

IN THE MATTER the Resource Management Act 1991

AND

IN THE MATTER of the Hutt City Proposed District Plan

HEARING REFERENCE Stream 2 - Business

**STATEMENT OF EVIDENCE OF ASHLEIGH WHARAM ON BEHALF OF
FOODSTUFFS NORTH ISLAND LIMITED**

PLANNING

8 MAY 2026

1. INTRODUCTION

- 1.1 My full name is Ashleigh Josephine Wharam. I am a planning consultant and Associate at Barker & Associates Limited, an independent, specialist planning and urban design consultancy with offices throughout New Zealand. I hold a Master of Science with Honours from the University of Auckland.
- 1.2 I have over 10 years' experience covering a wide range of planning matters on behalf of private entities in New Zealand. During that time, I have been involved with many aspects of planning including preparation and lodgement of resource consent applications and submissions to local authorities in respect of resource consents, proposed plans, and plan changes. In addition to this, I also have a wide range experience with the application of District and Regional Plan provisions throughout the North Island relating to several supermarket developments by Foodstuffs North Island Limited ("**Foodstuffs**").

2. CODE OF CONDUCT

- 2.1 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and agree to comply with it while giving evidence. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this written evidence is within my area of expertise.
- 2.2 I have no conflicts of interest to declare.

3. ENGAGEMENT

- 3.1 I have been engaged by Foodstuffs to prepare and present this statement of evidence to address the matters raised in Foodstuffs primary and further submissions on Hutt City Council's Proposed District Plan ("**the PDP**").

4. FOODSTUFFS STORES

4.1 Foodstuffs is New Zealand’s largest grocery retailer with over 330 stores across the North Island and serving over 2.7 million New Zealanders every week. Foodstuffs is 100% New Zealand owned and operated and employs more than 30,000 people nationwide.

4.2 Foodstuffs supermarket brands consist of New World, Pak’nSave, Four Square and Gilmours which operate throughout the North Island as well as at the national level. Within Lower Hutt, Foodstuffs currently operate five stores (refer **Table 1**). Further expansion opportunities in the future are projected to serve growing communities.

Table 1: Foodstuffs Lower Hutt store locations and zoning			
Store	Address	PDP Zone	PDP Overlays / Controls
New World Hutt City	43 Waterloo Road / Bloomfield Terrace, Hutt Central	City Centre	Active Frontage C
New World Stokes Valley	14 Oates Street / Evans Street, Stokes Valley	Local Centre	Height Control: 22m Active Frontage B
Pak’n Save Petone	114/124 Jackson Street, Petone	Metropolitan Centre	Jackson Street Character Transition Precinct Active Frontage B Active Frontage C
Pak’n Save Lower Hutt	20 Brunswick Street, Hutt Central	City Centre	Active Frontage C
Gilmours Wellington	33 Bouverie Street, Petone	General Industrial	Industrial Main Through Route Frontage

4.3 While these existing stores either have a resource consent, existing use rights or are permitted activities, the appropriate planning framework is vital for future expansions and redevelopments of these stores, and the development of new supermarkets to support growth in Lower Hutt. In Foodstuffs experience, regional and district planning frameworks often do not properly recognise the need for businesses growth to occur, especially alongside residential growth. Given Foodstuffs significant past and planned further investment in the region, the content of these and any future District Plan provisions are integral to the continuing operation and development of Foodstuffs in Lower Hutt.

5. SCOPE OF EVIDENCE

5.1 My statement of evidence addresses the Commercial and Mixed Use zones and the Industrial zones section within Part 3 of the PDP.

- 5.2 My evidence responds to recommendations made within the Commercial and Mixed-Use Zones and Industrial Zones Section 42A Hearing Reports (“**s42A reports**”) for Hearing Stream 2, both prepared by Stephen Davis, Senior Policy Planner at Hutt City Council. To reduce unnecessary repetition, where I agree with the reporting planners’ recommendations, I have simply stated so in my evidence.
- 5.3 Foodstuffs made a submission (submission #239 - see **Attachment 1**) and further submission (further submission #F17 - see **Attachment 2**) on the PDP. A summary of Foodstuffs submission is on the Council’s website¹.
- 5.4 My evidence will specifically address the following matters where I either support or disagree with the recommendations of Mr Davis being grouped thematically as follows:
- Potentially Incompatible Activities in the Commercial and Mixed-Use Zones.
 - Carparking Activities in the Commercial and Mixed-Use Zones.
 - Active Frontages – Buildings and Structures.
 - Existing activities in the General Industrial Zone.
 - Landscaping and screening in the General Industrial Zone.
 - Wholesale Activities.

6. SUPPORTED RECOMMENDATIONS OF THE S42A REPORT

- 6.1 The Reporting Officer for the Commercial and Mixed-Use Zone Chapters has recommended the acceptance of several of Foodstuff’s submission points or have recommended amendments which are consistent with the relief sought by Foodstuffs.
- 6.2 For the submissions points outlined below, Foodstuffs have confirmed that it is satisfied with the recommendations. I do not address these further within my evidence.
- Removal of active frontages at 114 Jackson Street, Petone (Pak’n Save Petone)

¹ Refer pages 120 - 127 of the [Summary of Decisions Requested – ordered by submission number](#)

- Removal of active frontages from Downer Street at 20 Brunswick Street (Pak'n Save Lower Hutt)
- Removal of active frontages from Kings Crescent at Bloomfield Terrace (New World Hutt City)
- Align inconsistencies between Active Frontage C standards and carparking standards so that Active Frontage C buildings and structures standard aligns with the permitted standard for carparking.
- The exemption of alterations from Rule GIZ-R3.1.

7. COMMERCIAL AND MIXED-USE ZONE POLICIES

'Potentially Incompatible Activities' Policy CCZ-P3 and MCZ-P3

- 7.1 Foodstuffs submission opposed Policies CCZ-P3 and MCZ-P3 which identify carparking at ground level on sites subject to the Active Street Frontage Overlay as a potentially incompatible activity².
- 7.2 Foodstuffs further submission supported the submission by Woolworths New Zealand Limited (Woolworths) which submitted that treating carparking as a standalone incompatible activity fails to recognise its functional role in enabling primary activities (such as a supermarket). It was noted that this approach supports only part of the land use, while constraining other components necessary for that land use to operate effectively and serve the community.
- 7.3 The s42A report³ recommended these policies remain as notified and noted the following:

“Rather, carparking at ground level suggests an activity of a type that makes inefficient use of space and does not support the aim of the city centre to present an intensive and varied range of destinations. This is a good sign of an activity that needs more specific assessment to see if it is compatible or not, as provided for in CCZ/MCZ-S8 (which provides a restricted discretionary activity status). Alternative triggers could be devised for the same goal such as buildings below a certain site coverage or height or floor-area ratio, and

² Submission points 239.12, 239.13

³ Paragraph 129 at page 37

there may be merit to these alternatives, but it is certainly open to Council to decide that carparking is the most practical trigger to implement and I do not think there is scope for an alternative approach.”

- 7.4 Ground level parking is comprehensively considered in 8 of my evidence below. In addition to the matters addressed in 8 of my evidence, in my opinion, at a minimum, the policy should be amended as follows:

Carparking visible at the street edge ~~at ground level~~ on sites subject to the Active Street Frontage Overlay,

- 7.5 This amendment would ensure that the policy is more effects-based and proportionate, while still giving appropriate effect to the intended urban design outcomes of the zone.

8. CARPARKING ACTIVITIES

Carparking Activities (CCZ-R18, MCZ-R18, LCZ-R13, NCZ-R13)

- 8.1 Foodstuffs submission opposed the rules for carparking activities in the centre zones because there is a lack of clarity as to how these rules would apply for the reconfiguration of an existing carpark, including where that reconfiguration results in a change to the type and/or number of parking or loading spaces, within the same area of the site.
- 8.2 Foodstuffs submission⁴ sought to have these rules amended to provide clarity with the following additional wording suggested:

x. The carparking is the reconfiguration of an existing carpark area (including where that reconfiguration results in a change to the type and/or number of parking or loading spaces provided) within the existing site boundary, provided that the existing carpark area within the site is not expanded; or

x. The parking spaces are for accessible parking or electric vehicle charging.

- 8.3 The s42A report⁵ provided the following comments with respect to Foodstuffs, and similar submissions:

⁴ Submission points 239.27, 239.28, 239.29, 239.30

⁵ Paragraph 265 on page 62

“I think the rule is already clear that it does cover the reconfiguration of existing parking areas, as a permitted activity subject to standards. As with any other rule and standard in the plan, the RMA provides a process for applying existing use rights and an existing environment test which provides for appropriate assessment of modifications to existing carparks that do not meet the standards. Applying a resource consent assessment also gives better effect of CCZ/MCZ-P5 (Existing activities), which is now beyond contention, and which encourages the replacement of activities incompatible with the purpose and character of the zone. For LCZ-P5 (Existing activities) the policy direction is more enabling of ongoing potentially incompatible uses, but not without limit and this can be reflected in resource consent decisions.”

- 6.1 In my opinion, the s42A report does not fully address the concern raised in the submission. This is discussed below.

Reconfiguration of Existing Carparking

- 6.2 I acknowledge that, if amendments recommended by the s42A report with regard to the active frontages maps⁶, are accepted, the extent to which this issue applies for the submitter’s existing sites may be reduced. In that sense, the immediate practical implications for some of Foodstuffs existing sites may be more limited than initially anticipated. However, this is not certain.
- 6.3 Under the Active Street Frontage Overlay C provisions, carparking must be located within, beneath, on top of, or behind a building, or beside a building where it occupies no more than 50% of the site frontage width.
- 6.4 In practice, many established sites, particularly supermarket sites, contain at-grade carparking extending across a substantial portion of the frontage. As a result, these standards will frequently not be met.
- 6.5 Consequently, even minor internal reconfiguration of existing carparking areas, including changes to layout, circulation, or the type and number of spaces, will often result in non-compliance and require resource consent, despite there being no expansion of the carparking footprint and no material change in effects. As an example, where Foodstuffs implements a click and collect facility at an existing store, this will often involve reconfiguring existing parking spaces to provide dedicated click

⁶ Recommended removal of active frontage overlay from Downer Street and Kings Crescent.

and collect spaces closer to the building, altering only the layout and number of parking spaces within the existing parking area.

- 6.6 While the stricter provisions applying to Active Street Frontage Overlays A and B (including CCZ-S6/MCZ-S6) do not directly apply to the submitter's sites, they reinforce the broader policy intent to progressively reduce the presence of at-grade carparking at the street edge. This is reflected in CCZ/MCZ-P3, which identifies carparking as an incompatible activity, and CCZ/MCZ-P5, which encourages the replacement of incompatible activities.
- 6.7 The combined effect of the standards and policy framework is that there is, in practical terms, no reliable permitted activity pathway for the reconfiguration of existing carparking on many sites, including those subject to Overlay C. Instead, routine and operationally necessary modifications are captured by the resource consent process.
- 6.8 The policy framework does not readily support applications for the reconfiguration of existing carparking, even where those changes are effects-neutral and confined within the existing footprint. Instead, it signals a preference for more comprehensive redevelopment outcomes that may not be feasible in the short to medium term for established sites.
- 6.9 Accordingly, there remains a disconnect between the rule framework and the practical realities of existing development. In my view, this results in an inefficient and uncertain planning framework that does not appropriately provide for the ongoing use and functional improvement of established carparking areas within the existing site envelope.

9. ACTIVE FRONTAGES – BUILDINGS AND STRUCTURES

- 9.1 Foodstuffs opposed the application of the Active Street Frontage Overlay to its sites⁷ and reserved its right to seek amendments to the relevant standards, particularly in relation to how those standards apply to existing development and to alterations or additions to buildings and sites.
- 9.2 I acknowledge the intent of the Active Street Frontage provisions in promoting active and engaging street edges. However, I consider that the provisions do not adequately

⁷ Submissions points 239.23, 239.34, 239.25, 239.26

recognise the constraints of existing development, nor distinguish between minor changes and comprehensive redevelopment.

- 9.3 The s42A report, in relation to the Foodstuffs submission, considers that the concerns raised are primarily a function of the spatial application of the Active Street Frontage Overlay, rather than the standards themselves. On that basis, it suggests that mapping changes are the more appropriate response and I note that some of the relevant Active Frontages were recommended for removal, albeit for other reasons.
- 9.4 Further, the s42A report does acknowledge an inconsistency between the Active Street Frontage Overlay C standards and the carparking standards and recommends aligning these provisions. I support the recommended alignment of the Active Frontage C standards with the carparking standards, as this will reduce internal inconsistency within the plan.
- 9.5 However, in my view, these changes do not fully resolve the issue identified by Foodstuffs submission. While mapping refinements may reduce the number of affected sites, they do not address how the standards operate where the overlay will apply. Similarly, aligning the frontage and carparking standards resolves a technical inconsistency, but does not address the broader issue that the standards are framed around redevelopment outcomes and are difficult to achieve in the context of existing development.
- 9.6 The core issue remains that, as currently drafted, the rules require compliance with these standards for additions and alterations, regardless of scale. As set out above, this means that even minor or operational changes can trigger non-compliance and require resource consent, despite not materially changing the existing frontage condition.
- 9.7 Accordingly, while I support the s42A recommendations in part, I consider that further amendments are necessary to ensure that the provisions function appropriately.
- 9.8 In my view, there are two appropriate pathways to address this:
- a) Amend Rule MCZ-R4/CCZ-R4 (and equivalent rules) so that additions and alterations to existing buildings are not required to comply with the full suite of Active Street Frontage standards; or

b) Amend the relevant standards to clearly limit their application to new buildings and substantive redevelopment of a site, rather than applying equally to minor or incremental changes.

- 9.9 Either approach would better align the provisions would ensure a more proportionate and effects-based response to existing development and avoid unnecessary resource consent requirements for routine or operational changes.
- 9.10 In my view, without such amendments, the provisions will continue to impose redevelopment-level expectations on minor changes, resulting in an inefficient and uncertain planning framework.

10. INDUSTRIAL ZONES

Existing Activities

- 10.1 Foodstuffs sought that Rule GIZ-R3 be amended so that it does not apply to buildings associated with existing lawfully established activities and that those activities are recognised alongside those permitted in the zone (GIZ-R3.1.b).
- 10.2 The author of the s42A report accepts this in part and recommends exempting alterations from the requirement, acknowledging that it is:
- “overly burdensome to require resource consent for alterations to buildings for existing activities simply because they are not the anticipated activities for the zone,”*
- 10.3 I support that recommended amendment as it relates to alterations. In my view, this change appropriately recognises that existing lawfully established activities within the zone, and that requiring resource consent for alterations which do not change the scale or intensity of effects is unnecessary and inefficient.
- 10.4 However, I consider that the s42A recommendation does not fully address the underlying issue identified in the submission. In particular, the recommendation retains the requirement in GIZ-R3.1.b in relation to additions to buildings, even where the activity is existing, there is no change in the nature of that activity, and the proposal complies with all relevant built form standards, including those relating to height, setbacks, and interface effects.
- 10.5 The authors reasoning for this is as below:

“However, alterations that accompany a change of use, or additions that add floorspace, will trigger a resource consent assessment anyway because of the land use. Since this resource consent is happening regardless, it is valuable to include the impact from the physical attributes of the building in that assessment. In general, buildings are longer-lasting than land uses and have a longer-term effect on industrial development capacity.”

- 10.6 I acknowledge that, in some cases, additions to buildings associated with existing activities, such as supermarkets exceeding the permitted activity threshold, may trigger resource consent independently. In those circumstances, I agree that it is appropriate for built form effects to be assessed as part of that consent process.
- 10.7 However, this will not be the case in all instances. There will remain situations where an existing lawfully established activity can undertake a building addition that complies with all relevant built form standards without triggering any separate land use consent. In those cases, the requirement for consent arises solely from the gateway condition in GIZ-R3.1.b. It is in those circumstances that the inefficiency persists.
- 10.8 Where that occurs, the rule functions as an unnecessary regulatory trigger, notwithstanding that the effects of the addition are already appropriately managed through compliance with the zone standards (GIZ-S1 to GIZ-S5). Those standards provide a comprehensive framework for managing built form effects on adjoining sites and zone interfaces.
- 10.9 In my view, requiring resource consent in addition to compliance with those standards duplicates assessment without a clear corresponding benefit, and is therefore not the most efficient or effective method of achieving the objectives of the plan.

Landscaping and Screening (GIZ-S5)

- 10.10 Foodstuffs sought that Standard GIZ-S5 be amended so that landscaping and screening requirements adjacent to the Industrial Main Through Route Frontage Overlay apply only to new buildings and development⁸.
- 10.11 I note that the s42A author agrees with this approach, stating:

⁸ Submission point 239.14

“I agree with submitters that the costs likely outweigh the benefits when the site is not being substantially redeveloped.”⁹

- 10.12 I support that recommendation. It appropriately targets the requirement to situations where redevelopment is occurring and avoids imposing unnecessary costs on existing sites.

Wholesale activities

- 10.13 Foodstuffs sought that wholesale activities be expressly provided for as a permitted activity within the General Industrial Zone¹⁰, noting that its operations often include a combination of retail, distribution, and wholesale functions.
- 10.14 In the case of Foodstuffs, this is not a purely theoretical issue. Its business model commonly incorporates bulk storage and distribution; trade-based transactions (including supply to other businesses); and varying levels of direct sales to the public. As a result, activities undertaken by Foodstuffs can fall along a spectrum between retail and wholesale, rather than fitting neatly within a single activity definition.
- 10.15 The s42A Report concludes that a specific rule for wholesale activities is not required, on the basis that such activities will typically fall within existing activity categories such as “supermarket”, “trade supply retail”, “yard-based retailing”, or as accessory commercial activities.
- 10.16 While I accept that Foodstuffs’ activities may, in some instances, fall within those existing categories, I consider that this approach does not provide sufficient certainty or flexibility for its operations. In particular, the current framework requires Foodstuffs to characterise each component of its activities within retail-based definitions, even where: the activity is predominantly wholesale or distribution-focused; and the effects generated are consistent with industrial activities anticipated within the GIZ.
- 10.17 This creates practical difficulties because: the distinction between “supermarket”, “trade supply retail”, and wholesale activity can turn on relatively fine-grained assessments of customer type and sales mix; the same facility may shift over time in its balance of trade versus public sales; and minor operational changes can result in a different activity classification and consenting pathway. For a large-format operator

⁹ Paragraph 432 on pages 91-92 of the Section 42A Officer’s Report (Industrial Zones and the Seaview Marina Zone)

¹⁰ Submission point 239.16

such as Foodstuffs, this introduces a level of regulatory uncertainty that is disproportionate to the effects of the activity.

10.18 I consider that reliance on existing retail-based activity categories does not adequately recognise the hybrid nature of Foodstuffs' operations and introduces unnecessary uncertainty. I therefore support providing for wholesale activities as a permitted activity within the GIZ, supported by a clear definition and appropriate controls on direct public sales. This would better reflect operational realities, improve plan efficiency and certainty, and maintain appropriate safeguards for the centres hierarchy.

11. CONCLUSION

11.1 Overall, I am generally supportive of the PDP and majority of the recommendations within the s42A reports. However, I consider there are some recommendations in the s42A report that require refinement to ensure that the PDP achieves its intended outcomes without imposing unnecessary regulatory burden.

11.2 In particular, there are two main areas, which I have addressed within this evidence, where my opinion differs from the position and recommendations of the s42A reports. These relate to:

- Potentially Incompatible Activities in the Commercial and Mixed-Use Zones.
- Concerns regarding the framework for considering the reconfiguration of existing carparking.
- Active Frontages rules for buildings and structures.
- Concerns regarding the framework for considering existing activities in the General Industrial Zone.
- The appropriate consideration of wholesale activities.

11.3 The amendments proposed within my evidence will, in my view, best achieve the objectives and policies of the Hutt City District Plan in terms of ensuring:

- The efficiency and effectiveness of the provisions in accordance with s32 of the RMA; and

- That the overall framework provided by the Hutt City District Plan is implemented in the manner intended and achieves the sustainable management purpose of the RMA.



Ashleigh Wharam

8 May 2026

Attachment 1 – Foodstuffs Submission #239

To: Hutt City Council (“Council”)
district.plan@huttcity.govt.nz

Submitter: Foodstuffs North Island (“FSNI”)

Address for Service: C/- Barker & Associates Ltd
Attn: Ashleigh Wharam | Matt Norwell
Level 2, 60 Cuba Street,
Te Aro, Wellington 6011

Telephone No: 021 141 4717 | 029 850 2780
Email: ashleighw@barker.co.nz | mattn@barker.co.nz

Date: 30 April 2025

INTRODUCTION

1. This is a submission on the Hutt City Proposed District Plan (“PDP”) in accordance with clause 6(1) of the first schedule of the Resource Management Act (“RMA”) 1991.
2. This submission relates to specific provisions as listed in the attached document and those related provisions of the PDP. The reasons are provided in the attached document.
3. The submitter, FSNI, could not gain an advantage in trade competition through this submission.
4. FSNI wishes to be heard in support of this submission.
5. FSNI would consider presenting a joint case with any other party seeking similar relief.

FSNI’S LANDHOLDINGS AND OPERATIONAL CONTEXT

6. FSNI is New Zealand’s largest grocery retailer with 330 stores across the North Island and serving over 2.7 million New Zealanders every week. Foodstuffs is proudly 100% New Zealand owned and operated and employs more than 30,000 people nationwide. As active members of the community, FSNI strive to provide the best shopping experience possible for all customers.
7. Foodstuffs supermarket brands consist of New World, Pak’n Save, Four Square and Gilmours which operate throughout the North Island and also at the national level. Within Lower Hutt, FSNI currently operate two New Worlds, two Pak’n Saves and one Gilmours store at the following locations:

- New World Hutt City – Bloomfield Terrace / 43 Waterloo Road

Barker & Associates

+64 375 0900 | admin@barker.co.nz | barker.co.nz

Kerikeri | Whangārei | Warkworth | Auckland | Hamilton | Cambridge | Tauranga | Napier | Wellington | Christchurch | Queenstown | Wānaka

- New World Stokes Valley – Evans Street
 - Pak ‘n Save Petone – 114/124 Jackson Street
 - Pak ‘n Save Lower Hutt – 20 Brunswick Street
 - Gilmours Wellington – 33 Bouverie Street
8. Further expansion opportunities in the future are projected to serve growing communities.
9. In FSNI’s experience, regional and district planning frameworks often do not properly recognise the need for businesses growth to occur, especially alongside residential growth. Given FSNI’s significant past and planned further investment in New Zealand, the content of these and any future District Plan provisions will be integral to the continuing operation and development of FSNI in Lower Hutt.

SUBMISSION

10. FSNI makes a number of PDP submission points as set in **Attachment 1**.
11. FSNI current store locations in the Hutt City area are given in **Attachment 2** with related submission points.
12. FSNI seeks all such consequential relief required to give effect to the relief sought in Attachments 1 and 2.
13. For the Proposed Plan provisions not addressed in this submission, FSNI either agrees with, or is indifferent to, the Proposed Plan provisions as written in their present form. Should the drafting subsequently change, FSNI reserves its ability to file a further submission or provide further comment on those changes.

Barker & Associates Limited



Ashleigh Wharam

Associate

021 141 4717 | ashleighw@barker.co.nz



Matt Norwell

Director

029 850 2780 | mattn@barker.co.nz

Attachment 1: The specific submission points on the Hutt City Proposed District Plan that this submission relates to are as follows.

Note ~~strikethrough~~ text represents text proposed to be deleted and ***bold italic*** text represents text proposed to be inserted.

PDP Reference	Submission / Reasons	Support / Oppose	Relief Sought
Part 1: Introduction and General Provisions			
Definitions	<p>The PDP contains a number of definitions that FSNI supermarkets will fall under being:</p> <ul style="list-style-type: none"> • Supermarket • Grocery Store • Commercial activity <p>FSNI supports these Definitions in part, however, does not see a reason in the PDP for including grocery store and supermarket separately.</p> <p>Wholesale activities, such as Gilmours, are not captured within the definitions.</p> <p>Large format retail is referred to within the PDP but not included within the definitions.</p> <p>It would be beneficial for the PDP to include a nesting table on the hierarchy of activities because would provide a logical method for organising different land use activities in a broader term.</p>	Support in part	<p>It would be simpler to refer to the floor areas within the rules rather than the definitions and not have grocery store and supermarket defined separately.</p> <p>Include a definition for wholesale activities:</p> <p style="padding-left: 40px;"><i>means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers.</i></p> <p>Include a definition for large format retail.</p> <p>Include nesting table.</p>
Part 2: District-Wide Matters - Transport			
<p>Rule: TR-R3</p> <p>City Centre Zone</p> <p>Metropolitan Centre Zone</p>	<p>Rule TR-R3.1.a refers to the ‘High trip generating activity thresholds’ stated in Table 8. For grocery stores and supermarkets in City Centre Zone and Metropolitan Centre Zone there is no high trip generating activity threshold which is supported by FSNI.</p> <p>However under Rule TR-R3.1.b, where the activities are located in the City Centre Zone and Metropolitan Centre Zone, these activities are permitted only if no more than 10 on-site motor vehicle parking spaces are provided for the activity.</p> <p>Retail activities such as supermarkets generally seek to provide on-site customer car parking for more than 10 vehicles, while also encouraging other sustainable transport modes. Rule TR-R3.1.b will mean that carparking for supermarkets in the City and Metropolitan Centre zones need resource consent as a Restricted Discretionary activity and require an Integrated Transport Assessment.</p> <p>FSNI does not oppose this but seeks to ensure that the matters of discretion are appropriate, include recognition of operational and functional needs thereby recognising that supermarkets should be</p>	Support in part, oppose in part	<p>FSNI seeks to have the matters of discretion under TR-R3.2 amended as follows:</p> <p><i>Matters of discretion are restricted to:</i></p> <ol style="list-style-type: none"> 1. The extent that the development provides for active and public transport modes. 2. Positive effects on facilitating the uptake of active and public transport modes where in relation to any matter specified in TR-P7: Positive effects. 3. <i>The operational and functional needs of the activity to exceed the high trip generation threshold.</i> 4. Effects on the capacity, safety, efficiency, and multi-modal function of the transport network. 5. Whether safe and effective access can be provided and maintained for emergency service vehicles to the site and within the transport network. 6. The design of transport facilities and their integration with the transport network. 7. Whether any improvements to the transport network are proposed or required as a direct result of the proposed activity, and a financial contribution has been made in accordance with the provisions of the Financial Contributions chapter. 8. The transport needs of activities on the site. 9. Any cumulative adverse effects.

	supported for the positive contribution they make to the viability and function of these centres. FSNI oppose reference to a financial contribution within the matters of discretion for the reasons detailed in Part 2 below.		
Local Centre Zone Neighbourhood Centre Zone Mixed Use Zone	For the Local Centre Zone, Neighbourhood Centre Zone, and Mixed Use Zone the high trip generating activity threshold for supermarkets is 300m ² GFA. This threshold is low for most supermarket activities, and it is recommended that this is increased to recognise the operational demands of these activities.		FSNI seeks to increase the high trip generating activity threshold for supermarkets in the Local Centre Zone, Neighbourhood Centre Zone, and Mixed Use Zone to 1500m ² .
General Industrial Zone	Wholesale retail activities are not included within Table 8. These should be included within Table 8 with no threshold to recognise the operational demands of these activities.	Oppose in part	FSNI seeks to include Wholesale retail activities within Table 8 with no threshold for all zones.
Part 2: District-Wide Matters – General District Wide Matters - Earthworks			
Earthworks EW-S1	FSNI opposes the proposed maximum of 500m ² of earthworks for commercial and industrial zones. This limit does not reflect the generally larger scale of sites and required earthworks to enable commercial and industrial activities.	Oppose	FSNI seeks to enable a larger volume of earthworks as a permitted activity within commercial and industrial zones, up to 3,000m ² per site, per 12-month period. FSNI seeks that EW-S1.2 is amended as follows: 1. The area of earthworks must not exceed 500m² 3000m² per site in any 12-month period.
Part 2: District-Wide Matters – General District Wide Matters – Financial Contributions			
Financial Contributions FC	FSNI consider that the Financial Contributions chapter does not provide sufficient guidance as to how/when Financial Contributions would be required by Council. This leaves the discretion to Council and has the potential to disincentivise development. Further, this is in direct conflict with s108(10)(b) of the RMA as the level of contribution is not clearly determined in the PDP.	Oppose	FSNI seeks that the Financial Contributions chapter be removed, or at the least amended to reduce discretion and provide clearer guidance for council and developers.
Part 3: Area Specific Matters – Policies			
Potentially Incompatible Activities City Centre Zone - CCZ-P3	FSNI is opposed to all ground level car parking (on sites subject to Active Street Frontage Overlay) being considered as a potentially incompatible activity in the Metropolitan and City Centre zones. The policy seeks to protect adverse effects on amenity and vitality therefore if the car parking is not visible then this policy should not apply.	Oppose	FSNI is opposed to the Active Street Frontage Overlay in its entirety on their sites and the related rules and standards (as noted below). As CCZ-P3 and MCZ-P3 both relate to the Active Street Frontage Overlay, if these overlays are not removed, FSNI reserves their right to seek relief with respect to these policies in their evidence.
Metropolitan Centre Zone - MCZ-P3	Retail activities such as supermarkets generally seek to provide on-site customer car parking. This policy will act as a deterrent to development in these commercial zones.		

Part 3: Area Specific Matters – General Industrial Zone

<p>Construction of new buildings and structures and alterations and additions to existing buildings and structures</p> <p>GIZ-S5</p>	<p>Under Rule GIZ-R3, the construction of new buildings and structures and alterations and additions to existing buildings and structures is a permitted activity where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: Standards GIZ-S1 to GIZ-S5. b. The new buildings, the new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules GIZ-R4 through GIZ-R17, or a heavy industrial activity. <p>Standard GIZ-S5 relates to landscaping and screening adjacent to the Industrial Main Through Route Frontage Overlay. It is considered that these controls should apply to new buildings and new development only and the requirements should be adjusted such that they do not apply in the case of small change/addition to a building/site but rather only in a substantial redevelopment of a site.</p>	<p>Oppose in part</p>	<p>FSNI seeks that GIZ-S5 is amended as follows:</p> <ol style="list-style-type: none"> 1. On any site subject to an Industrial Main Through Route Frontage Overlay, any new buildings shall provide the following: Landscaping is required on the front 3 metres of any site fronting on to a street with the Industrial Main Through Route Frontage Overlay. 2. Landscaping is required on a 3 metre buffer on any boundary with an adjoining site in the Residential Zone, Rural Zone, Mixed Use Zone, Marae Zone, or Open Space and Recreation Zone, unless the site is screened with a solid or close-boarded fully opaque fence on the boundary of at least 1.8m in height above ground level. 3. Landscaping required by this standard must: <ol style="list-style-type: none"> a. Extend across the full width, except for vehicle accesses connecting to a legal vehicle crossing, and pedestrian walkways, b. Include at least one tree per 15 metres of frontage or boundary (as relevant), and c. Those trees must have a minimum stem diameter of 40mm at the time of planting and be capable of reaching a height of at least 5 metres at maturity. <p>Matters of discretion if the standard is breached:</p> <ol style="list-style-type: none"> 1. Visual amenity from the road subject to the Industrial Main Through Route Frontage Overlay or the adjoining site, as relevant. 2. Urban design outcomes 1, 2, and 6 in GIZ-P9: Urban design outcomes (by meeting standard or assessment), and the exclusions in GIZ-P11. 3. Any positive effects that can only be achieved through non-compliance with the standard.
<p>GIZ-R3</p>	<p>GIZ-R3.1.b does not account for additions and alterations to buildings that relate to existing activities thereby requiring a resource consent for any additions or alterations for an existing building with an established use. This rule should be updated to recognise existing uses.</p>	<p>Oppose in part</p>	<p>FSNI seeks that GIZ-R3 is amended as follows:</p> <p>Where:</p> <ol style="list-style-type: none"> a. Compliance is achieved with: <ol style="list-style-type: none"> i. GIZ-S1: Height, ii. GIZ-S2: Height in relation to boundary – Adjoining zones, iii. GIZ-S3: Setbacks – Adjoining zones, iv. GIZ-S4: Overlooking – Adjoining zones, and v. GIZ-S5: Landscaping and screening, and <p>The new buildings, the new structures, the alterations, or the additions, are for the purpose of an activity permitted by one or more of rules GIZ-R4 through GIZ-R17, or a heavy industrial activity, or for an existing activity on the site.</p>

Land Use Activities	<p>Permitted Land Use Activities are provided in Rules GIZ-R4 to R17. FSNI considers that Wholesale Activities (as per the definition requested earlier in this submission) should be provided for as a permitted activity.</p> <p>Wholesale activities are consistent with the purpose of the General Industrial Zone and are compatible with the adverse effects generated from industrial activities. Furthermore, they are typically of a scale that is consistent with industrial activity and will not undermine the hierarchy of Centres.</p>	Amend	FSNI seeks that Wholesale Activities is provided for as a permitted activity in the General Industrial Zone.
Part 3: Area-Specific Matters - Standards			
Active Frontages City Centre Zone - CCZ-S4 City Centre Zone - CCZ-S5	<p>In FSNI's experience, centres and commercial areas have a mixture of street typologies. Most have at least one main shopping street and while it can be appropriate that these streets have high levels of activation, there are secondary frontages or streets are less important retail streets and have lower levels of pedestrian activity.</p>	Oppose	<p>Remove the Active Street Frontage Overlay in its entirety on FSNI's sites.</p> <p>If these overlays are not removed, FSNI also reserves their right to seek relief with respect to CCZ-S4, CCZ-S5, MCZ-S4, LCZ-S4, MCZ-S5 and LCZ-S5 in their evidence, particularly with respect to the lack of reconciliation of existing development and alterations/additions to a building/site.</p>
Active Frontages - Building and structures Metropolitan Centre Zone - MCZ-S4 Local Centre Zone - LCZ-S4 Metropolitan Centre Zone - MCZ-S5 Local Centre Zone - LCZ-S5	<p>FSNI is opposed to the Active Street Frontage Overlay in its entirety on their sites and these related standards. FSNI reserves their right to seek amendments to these standards in their evidence, particularly with respect to the lack of reconciliation of existing development and alterations/additions to a building/site.</p>		
Part 3: Area-Specific Matters - Rules			
Carparking Activities City Centre Zone - CCZ-R18 Metropolitan Centre Zone - MCZ-R18 Local Centre Zone - LCZ-R13 Neighbourhood Centre Zone - NCZ-R13	<p>FSNI opposes the rules pertaining to carparking activities which does not make it clear whether the reconfiguration of an existing carpark requires resource consent. Reconfiguration of an existing carpark within the same area of the site, including where that reconfiguration results in a change to the type and/or number of parking or loading spaces provided should be provided for as permitted activities.</p> <p>Accessible parking and electric vehicle charging spaces should also be provided for as permitted activities.</p> <p>FSNI is opposed to the Active Street Frontage Overlay in its entirety on their sites, therefore rules that reference this overlay are also opposed.</p>	Oppose	<p>FSNI seeks that CCZ-R18, MCZ-R18, LCZ-R13 and NCZ-R13 should provide for reconfiguration of an existing carpark, accessible parking and electric vehicle charging spaces as permitted activities. Suggested additional wording to the rules:</p> <ul style="list-style-type: none"> x. The carparking is the reconfiguration of an existing carpark area (including where that reconfiguration results in a change to the type and/or number of parking or loading spaces provided) within the existing site boundary, provided that the existing carpark area within the site is not expanded; or x. The parking spaces are for accessible parking or electric vehicle charging. <p>Furthermore, as CCZ-R18, MCZ-R18, LCZ-R13 and NCZ-R13 make reference to the Active Street Frontage Overlay within the rules, FSNI reserves their right to seek further relief with respect to these rules in their evidence.</p>

Part 3: Area-Specific Matters - Standards			
<p>Location and design of carparking</p> <p>City Centre Zone - CCZ-S8</p> <p>Metropolitan Centre Zone - MCZ-S8</p> <p>Local Centre Zone - LCZ-S8</p>	<p>FSNI opposes the standards pertaining to carparking activities and the location of parking which requires the provision of on-site car parking to be located within, underneath, on top of, or at the rear of the building which it serves.</p> <p>These rules do not recognise the specific operational and functional requirement of activities, such as supermarkets in particular, which have integral back-of-house and loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building. This restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts.</p> <p>FSNI considers that if the car parking is not visible then this should be a permitted activity.</p> <p>FSNI is opposed to the Active Street Frontage Overlay in its entirety on their sites, therefore standards that reference this overlay are also opposed.</p>	<p>Oppose</p>	<p>FSNI seeks that CZ-S8, MCZ-S8 and LCZ-S8 should provide for car parking that is not visible from the street frontage as a permitted activity. Suggested additional wording to the standards:</p> <p><i>or otherwise not visible at the street edge or public space</i></p> <p>Furthermore, as CZ-S8, MCZ-S8 and LCZ-S8 make reference to the Active Street Frontage Overlay within the standards, FSNI reserves their right to seek further relief with respect to these standards in their evidence.</p>

Attachment 2: FSNI current store locations in the Hutt City area and related submission points:

Site	PDP Zone	Support / Oppose	Relief Sought
Pak 'n Save Petone 114/124 Jackson Street	Metropolitan Centre Zone	<ul style="list-style-type: none"> • Support zoning • Support supermarket as permitted activity • Oppose Active Street Frontage overlay 	<ul style="list-style-type: none"> • Retain zoning as notified • Remove Active Street Frontage B from the site • Remove Active Street Frontage C from the site
Pak 'n Save Lower Hutt 20 Brunswick Street	City Centre Zone	<ul style="list-style-type: none"> • Support zoning • Support supermarket as permitted activity • Oppose Active Street Frontage overlay 	<ul style="list-style-type: none"> • Retain zoning as notified • Remove Active Street Frontage C from the site
New World Hutt City Bloomfield Terrace / 43 Waterloo Road	City Centre Zone	<ul style="list-style-type: none"> • Support zoning • Support supermarket as permitted activity • Oppose Active Street Frontage overlay 	<ul style="list-style-type: none"> • Retain zoning as notified • Remove Active Street Frontage C from this site
New World Stokes Valley Evans Street	Local Centre Zone	<ul style="list-style-type: none"> • Support zoning • Support supermarket as permitted activity • Oppose Active Street Frontage overlay 	<ul style="list-style-type: none"> • Retain zoning as notified • Remove Active Street Frontage B from the site
Gilmours Wellington 33 Bouverie Street, Petone	General Industrial Zone	<ul style="list-style-type: none"> • Support zoning 	<ul style="list-style-type: none"> • Retain zoning as notified

Attachment 2 - Foodstuffs Further Submission #F17

Further Submission for the Proposed District Plan

Clause 8 of Schedule 1, Resource Management Act 1991

Privacy Statement

Your further submission must include your name, and an address for service (preferably email, but you can use a postal address). All information you include in this further submission, including your name and address for service, will be provided to other submitters and published on Hutt City Council's website. Paper copies may also be made available. Hutt City Council is required to collect and publish this information to carry out its functions under the Resource Management Act 1991 and to enable others to take part in the district plan process. The Council, other submitters, and the Environment Court may need to contact you during this process.

If your further submission does not include your name and an address for service, it will be rejected.

While the Council will retain all information provided in your further submission in secure council systems, all contact details will be removed from any documents published on Council's website once the district plan process is complete. However, your name and the contents of your further submission will still appear in these documents.

You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at contact@huttcity.govt.nz, call 04-570-6666, or write to us at Private Bag 31912, Lower Hutt 5040.

To: Chief Executive, Hutt City Council

1. **This is a further submission from:**

Full Name	<small>Last</small> _____ <small>First</small> _____	
Company/Organisation	_____	
Contact <i>if different</i>	_____	
Address	<small>Number</small> _____ <small>Street</small> _____	
	<small>Suburb</small> _____	
	<small>City</small> _____	<small>Postcode</small> _____
Address for Service <i>if different</i>	<small>Postal Address</small> _____	
Phone	<small>Home</small> _____	<small>Work</small> _____
	<small>Mobile</small> _____	
Email	_____	

2. This is a **further submission** in support of or opposition to a submission on the Proposed Lower Hutt District Plan.

3. I consider that, under Clause 8 of the First Schedule of the Resource Management Act, I may make a further submission because:

I represent a relevant aspect of the public interest

Please give details:

I have an interest in the Proposed Plan Change that is greater than the interest of the general public

Please give details:

I represent Hutt City Council

4. I support or oppose the submission of:

Name and address of original submitter and submission number of original submission:

(Please use additional pages if you wish)

5. The particular parts of the submission I support or oppose are:

Clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:

Please give reasons:

(Please use additional pages if you wish)

7. I seek that the whole or part [*describe part*] of the submission be allowed or disallowed:

Please give precise details:

(Please use additional pages if you wish)

8. I **wish** **do not wish** to be heard in support of my submission

(Please tick one)

9. If others make a similar submission,

I **will** **will not** consider presenting a joint case with them at the hearing

(Please tick one)

Signature of submitter

(or person authorised to sign on behalf of submitter)

	<i>Date</i>
--	-------------

A signature is not required if you make your submission by electronic means

To: Hutt City Council (“Council”)
district.plan@huttcity.govt.nz

Date: 22 July 2025

SUBMITTER DETAILS

Submitter Name: Foodstuffs North Island Limited

Submitter No. 239

Address for Service: Barker & Associates Ltd
Attn Ashleigh Wharam / Matt Norwell
Level 2, 60 Cuba Street,
Te Aro, Wellington 6011

Email: AshleighW@barker.co.nz / MattN@barker.co.nz

IN ACCORDANCE WITH CLAUSE 8(1) OF THE FIRST SCHEDULE OF THE RMA

Foodstuffs North Island Limited have an interest in the proposed district plan greater than the interest that the general public has because the submitter currently operates five stores within the Hutt City district and the submitter’s long-term aspiration is for further expansion opportunities to serve growing communities.

ATTENDANCE AT COUNCIL HEARING

Foodstuffs North Island Limited wishes to be heard (attend and speak at the Council hearing) in support of our submission.

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

Person authorised to sign on behalf of Foodstuffs North Island Limited.



Matt Norwell

Director

Foodstuffs North Island (FSNI) Further Submission



Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
McDonald's Restaurants (NZ) Limited	174.1d	Definitions	Amend	Seeks that activities are organised using a nesting table. Would provide a logical method for organising different land use activities in a broader term	Seeks amendment to include nesting table for definitions.	Support	Supports FSNI submission (239.06) to create a nesting table within the definitions.	Allow submission
McDonald's Restaurants (NZ) Limited	174.2b	TR-Transport	Amend	Considers the plan should include recognition of operational and functional needs recognises that restaurants should be supported for the positive contribution they make to the viability and function of centres.	Amend matters of discretion in rule as follows: "Matters of discretion are restricted to: ... 3. <u>The operational and functional needs of the activity to exceed the high trip generation threshold.</u> 4. Effects on the capacity, safety, efficiency, and multi-modal function of the transport network. 45. Whether safe and effective access can be provided and maintained for emergency service vehicles to the site and within the transport network. 56. The design of transport facilities and their integration with the transport network. 67. Whether any improvements to the transport network are proposed or required as a <u>direct</u> result of the <u>proposed</u> activity, and a financial contribution has been made in accordance with the provisions of the Financial Contributions chapter. ..."	Support	Supports FSNI submission (239.07) to recognise the operational and function need of the HTGA in the matters of discretion.	Allow submission
McDonald's Restaurants (NZ) Limited	174.6	EW-Earthworks	Amend	Considers the 500m ² limit does not reflect the generally larger scale of sites and required earthworks to enable commercial and industrial activities and	Amend clause (2) of the rule as follows: "2. The area of earthworks must not exceed 2500m² <u>500m²</u> per site in any 12-month period."	Support	Supports with FSNI submission 239.10	Allow submission
McDonald's Restaurants (NZ) Limited	174.7	FC-Financial Contributions	Oppose	Considers chapter does not provide sufficient guidance as to how/when Financial Contributions would be required by Council. Has potential to disincentivise development. Is in direct conflict with s108(10)(b) of the RMA as the level of contribution is not clearly determined in the PDP.	Seeks that the FC chapter is reconsidered "to reduce discretion and provide clearer guidance for council and developers."	Support	Supports FSNI submission 239.11	Allow submission
McDonald's Restaurants (NZ) Limited	174.10a	CCZ-City Centre Zone CCZ-P3	Oppose in part	Policy seeks to protect adverse effects on amenity and vitality therefore if the car parking is not visible then this policy should not apply. Drive-through activities seek to provide on-site parking, this policy would deter development in commercial zones.	Amend policy as follows: "2. Potentially incompatible activities include: ... f. <u>Carparking at ground level visible at the street edge or public space</u> on sites subject to the Active Street Frontage Overlay; and ..."	Support in part	Aligns with FSNI submission 239.12 which If carparking not visible no effect on visual amenity, will deter development in zone for supermarkets that seek to provide onsite customer parking	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
McDonald's Restaurants (NZ) Limited	174.13a	CCZ-City Centre Zone CCZ-R18 (carparking activities)	Oppose in part	Rule as notified does not make it clear whether the reconfiguration of an existing carpark requires resource consent.	Amend rule as follows: "1. Activity status: Permitted Where: ... <u>d. The carparking is related to the reconfiguration of an existing carpark area; or</u> <u>e. The parking spaces are for accessible parking or electric vehicle charging.</u> "	Support	239.27	Allow submission
McDonald's Restaurants (NZ) Limited	174.14a	CCZ-City Centre Zone CCZ-S4 (Active frontages – Buildings and structures)	Oppose in part	The submission acknowledges intent of active street frontage controls; however they do not appropriately recognise existing development. Frontage controls are very onerous for existing buildings and would result in unreasonable resource consent requirements	Amend standard as follows: "On any site subject to an Active Street Frontage Overlay, or in the Riverbank Precinct and with a riverbank frontage: 1. <u>For any new building or redevelopment of the site, there must be a building or abutting group of buildings built to the front boundary, to the full width of the Active Street Frontage Overlay, and to any riverbank frontages, to a minimum height of 4m above:</u> ... 2. Alternatively, the <u>new</u> buildings or parts of buildings may be set back from the front boundary or riverbank frontage by up to 2m where: ... 4. The <u>Any new</u> buildings must not have a featureless façade on the front boundary of more than 3 <u>4</u> m in width at any part of the building between 0.5m and 2.5m in height above footpath level <u>and roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</u> ... 7. The <u>Any</u> new building must have the principal public entrance on: ... 9. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent. "	Support	Supports FSNI Submission 239.17	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
McDonald's Restaurants (NZ) Limited	174.14b	CCZ-City Centre Zone CCZ-S5 (Active frontages – Required verandahs)	Oppose in part	The submission acknowledges intent of active street frontage controls; however they do not appropriately recognise existing development. Frontage controls are very onerous for existing buildings and would result in unreasonable resource consent requirements	Amend standard as follows: "1. Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that: ..."	Support	Supports FSNI submission 239.18	Allow submission
McDonald's Restaurants (NZ) Limited	174.16a	CCZ-City Centre Zone CCZ-S8 (Location and design of carparking)	Oppose in part	Does not recognise the specific operational and functional requirement of activities, such as restaurants in particular, which have loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building. This restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts.	Amend standard as follows: "On any site subject to an Active Street Frontage Overlay A or B: 1. Carparking must only be located: ... c. shielded from the Active Street Frontage Overlay A or B by a building, <u>or</u> d. <u>otherwise not visible at the street edge or public space.</u> 2. Carparking may not be served by a <u>new</u> vehicle crossing across an Active Street Frontage Overlay A or B. On any site subject to an Active Street Frontage Overlay C: 3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building, <u>or otherwise not visible at the street edge or public space.</u> ..."	Support	Aligns with FSNI submission 239.31	Allow submission
McDonald's Restaurants (NZ) Limited	174.10b	MCZ Metropolitan Centre Zone MCZ-P3 (Potentially incompatible activities)	- Oppose in part	Policy seeks to protect adverse effects on amenity and vitality therefore if the car parking is not visible then this policy should not apply. Drive-through activities seek to provide on-site parking, this policy would deter development in commercial zones.	Amend policy as follows: "2. Potentially incompatible activities include: ... f. Carparking at ground level <u>visible at the street edge or public space</u> on sites subject to the Active Street Frontage Overlay; and ..."	Support in part	Aligns with FSNI submission (239.13) to recognise that if the car parking is not visible then Policy MCZ-P3 should not apply.	Allow submission
McDonald's Restaurants (NZ) Limited	174.13b	MCZ Metropolitan Centre Zone	- Oppose in part	Rule as notified does not make it clear whether the reconfiguration of an existing carpark requires resource consent.	Amend rule as follows: "1. Activity status: Permitted Where: ..."		Aligns with FSNI submission (239.28) that seeks to provide for reconfiguration of an existing carpark, accessible parking and	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
		MCZ-R18 (Carparking activities)			<p>d. <u>The carparking is related to the reconfiguration of an existing carpark area; or</u></p> <p>e. <u>The parking spaces are for accessible parking or electric vehicle charging.</u></p>		electric vehicle charging spaces as permitted activities.	
McDonald's Restaurants (NZ) Limited	174.15a	MCZ - Metropolitan Centre Zone MCZ-S4 (Active frontages - Buildings and structures)	Oppose in part		<p>Amend standard as follows:</p> <p>"On any site subject to an Active Street Frontage Overlay, <u>any new buildings shall provide the following:</u></p> <p>...</p> <p>3. The buildings must not have a featureless façade on the front boundary of more than 3-4 m in width at any part of the building between 0.5m and 2.5m in height above footpath level <u>and roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</u></p> <p>...</p> <p>6. The <u>Any new</u> building must have the principal public entrance on:</p> <p>...</p> <p>7. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</p>	Support	Supports FSNI submission 239.19	Allow submission
McDonald's Restaurants (NZ) Limited	174.15c	MCZ - Metropolitan Centre Zone MCZ-S5 (Active frontages - Required verandahs)	Oppose in part		<p>Amend standard as follows:</p> <p>"Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:</p> <p>..."</p>	Support	Supports FSNI submission 239.20	Allow submission
McDonald's Restaurants (NZ) Limited	174.16b	MCZ - Metropolitan Centre Zone MCZ-S8 (Location and design of carparking)	Oppose in part	Does not recognise the specific operational and functional requirement of activities, such as restaurants in particular, which have loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building. This restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts.	<p>Amend standard as follows:</p> <p>"On any site subject to an Active Street Frontage Overlay A or B:</p> <p>1. Carparking must only be located:</p> <p>...</p> <p>c. shielded from the Active Street Frontage Overlay A or B by a building, <u>or</u></p> <p>d. <u>otherwise not visible at the street edge or public space.</u></p>	Support	Supports FSNI submission 239.32	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
					<p>2. Carparking may not be served by a <u>new</u> vehicle crossing across an Active Street Frontage Overlay A or B.</p> <p>On any site subject to an Active Street Frontage Overlay C:</p> <p>3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building, <u>or otherwise not visible at the street edge or public space.</u></p> <p>..."</p>			
McDonald's Restaurants (NZ) Limited	174.13c	LCZ - Local Centre Zone LCZ-R13 (Carparking activities)	Oppose in part	Rule as notified does not make it clear whether the reconfiguration of an existing carpark requires resource consent. Refer to original submission for full reasons.	<p>Amend rule as follows:</p> <p>"1. Activity status: Permitted</p> <p>Where:</p> <p>...</p> <p><u>4. The carparking is related to the reconfiguration of an existing carpark area; or</u></p> <p><u>5. The parking spaces are for accessible parking or electric vehicle charging."</u></p>	Support	Supports FSNI submission 239.29	Allow submission
McDonald's Restaurants (NZ) Limited	174.15b	LCZ - Local Centre Zone LCZ-S4 (Active frontages – Buildings and structures)	Oppose in part		<p>Amend standard as follows:</p> <p>"On any site subject to an Active Street Frontage Overlay, <u>any new buildings shall provide the following:</u></p> <p>...</p> <p>3. The buildings must not have a featureless façade on the front boundary of more than 3-4 m in width at any part of the building between 0.5m and 2.5m in height above footpath level <u>and roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</u></p> <p>...</p> <p>6. The <u>Any new</u> building must have the principal public entrance on:</p> <p>...</p> <p>7. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front <u>boundary must be at least 50% visually transparent.</u></p>	Support	Supports FSNI submission 239.21	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
McDonald's Restaurants (NZ) Limited	174.15d	LCZ - Local Centre Zone LCZ-S5 (Active frontages – Required verandahs)	Oppose in part		Amend standard as follows: "Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that: ..."	Support	Supports FSNI submission 239.22	Allow submission
McDonald's Restaurants (NZ) Limited	174.16c	LCZ - Local Centre Zone LCZ-S8 (Location and design of carparking)	Oppose in part	Does not recognise the specific operational and functional requirement of activities, such as restaurants in particular, which have loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building. This restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts.	Amend standard as follows: "On any site subject to an Active Street Frontage Overlay A or B: 1. Carparking must only be located: ... c. shielded from the Active Street Frontage Overlay A or B by a building, <u>or</u> d. <u>otherwise not visible at the street edge or public space.</u> 2. Carparking may not be served by <u>a new</u> vehicle crossing across an Active Street Frontage Overlay A or B. On any site subject to an Active Street Frontage Overlay C: 3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building, <u>or otherwise not visible at the street edge or public space.</u> ..."	Support	Supports FSNI submission (239.33) which considers that these rules do not recognise the specific operational and functional requirement of activities, such as supermarkets in particular, which have integral back-of-house and loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building.	Allow submission
McDonald's Restaurants (NZ) Limited	174.13d	NCZ - Neighbourhood Centre Zone NCZ-R13 (Carparking activities)	Oppose in part	Rule as notified does not make it clear whether the reconfiguration of an existing carpark requires resource consent. Refer to original submission for full reasons.	Amend rule as follows: "1. Activity status: Permitted Where: ... d. <u>The carparking is related to the reconfiguration of an existing carpark area; or</u> e. <u>The parking spaces are for accessible parking or electric vehicle charging.</u> "	Support	Supports FSNI submission 239.30	Allow submission
Bunnings Ltd	173.2	TR – Transport TR-R3.2	Oppose in part	Does not oppose provision in its entirety, as it relates to the Metropolitan Centre Zone, but seeks to ensure that the matters of discretion are appropriate, include recognition of operational and functional needs thereby recognising that trade supply retail should be supported	Amend the matters of discretion under TR-R3.2 as follows: Matters of discretion are restricted to:	Support	Supports FSNI submission 239.07	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
				for the positive contribution they make to the viability and function of these centres. Opposes reference to a financial contribution within the matters of discretion for the reasons detailed in Part 2 below (refer to original submission for full reasons)	1. The extent that the development provides for active and public transport modes. 2. Positive effects on facilitating the uptake of active and public transport modes where in relation to any matter specified in TRP7: Positive effects. 3. <u>The operational and functional needs of the activity to exceed the high trip generation threshold.</u> 4. Effects on the capacity, safety, efficiency, and multi-modal function of the transport network. 5. Whether safe and effective access can be provided and maintained for emergency service vehicles to the site and within the transport network. 6. The design of transport facilities and their integration with the transport network. 7. Whether any improvements to the transport network are proposed or required as a <u>direct</u> result of the <u>proposed</u> activity, and a financial contribution has been made in accordance with the provisions of the Financial Contributions chapter. 8. The transport needs of activities on the site. 9. Any cumulative adverse effects.			
Bunnings Ltd	173.4	EW – Earthworks EW-S1.2	Oppose in part	Limit does not reflect the generally larger scale of sites and required earthworks to enable commercial and industrial activities.	Amend EW-S1.2 as follows for Commercial and industrial Zones: 1. The area of earthworks must not exceed <u>3000m²</u> 500m² per site in any 12-month period.	Support	Supports FSNI submission 239.10	Allow submission
Bunnings Ltd	173.5	FC - Financial Contributions	Oppose	Consider that the Financial Contributions chapter does not provide sufficient guidance as to how/when Financial Contributions would be required by Council. This leaves the discretion to Council and has the potential to disincentivise development.	Seeks reconsideration of Financial Contributions chapter to reduce discretion and provide clearer guidance for council and developers.	Support	Supports FSNI submission 239.11	Allow submission
Bunnings Ltd	173.6	MCZ Metropolitan Centre Zone MCZ-P3 (Potentially incompatible activities)	Oppose in part	Opposed to all ground level car parking (on sites subject to Active Street Frontage Overlay) being considered as a potentially incompatible activity in the Metropolitan Centre Zone. The policy seeks to protect adverse effects on amenity and vitality therefore if the car parking is not visible then this policy should not apply. Trade supply retail activities generally seek to provide on-site customer car parking. This policy will act as a deterrent to development in these commercial zones.	Amend MCZ-P3 is as follows: Carparking at ground level <u>visible at the street edge or public space</u> on sites subject to the Active Street Frontage Overlay;	Support	Supports FSNI submission 239.13	Allow submission
Bunnings Ltd	173.7	MCZ Metropolitan Centre Zone	Oppose in part	Opposes the rules pertaining to carparking activities which does not make it clear whether the reconfiguration of an existing carpark requires resource consent.	Amend MCZ-R18 as follows:	Support	Support FSNI submission 239.28	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
		MCZ-R18 (Carparking activities)		Reconfiguration of an existing carpark within the same area of the site, including where that reconfiguration results in a change to the type and/or number of parking or loading spaces provided should not need consent. Further, accessible parking should be provided for as a permitted activity	<p>1. Activity status: Permitted Where: a. Compliance is achieved with:</p> <p>i. CCZ-S6: Active frontages – Existing vehicle crossings,</p> <p>ii. CCZ-S8: Location and design of carparking,</p> <p>b. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay B, and</p> <p>c. The carparking is not accessed with a vehicle crossing over an Active Street Frontage Overlay A; or</p> <p><u>d. Reconfiguration of an existing carpark area; or</u></p> <p><u>e. The parking spaces are for accessible parking or electric vehicle charging.</u></p>			
Bunnings Ltd	173.8a	MCZ Metropolitan Centre Zone MCZ-S4 (Active frontages - Buildings and structures)	Oppose in part	Recognises the intent of the active street frontage controls but considers that they do not appropriately recognise existing development. It is considered that these controls should apply to new buildings and new development only and the requirements should be adjusted such that they do not apply in the case of small change/addition to a building/site but rather only in a substantial redevelopment of a site. In Bunnings experience, centres and commercial areas have a mixture of street typologies. Most have at least one main shopping street and while it is appropriate that these streets have high levels of activation, there are secondary frontages or streets are less important retail streets and have lower levels of pedestrian activity.	<p>CZ-S4 as follows:</p> <p>On any site subject to an Active Street Frontage Overlay, <u>any new buildings shall provide the following:</u></p> <p>...</p> <p>3. The buildings must not have a featureless façade on the front boundary of more than 3.4 m in width at any part of the building between 0.5m and 2.5m in height above footpath level <u>and roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</u></p> <p>6. The Any new building must have the principal public entrance on: a. An Active Street Frontage Overlay A frontage, if any, b. Otherwise, an Active Street Frontage Overlay B frontage, if any, c. Otherwise, an Active Street Frontage Overlay C frontage.</p> <p>7. Roller shutter doors, security grilles, screens or similar structures fitted to the facade of any building on the front boundary must be at least 50% visually transparent.</p>	Support	Support FSNI submission 239.19	Allow submission
Bunnings Ltd	173.8b	MCZ Metropolitan Centre Zone MCZ-S5 (Active frontages - required verandahs)	Oppose in part	Recognises the intent of the active street frontage controls but considers that they do not appropriately recognise existing development. It is considered that these controls should apply to new buildings and new development only and the requirements should be adjusted such that they do not apply in the case of small change/addition to a building/site but rather only in a substantial redevelopment of a site. In Bunnings experience, centres and commercial areas have a mixture of street typologies.	<p>Amend MCZ-S5 as follows:</p> <p>1. Where any building is constructed, added to, or altered on a site with a frontage in the Active Street Frontage Overlay A or B, it must provide a verandah or canopy in legal road along the length of the Active Street Frontage Overlay that:</p>	Support	Support FSNI submission 239.20	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
				Most have at least one main shopping street and while it is appropriate that these streets have high levels of activation, there are secondary frontages or streets are less important retail streets and have lower levels of pedestrian activity.				
Bunnings Ltd	173.9	MCZ - Metropolitan Centre Zone MCZ-S8 (Location and design of carparking)	Oppose in part	Opposes the standards pertaining to carparking activities and the location of parking which requires the provision of on-site car parking to be located within, underneath, on top of, or at the rear of the building which it serves. These rules do not recognise the specific operational and functional requirement of activities, such as trade supply retail, which have integral back-of-house and loading requirements as part of their store formats that are usually located at the rear of buildings with the main entrance then located at the front of the building. This restricts the opportunity to provide parking at the rear of the building to comply with these standards while creating functional site layouts. Bunnings considers that if the car parking is not visible then this should be a permitted activity.	Amend MCZ-S8 as follows: On any site subject to an Active Street Frontage Overlay A or B: 1. Carparking must only be located: a. within or underneath a building, or b. on top of a building at least 3m above ground level, or c. shielded from the Active Street Frontage Overlay A or B by a building, or <u>d. otherwise not visible at the street edge or public space.</u> 2. Carparking may not be served by a <u>new</u> vehicle crossing across an Active Street Frontage Overlay A or B. On any site subject to an Active Street Frontage Overlay C: 3. Carparking must only be located within or underneath a building, on top of a building at least 3 metres above ground level, beside a building accounting for no more than 50% of the width of the site, or behind a building, <u>or otherwise not visible at the street edge or public space</u>	Support	Supports FSNI submission 239.32	Allow submission
Woolworths New Zealand Limited	271.16	SIGN – Signs SIGN-S2 (Combined area of signs per site)	Oppose in part	Based on the area that is permitted per site, this combined total area is too low. Is likely to be exceeded by a single sign. Large format retail with multiple frontages often have signage on multiple facades. Modest additional signage is likely to require consent	Amend as follows: ".... (2). The maximum total area of signs per site (other than official signs, temporary signs and election signs) is 20 70m ²"	Support	FSNI agrees that the limit on signage is low and would likely require consent for any supermarket activity signage.	Allow submission
Woolworths New Zealand Limited	271.1b	CCZ - City Centre Zone	Oppose in part	Purpose of zone and activities provided for, conflicts with planned character and built form, listed incompatible activities and Standards Challenging to see how permitted activities such as supermarkets could feasibly develop or redevelop within parameters of Standards Objectives and policies do not recognise functional realities of some activities, thereby consent pathway will be challenging.	Seeks reconsideration of the CCZ framework to achieve greater alignment and support of permitted activities. (Refer to original submission).	Support	This submission point generally aligns with FSNI's submission.	Allow submission
Woolworths New	271.2	CCZ - City Centre Zone	Oppose in part	Policy identifies ground-level car parking as a potentially incompatible activity within the Active Street Frontage Overlay. Carparking is a standalone activity even when	Amend the policy direction to recognise the functional realities of activities that are best located in the City Centre Zone.	Support	Supports FSNI submission 239.12	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
Zealand Limited		CCZ-P3 (Potentially incompatible activities)		ancillary to an otherwise permitted activity This suggests the zone is only supportive of part of a land use and not those components (carparking) which allow it function Heavy focus in policy on urban design outcomes For permitted land use activities which rely on car parking to function, difficult to achieve alignment.				
Woolworths New Zealand Limited	271.4	CCZ - City Centre Zone CCZ-R4 (Alterations and additions to existing buildings and structures)	Oppose in part	Potential for alterations to require consent, due to existing building design not complying with Active Frontage Controls, even if alteration not modifying external building form	Amend provision to create a separate permitted activity rule for 'alterations', or Amend provision so that 'alterations' are only required to achieve compliance with criteria CCZ-R4(b) and (c).	Support	This supports the points raised in FSNI submission regarding the application of Active Frontage controls to existing development.	Allow submission
Woolworths New Zealand Limited	271.8	MCZ - Metropolitan Centre Zone MCZ-P3 (Potentially incompatible activities)	Oppose in part	Policy identifies ground-level car parking as a potentially incompatible activity within the Active Street Frontage Overlay. Carparking is a standalone activity even when ancillary to an otherwise permitted activity This suggests the zone is only supportive of part of a land use and not those components (carparking) which allow it function Heavy focus in policy on urban design outcomes For permitted land use activities which rely on car parking to function, difficult to achieve alignment.	Amend the policy direction to recognise the functional realities of activities that are located in the Metropolitan Centre Zone and serve the community	Support	Aligns with FSNI submission 239.13	Allow submission
Woolworths New Zealand Limited	271.9	MCZ - Metropolitan Centre Zone MCZ-P4 (Likely incompatible activities)	Oppose in part	Where an existing vehicle crossing in the overlay, is the only crossing serving an activity, should be able to retained without being considered incompatible. Other objectives and policies are strong enough to achieve purpose without total removal of existing environment	Amend policy to exclude existing vehicle crossings on Active Street Frontage Overlay B, from being likely incompatible.	Support	This supports the points raised in FSNI submission regarding the application of Active Frontage controls to existing development.	Allow submission
Woolworths New Zealand Limited	271.10	MCZ - Metropolitan Centre Zone MCZ-R4 (Alterations and additions to existing buildings and structures)	Oppose in part	Potential for alterations to require consent, due to existing building design not complying with Active Frontage Controls, even if alteration not modifying external building form	Amend provision to create a separate permitted activity rule for 'alterations', or Amend provision so that 'alterations' are only required to achieve compliance with criteria MCZ-R4(b) and (c)	Support	This supports the points raised in FSNI submission regarding the application of Active Frontage controls to existing development.	Allow submission
Woolworths New Zealand Limited	271.15	MCZ - Metropolitan Centre Zone MCZ-S6 (Active frontages)		As notified, the Standard does not provide for development in Active Frontage Overlay A or B, unless existing vehicle crossings are removed. Non-compliance likely even for modest development not related to vehicle access. Overly restrictive for established land uses	Amend standard to include an exception that this standard not apply to an existing access where it is the only public vehicle access to the site.	Support	This supports the points raised in FSNI submission regarding the application of Active Frontage controls to existing development.	Allow submission

Submitter		Their Submission				FSNI Further Submission		
Submitter	Sub No	Plan Part	Position	Summary of Submission	Decisions Requested	Position	Reason	Relief
		Existing vehicle crossings)		Reference in discretion matter #5 about closing crossings has no supporting context in chapter overview, objectives or policies, unclear if means temporary or permanent closure. Closing public access to existing land uses	Amend matters of discretion as follows: "Matters of discretion if the standard is breached: ... 5. Effects on the current or potential future ability of the road to be closed to general motor vehicle traffic. ..."			