of development at any scale, that draw people from across the city, as well as providing for local needs.</p> <p>As notified, the zone description anticipates a wide range of activities consistent with 'this' purpose but seeks to manage activities that it considers might not be consistent with the amenity values sought for the zone. The zone description goes onto outline that there are a wide range of existing land uses, and provisions are included to manage an area as it may transition over time.</p> <p>The purpose of the zone and activities which are primarily provided for in this zone are clearly outlined in Objectives CCZ-O1 and CCZ-O2, and generally are supported by a wide range of land use activities being permitted within the zone. However, the planned character and urban built form of the zone, listed incompatible activities, and Standards are considered to be misaligned and conflict with the realities of the activities the zone is said to provide for.</p>	<p><i>Reconsideration of the City Centre Zone framework is considered necessary to achieve greater alignment and support of permitted activities is needed to be recognised by the objectives, policies and standards framework for the City Centre Zone.</i></p> <p><i>Consequential changes or amendments may be required.</i></p>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>As notified the zone encourages a range of activities which is supported, however it is challenging to see how permitted activities such as supermarkets or integrated retail development, could functionally or feasibly develop or redevelop within the parameters of the proposed standards. Non-compliance with some standards is not uncommon for larger scale activities and development, however where the non-compliance with the majority of standards occurs and the objectives and policies do not recognise the functional realities of some activities, then a successful consent pathway will be challenging to achieve.</p> <p>It is considered that greater alignment and support of permitted activities should be recognised by the objectives, policies and standards framework for the City Centre Zone.</p>	
2	CCZ-City Centre – CCZ-P3	Amendments sought	<p>This policy specifically identifies carparking at ground level on sites subject to the Active Street Frontage Overlay as a potentially incompatible activity in the City Centre Zone.</p> <p>Carparking is identified as a standalone activity by the PDP even where it is provided ancillary to the main activity occurring at the</p>	<i>Amend the policy direction to recognise the functional realities of activities that are best located in the City Centre Zone.</i>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>subject site, and even where that main activity is permitted in the zone.</p> <p>The categorising of carparking as an incompatible activity, and isolation of carparking as a standalone activity irrespective of its primary purpose, suggests that the zone is only supportive of half of a land use and is unsupportive of the parts that enable that land use to function and serve the community.</p> <p>While some of the criteria within this policy do identify the need to serve customers, the other criteria are heavily focused on a design outcome. Therefore, an 'on balance' alignment with this policy is unlikely to be possible.</p> <p>It is acknowledged that carparking is only considered incompatible at ground level on sites subject to the Active Street Frontage Overlay. Where a site only has frontage to a street or streets that are subject to this overlay, then a permitted land use activity, which relies on car parking to function and serve the community is going to struggle to align with this policy.</p>	
3	CCZ-City Centre – CCZ-P6	Support	WWNZ generally supports this policy which recognises the City Centre as a primary	<i>Retain as notified.</i>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			location for larger scale commercial activities that serve the whole city and wider region.	
4	CCZ-City Centre – CCZ-R4	Amendments sought	<p>WWNZ supports the provision of alterations and additions to existing buildings and structures as a permitted activity.</p> <p>Alterations are defined by the PDP as “modification to a building or structure that do not increase the gross floor area, footprint, or height of the building or structure, but excludes repair and maintenance”.</p> <p>As notified, ‘alterations’ resource consent will be required for an alteration to an existing building or structure, where criteria CCZ-R4(b) and (c) are met, however criteria CCZ-R4(a) is not.</p> <p>In this scenario the alteration does not increase the GFA, footprint or height of the building, the external building form remains unchanged, and the alteration is not visible from a public space, however resource consent is required for a reason that has no relationship with the proposed work. I.e. an ‘alteration’ to an existing building, however that alteration fails to comply with the Active Frontage Controls due to the existing building and site design.</p>	<p><i>Amend provision to create a separate permitted activity rule for ‘alterations’, or</i></p> <p><i>Amend provision so that ‘alterations’ are only required to achieve compliance with criteria CCZ-R4(b) and (c).</i></p>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>As notified, if RC were required in this scenario due to the alteration being unable to comply with the Active Frontage Controls, Council discretion is restricted to a wide range of matters which are again concerned with matters that the alternation has no ability to impact or improve.</p> <p>This is considered to create unnecessary consenting requirements for an alteration to a building or structure. Given the strict definition of an 'alteration' and criteria CCZ-R4(b) and (c), it is not considered such work has the potential to adversely effect the environment or any person, and would remain consistent with the existing built form and environment.</p>	
5	CCZ-City Centre – CCZ-R13	Support	WWNZ support grocery stores and supermarkets being a permitted activity in the City Centre Zone.	<i>Retain as notified.</i>
6	CCZ-City Centre -CCZ-S4	Amendments sought	<p>As notified if compliance with this standard (Active Frontages – Buildings and Structures) is not achieved, Council have restricted their discretion to 5 matters.</p> <p>Matter of discretion (4) is "Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-</p>	<p><i>Amend the matters of discretion as follows:</i></p> <p><i>Matters of discretion if the standard is breached:</i></p> <ol style="list-style-type: none"> 1. <i>Urban design outcome (1) in CCZ-P8: Urban design outcomes (by meeting standard or assessment).</i>

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			<p><i>compliance in relation to the effects of that activity no longer occurring at the site."</i></p> <p>Consideration of the ability of the existing activity to comply is considered relevant and appropriate, however it is not considered appropriate to consider the effects of that activity no longer occurring at the site, particularly where the land use is permitted by the plan.</p> <p>Non-compliance with this standard could easily occur through a small addition (i.e. 5m² increase in GFA) due to the existing building and site failing to meet this new provision. In cases where the overarching land use is permitted by the plan, a criteria directing consideration of the permitted activity no longer occurring is considered to be at odds with the intent of the zone.</p>	<p>2. <i>The urban design outcomes in CCZ-P9: Urban design outcomes (all significant developments).</i></p> <p>3. <i>The matters in CCZ-P10: Urban design outcomes (exclusions).</i></p> <p>4. <i>Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.</i></p> <p>5. <i>Any positive effects that can only be achieved through non-compliance with the standard.</i></p> <p><i>Consequential changes or amendments may be required.</i></p>
7	MCZ- Metropolitan Centre Zone – Full chapter	Amendments sought	<p>WWNZ supports a City Centre that provides for a significantly larger scale and a wider range of development than other suburban centres, that draw people from across the city, and much of the region.</p> <p>As notified, the zone description recognises the diverse mix of activities along Jackson Street, which is where Woolworths Petone is located. The zone description goes onto</p>	<p><i>Reconsideration of the City Centre Zone framework is considered necessary to achieve greater alignment and support of permitted activities is needed to be recognised by the objectives, policies and standards framework for the Metropolitan Centre Zone.</i></p> <p><i>Consequential changes or amendments may be required.</i></p>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>outline that there are a wide range of existing land uses, and provisions are included to manage an area as it may transition over time. This suggests some of these existing land uses may be managed out of this area over time.</p> <p>The purpose of the zone and activities which are primarily provided for in this zone are clearly outlined in Objectives CCZ-O1 and CCZ-O2, and generally are supported by a wide range of land use activities being permitted within the zone. However, the planned character and urban built form of the zone, listed incompatible activities, and Standards are considered to be misaligned and conflict with the realities of the activities the zone is said to provide for.</p> <p>As notified the zone encourages a range of activities which is supported, however it is challenging to see how permitted activities such as supermarkets or integrated retail development, could functionally or feasibly develop or redevelop within the parameters of the proposed standards. Non-compliance with some standards is not uncommon for larger scale activities and development, however where the non-compliance with the majority of standards occurs and the objectives and</p>	

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			<p>policies do not recognise the functional realities of some activities, then a successful consent pathway will be challenging to achieve.</p> <p>It is considered that greater alignment and support of permitted activities is needed to be recognised by the objectives, policies and standards framework for the Metropolitan Centre Zone.</p>	
8	MCZ-Metropolitan Centre Zone – MCZ-P3	Amendments sought	<p>This policy specifically identifies carparking at ground level on sites subject to the Active Street Frontage Overlay as a potentially incompatible in the Metropolitan Centre Zone.</p> <p>Carparking is identified as a standalone activity by the PDP even where it is provided ancillary to the main activity occurring at the subject site, and even where that main activity is permitted in the zone.</p> <p>The categorising of carparking as an incompatible activity, and isolation of carparking as a standalone activity irrespective of its primary purpose, suggests that the zone is only supportive of half of a land use and is unsupportive of the parts that enable that land use to function and serve the community.</p>	<i>Amend the policy direction to recognise the functional realities of activities that are located in the Metropolitan Centre Zone and serve the community.</i>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>While some of the criteria within this policy do identify the need to serve customers, the other criteria are heavily focused on design outcome. Therefore, an 'on balance' alignment with this policy is unlikely to be possible.</p> <p>It is acknowledged that carparking is only considered incompatible at ground level on sites subject to the Active Street Frontage Overlay. Where a site only has frontage to a street or streets that are subject to this overlay, then a permitted land use activity, which relies on car parking to function and serve the community is going to struggle to align with this policy.</p>	
9	MCZ-Metropolitan Centre Zone – MCZ-P4	Amendments sought	<p>As notified this policy considers vehicle crossings on street frontages subject to the Active Street Frontage Overlay A and B as likely incompatible.</p> <p>Many existing activities, including Woolworths Petone have their main public vehicle entrance along an Active Street Frontage Overlay B. Where an existing vehicle crossing along the Active Street Frontage is the only crossing, this should be able to be retained without being considered incompatible. It is considered other objectives and policies are strong enough to achieve the planned purpose</p>	<i>Amend policy to exclude existing vehicle crossings on Active Street Frontage Overlay B, from being likely incompatible.</i>

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			without total removal of the existing environment.	
10	MCZ-Metropolitan Centre Zone – MCZ R4	Amendments sought	<p>WWNZ supports the provision of alterations and additions to existing buildings and structures as a permitted activity.</p> <p>Alterations are defined by the PDP as “modification to a building or structure that do not increase the gross floor area, footprint, or height of the building or structure, but excludes repair to maintenance”.</p> <p>As notified, ‘alterations’ resource consent will be required for an alteration to an existing building or structure, where criteria MCZ-R4(b) and (c) are met, however criteria MCZ-R4(a) is not.</p> <p>In this scenario the alteration does not increase the GFA, footprint or height of the building, the external building form remains unchanged, and the alteration is not visible from a public space, however resource consent is required for a reason that has not relationship with the proposed work. I.e. an ‘alteration’ to an existing building, however that alteration fails to comply with the Active Frontage Controls due to the existing building and site design.</p>	<p><i>Amend provision to create a separate permitted activity rule for ‘alterations’, or</i></p> <p><i>Amend provision so that ‘alterations’ are only required to achieve compliance with criteria MCZ-R4(b) and (c).</i></p>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>As notified, if RC were required in this scenario due to the alteration being unable to comply with the Active Frontage Controls, Council discretion is restricted to a wide range of matters which are again concerned with matters that the alternation has no ability to impact or improve.</p> <p>This is considered to create unnecessary consenting requirements for an alteration to a building or structure. Given the strict definition of an 'alteration' and criteria MCZ-R4(b) and (c), it is not considered such work has the potential to adversely effect the environment or any person, and would remain consistent with the existing built form and environment.</p>	
11	MCZ-Metropolitan Centre Zone – MCZ R13	Support	WWNZ support grocery stores and supermarkets being a permitted activity in the Metropolitan Centre Zone.	<i>Retain as notified.</i>
12	MCZ-Metropolitan Centre Zone – MCZ R14	Support	WWNZ support integrated retail activities being a permitted activity in the Metropolitan Centre Zone.	<i>Retain as notified.</i>
13	MCZ-Metropolitan Centre Zone – MCZ S4	Amendments sought	As notified if compliance with this standard (Active Frontages – Buildings and Structures) is not achieve, Council have restricted their discretion to 5 matters.	<p><i>Amend the matters of discretion as follows:</i></p> <p><i>Matters of discretion if the standard is breached:</i></p>

ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>Matter of discretion (4) is “Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.”</p> <p>Consideration of the ability of the existing activity to comply is considered relevant and appropriate, however it is not considered appropriate to consider the effects of that activity no longer occurring at the site particularly where the land use is permitted by the plan.</p> <p>Non-compliance with this standard could easily occur through a small addition (i.e. 5m² increase in GFA) due to the existing building and site failing to meet this new provision. In cases where the overarching land use is permitted by the plan, a criteria directing consideration of the permitted activity no longer occurring is considered to be at odds with the intent of the zone.</p>	<ol style="list-style-type: none"> 1. Urban design outcome (1) in MCZ-P8: Urban design outcomes (by meeting standard or assessment). 2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments). 3. The matters in MCZ-P10: Urban design outcomes (exclusions). 4. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site. 5. Any positive effects that can only be achieved through non-compliance with the standard. <p>Consequential changes or amendments may be required.</p>
14	MCZ-Metropolitan Centre Zone – MCZ S5	Amendments sought	As notified if compliance with this standard (Active Frontages – Required Verandahs) is not achieved, Council have restricted their discretion to 6 matters.	<p>Amend the matters of discretion as follows:</p> <p>Matters of discretion if the standard is breached:</p>



ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>Matter of discretion (5) is “Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site.”</p> <p>Consideration of the ability of the existing activity to comply is considered relevant and appropriate, however it is not considered appropriate to consider the effects of that activity no longer occurring at the site, particularly where the land use is permitted by the plan.</p> <p>Non-compliance with this standard could easily occur from a minor addition or alteration due to the existing building and site position. In cases where the overarching land use is permitted by the plan, a criteria directing consideration of the permitted activity no longer occurring is considered to be at odds with the intent of the zone.</p>	<ol style="list-style-type: none"> 1. Urban design outcome (1) in MCZ-P8: Urban design outcomes (by meeting standard or assessment). 2. The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments). 3. The matters in MCZ-P10: Urban design outcomes (exclusions). 4. Safety and efficiency of the transport network in relation to the presence, absence, or design of the verandah. 5. Where the non-compliance relates to an existing activity, the ability of that activity to continue functioning if it were to comply, and the scale of the non-compliance in relation to the effects of that activity no longer occurring at the site. 6. Any positive effects that can only be achieved through non-compliance with the standard. <p>Consequential changes or amendments may be required.</p>
15	MCZ-Metropolitan Centre Zone – MCZ S6	Amendments sought	This standard applies to sites in the Active Street Frontage Overlay A and B. As notified this standard does not provide for any	Amend standard to include an exception that this not standard not apply to an existing



ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>development of a site in these areas unless any existing vehicle crossing(s) located on Active Street Overlay A or B are removed.</p> <p>As notified this standard is considered overly restrictive, particularly where established land uses, that are a permitted activity, have their principle public entrance on an Active Street Overlay A or B. Non-compliance with this provision is likely, even for the most modest development, where it has no relationship to or scope to impact vehicle access.</p> <p>This standard lists 10 matters over which council have restricted their discretion. Matter of discretion (5) states “effects on the current or potential future ability of the road to be closed to general motor vehicle traffic”.</p> <p>This is the first and only reference to this road closure within the Metropolitan Centre Chapter. There is no background context to this in the chapter overview, objectives or policies. Without any context to this matter of discretion it is not clear whether this is intended to mean for temporary or event purposes, or whether this means permanent road closure to vehicle access.</p> <p>In any case this is of concern, where existing established land uses, which are permitted in</p>	<p>access where it is the only public vehicle access to the site.</p> <p>AND</p> <p>Amend the matters of discretion as follows:</p> <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Pedestrian amenity, comfort, and safety. 2. Safety and efficiency of the transport network. 3. The impact of the activity or change in the activity on the feasibility and likelihood of the future removal of the relevant vehicle crossings. 4. Effects on the current or potential future use of the road for events. 5. Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic. 6. Visual amenity. 7. Urban design outcome 1 in MCZ-P8: Urban design outcomes (by meeting standard or assessment).



ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			this zone, have their main public entrance from an Active Street Frontage Overlay B. If Council are intending to close the road, this would prohibit public access to the land use activity.	<p>8. <i>The urban design outcomes in MCZ-P9: Urban design outcomes (all significant developments).</i></p> <p>9. <i>The matters in MCZ-P10: Urban design outcomes (exclusions).</i></p> <p>10. <i>Any positive effects that can only be achieved through non-compliance with the standard.</i></p> <p><i>Consequential changes or amendments may be required.</i></p>
16	SIGN – Signs – SIGN-S2	Amendments sought	<p>WWNZ generally supports the provisions contained within the SIGN chapter.</p> <p>As notified SIGN-S2(2) permits a maximum total area of signs per site (other than official signs, temporary signs and election signs) as 20m² within the Commercial and Mixed-Use Zone.</p> <p>Based on the area of signage that is permitted per site (free-standing 20m² and building signage 30% of any one exterior wall area), this combined total area is too low.</p> <p>This combined allowance is likely to be exceeded by a single sign. Larger format retail which have multiple road frontages often have signage on multiple facades of the building,</p>	<p>Amend as follows:</p> <p>SIGN-S2</p> <p>....</p> <p>(2). <i>The maximum total area of signs per site (other than official signs, temporary signs and election signs) is 2070m².</i></p> <p>(3)</p>



ID	Chapter & Specific Provision	Position	Reasons/Comments	Relief Sought
			<p>and freestanding signage to identify the site entrance.</p> <p>Therefore, modest additional signage to identify the building, or site, is likely to require resource consent. This is considered to create unnecessary consenting requirements, particularly in the Commercial and Mixed Use Zone where signage is anticipated.</p>	
17	NH – Natural Hazards	Support	WWNZ generally support the Natural Hazards chapter as notified.	<i>Retain as notified.</i>