

Te Tai o Poutini Plan Proposed Plan Submission form

Te Tai o
Poutini Plan
Proposed
Plan

Have
your
say!

We need your feedback. We want to hear from you on the proposed Te Tai o Poutini Plan. What do you support and what would you like changed? And why? It is just as important to understand what you like in the Proposed Plan as what you don't. Understanding everyone's perspectives is essential for developing a balanced plan.

Your details:

First name: **Rebecca**

Surname: **Parish**

Are you submitting as an individual, or on behalf of an organisation? Individual Organisation

Organisation (if applicable): **Foodstuffs (South Island) Properties Limited and Foodstuffs South Island Limited**

Would you gain an advantage in trade competition through this submission? Yes No

If you **could** gain an advantage in trade competition through this submission please complete the following:

I am /am not directly affected by an effect of the subject matter of the submission that (a) adversely affects the environment; and (b) does not relate to trade competition or the effects of trade competition.

Postal address: **c/o Anderson Lloyd, PO Box 138 31, Christchurch 8140**

Email: **alex.booker@al.nz**

Phone: **03 335 1231; 03 353 8915**

Rebecca.Parish@foodstuffs-si.co.nz

Signature: *A Booker*

Date: **9 November 2022**

Your submission:

The specific provisions of the proposal that my submission relates to are:

- | | | |
|---|--|--|
| <input type="checkbox"/> Strategic Direction | <input type="checkbox"/> Energy Infrastructure and Transport | <input type="checkbox"/> Hazards and Risks |
| <input type="checkbox"/> Historical and Cultural Values | <input type="checkbox"/> Natural Environment Values | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> General District Wide Matters | <input type="checkbox"/> Zones | <input type="checkbox"/> Schedules |
| <input type="checkbox"/> Appendices | <input type="checkbox"/> General feedback | |

All submitters have the opportunity to present their feedback to Commissioners during the hearings process. Hearings are anticipated to be held in the middle of 2023. Please indicate your preferred option below:

I wish to speak to my submission I do not wish to speak to my submission

If others make a similar submission, would you consider presenting a joint case with them at a hearing?

Yes, I would consider presenting a joint case No, I would not consider presenting a joint case

Public information - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. This information is available to all members of the public. The Te Tai o Poutini Plan is a public document and is available to all members of the public.

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Te Tai o Poutini
PLAN

A combined district plan for the West Coast

Submission on notified proposal for Proposed Te Tai o Poutini Plan

- 1 This is a submission by Foodstuffs (South Island) Properties Limited and Foodstuffs South Island Limited (**Foodstuffs**) on the Proposed Te Tai o Poutini Plan (**pTTPP**) which the Te Tai o Poutini Committee notified for public consultation on 14 July 2022.
- 2 This submission relates to the pTTPP in its entirety and particularly those provisions which apply or affect Foodstuffs' business. This includes provisions that do not accommodate existing established supermarkets, essential services to the community.

Background

- 3 Foodstuffs are a retailer owned co-operative company and the wholesale supplier to PAK'n SAVE food warehouses, New World and Four Square supermarkets, Raeward Fresh, On the Spot dairies, Liquorland and many unaffiliated outlets. Foodstuffs own a variety of properties throughout the South Island from which many of its retail members undertake their businesses. Foodstuffs (South Island) Properties Limited is a property holding company and wholly owned subsidiary of parent company Foodstuffs.
- 4 Within the Buller, Grey and Westland Districts Foodstuffs own or operate the following facilities with the associated pTTPP zoning:
 - (a) New World Greymouth – Commercial Zone;¹
 - (b) New World Hokitika – Town Centre Zone;²
 - (c) New World Westport – Town Centre Zone;³
 - (d) Four Square Hokitika – Neighbourhood Centre Zone;⁴
 - (e) Four Square Reefton – Town Centre Zone;⁵

¹ Legally described as Lot 2 DP 253, Lot 1 DP 253, Lot 2 DP 268, Section 329 TN OF Greymouth, Section 331 TN OF Greymouth, Lot 1 DP 2404, Part Section 334 TN OF Greymouth, Section 332 TN OF Greymouth, Section 330 TN OF Greymouth, Section 328 TN OF Greymouth and Section 326 TN OF Greymouth. **Overlay: Coastal Environment.**

² Legally described as Lot 1 DP 2498, Lot 1 DP 1453, Lot 1 DP 1307, Part Section 169 TN OF Hokitika, Part Section 171 TN OF Hokitika, Part Section 173 TN OF Hokitika, Part Section 173 TN OF Hokitika, Part Lot 1 DP 656, Part Section 3167 TN OF Hokitika, Section 3165 TN OF Hokitika, Section 3163 TN OF Hokitika, Section 3162 TN OF Hokitika, Section 3161 TN OF Hokitika, Section 3160 TN OF Hokitika, Section 3159 TN OF Hokitika and Lot 2 DP 525. **Overlays: Main Street Frontage Control, Hokitika Hazard Overlay, Coastal Environment.**

³ Legally described as Lot 3 DP 2467, Lot 2 DP 2467, Lot 1 DP 2467, Section 32 Westport COLLIERY RES, Section 31 Westport COLLIERY RES, Section 30 Westport COLLIERY RES, Section 29 Westport COLLIERY RES, Part 2 Section 28 Westport Colliery Reserve, Lot 2 DP 18038, Lot 1 DP 18259, Lot 1 DP 18258, Section 22 Westport COLLIERY RES, Lot 1 DP 18038 and Part 2 Section 28 Westport Colliery Reserve. **Overlays: Main Street Frontage Control, Westport Hazard Overlay.**

⁴ Legally described as Lot 3 DP 2279. **Overlay: Coastal Environment.**

⁵ Legally described as Section 101 TN OF Reefton, Section 102 TN OF Reefton, Section 36 TN OF Reefton and Section 35 TN OF Reefton. **Overlay: Flood Plain.**

- (f) Four Square Franz Josef – Settlement Zone;⁶ and
 - (g) Four Square Karamea – Settlement Zone.⁷
- 5 As an experienced operator Foodstuffs has extensive knowledge of the locational distribution, functional and aesthetic design, construction, operations and maintenance of supermarkets in order to meet the essential servicing needs of customers and local communities. Foodstuffs are also aware that obtaining resource consents from local authorities can have time and cost implications, and create uncertainty during the development process where unnecessary regulation is imposed.
- 6 Supermarkets (including associated access and car parking areas) are of a functional nature, design and scale that distinguish them from most other activities in a commercial area. They are important to the health of a centre or commercial area (operating as an anchor tenant), and have specific site requirements. Amenity can be achieved through landscaping, building setbacks, discrete loading operations, and safe and legible pedestrian access that enable functional supermarket developments to be established in a way that takes account of site-specific circumstances. Foodstuffs prides itself on supermarket operations that are planned in a way that is both practical and achieves high quality design and amenity outcomes for a community.

Submission

- 7 The pTTPP must be viewed objectively against amenity outcomes in a way that takes account of the practical realities of an activity and a developer's need to secure a return on capital invested in property in the existing townships. That cannot be ignored in the current context. The resilience and future wellbeing of the West Coast community will rely on confident private investment. It is important that additional regulation introduced at this time acts to encourage development and not stifle investment on the Coast.
- 8 In its current form, the pTTPP doesn't provide for supermarkets, including within the areas where they currently operate, and inappropriately pre-determines that a supermarket would be unable to meet good urban design outcomes.
- 9 Foodstuffs notes that the pTTPP utilises a large number of overlays and planning features. Overlays and features can be a useful tool, but when used in excess and when applying rules with significant effects, these planning tools can undermine the zoning and activities appropriate in that zone.
- 10 Foodstuffs seeks recognition of and provision for its supermarket activities and associated functional and operational requirements. Where issues can be managed through permitted activity conditions or standards, these consenting tools should be

⁶ Legally described as Section 5 TN OF Waiho Gorge. **Overlays: Flood Hazard Susceptibility, Earthquake Hazard Overlay 100m and 150m.**

⁷ Legally described as Lot 1 DP 13478. **Overlays: Precinct: Settlement Centre, Flood Hazard Susceptibility, Coastal Environment.**

applied. Restricted discretionary status should be applied on a non-notified basis for activities breaching specific restrictions, such as hazard overlays. Discretionary and non-complying statuses should be reserved for where there is a clear need to either investigate effects further or the activity is a significant change in the environment.

Commercial and Mixed Use Zones

- 11 The majority of Foodstuffs' supermarkets are located within the Commercial, Neighbourhood or Town Centre Zones. Many of these supermarkets are long-established in these areas. Currently the plan provisions, as notified, do not enable supermarket redevelopment in line with the functional and operational needs of supermarkets.
- 12 Section 32 Report 8 (**Report 8**) relating to the commercial and mixed-use zones makes it clear that commercial development is needed, sometimes desperately so, in the town centres and commercial areas of the West Coast. At section 2.34, Report 8 notes the failure of the current district plans to provide for commercial development and that the current district plans unnecessarily require resource consent to redevelop between different activities with the same effects (the example being given of a change from a dairy to a butcher). When evaluating the pTTPP, the Report 8 at 4.2.3 states that the pTTPP allows "commercial development in a condensed manner."
- 13 References to amenity effects within the commercial areas are proposed to be amended or removed entirely. There is a lower expectation of amenity within these areas and this needs to be expressly recognised.
- 14 Foodstuffs has provided some suggested changes to the notified provisions in Appendix 1. These changes are most appropriate because:
 - (a) The changes recognise the functional and operational need for supermarkets to operate on a larger scale than most other retail activities. Most existing supermarkets (including extensions) in the CMUZ would likely be assessed as discretionary or non-complying activities under the notified provisions. This would result from breaches of gross floor area, amenity, frontage and glazing standards, particularly those imposed on Main Street Frontage Precincts;
 - (b) Supermarkets have unique and specific operational requirements that determine building design and layout. Precise requirements for internal floor configuration, storage/display of product, covered/secure loading, and refrigeration systems are not readily compatible with extensive glazing. Foodstuffs instead introduce other architectural/design elements on advice from architects, urban designers and landscape architects, to achieve an attractive, engaging and pedestrian-scale interface with public areas such as building recesses, material/colour variation and landscaping. The operational and functional requirements of supermarkets are such that they will not always be able to meet these active frontage standards,

imposing an unreasonable resource consent burden that is not justified by environmental effects;

- (c) TCZs should be enabling of extensions and redevelopment for existing commercial activities, such as supermarkets. A commercial zoning serves as notice to plan viewers that amenity effects will be greater in and around commercial zones. Likewise for other commercial zonings such as the Neighbourhood Centre Zone and the Commercial Zone. Inserting restrictive amenity, built form and urban design standards that are more appropriate for residential zones is not appropriate;
- (d) Design techniques and other methods for managing effects can be applied under a restricted discretionary assessment, rather than a discretionary or non-complying status which allows for consideration of all matters; and
- (e) Overall, the changes are needed to ensure the appropriate provisions are consistent with the justifications in Report 8 and the needs of West Coast communities. Supermarkets are an essential service and anchor tenant in townships and the much-needed development of West Coast townships is dependent on plan provisions enabling existing supermarkets to expand. This will have positive effects for West Coast communities and their growth.

- 15 Foodstuffs also seeks the exclusion of supermarkets from the urban design guidelines. These guidelines do not recognise the functional and operational need of supermarkets to locate in townships. The guidelines also do not explicitly recognise the alternative urban design methods, as outlined above, that achieve quality design outcomes and should. Foodstuffs supermarkets are also already established on the West Coast.

Settlement Zones

- 16 The SETZ, while a rural zone, provides for a mix of activities that can be found in townships outside the West Coast's four main centres. This includes residential, rural and commercial activities, all of which are necessary to keep these rural environments running. There are two existing Foodstuffs supermarkets in the SETZ, which demonstrates that supermarkets have a role in the SETZ matrix.
- 17 Foodstuffs seeks explicit recognition that these supermarkets form a necessary part of the SETZ. Consequentially, Foodstuffs have sought changes to the provisions that will enable supermarkets to operate in the SETZ, without triggering non-complying status for breaches of amenity and built form standards. Enabling the expansion of supermarkets is important in the SETZ-PREC2 areas, where future growth is expected.

Transport

- 18 Provisions in the Transport Chapter have a heavy emphasis on amenity factors, which is inappropriate and has the potential to stifle the efficient and effective use and operation of the transport network. There is no substantive reasoning in the section 32 analysis of why amenity considerations have been included, other than that it is an 'issue' raised over the past 20 years. Reference is also made to 'contemporary best practice' and 'higher order planning instruments' but there is no reference to the exact documents or what they actually seek to impose. Possible amenity effects to a small group of people should not reduce the efficient and effective use of the transport network, particularly given the significant investment required by the private companies, government bodies and rate payers.
- 19 Previous plans have expressly disregarded amenity and noise effects from roads,⁸ and Foodstuffs consider that the pTTPP needs to exclude amenity and noise effects from roads for resource consent applications. Exclusions, like that found in NOISE-R2(7), should not be limited to use of the road that is *'part of or compatible with a normal residential activity'*. Otherwise there will be implications for trucking activities (both day and night) requiring assessment of all activities along the proposed route. Foodstuffs has outlined specific relief sought in Appendix 1, with deletion or amendment sought to TRN-O2, TRN-O3 and TRN-P1 to remove reference to amenity and associated effects (including noise, vibration and glare).

Other matters

- 20 *New definition* – Given the carve-outs for supermarkets that Foodstuffs is proposing, a definition for 'supermarkets' would give greater certainty and clarity to plan readers. A separate definition for supermarkets is common in notified second-generation plans including the proposed Selwyn District, Waimakariri District and Wellington City Plans. This helps to recognise the unique functional and operational needs of supermarkets as compared to other retail activities.
- 21 *Coastal Environment* - Rule CE-R4 imposes a 200m² GFA on permitted new buildings in the SETZ. While Rule CE-R4 allows like-for-like buildings, any expansion would require resource consent as a restricted discretionary activity. The restricted matters in CE-R14 include landscape measures, visibility from public places, effects on coastal natural character effects on public coastal access and vegetation clearance. These matters are all unlikely to be engaged in a township. This demonstrates how much the Coastal Environment Overlay undermines proposed zonings because SETZs are usually applied to service towns, not natural or low-intensity rural areas. The inclusion

⁸ Westland District Plan and Buller District Plan.

of SETZ limits the development of supermarket facilities in small, sometimes isolated townships like Karamea and Franz Josef which require resilient service networks.

22 *Hazard Overlays* – a number of flooding and earthquake hazard overlays apply to Foodstuffs' supermarkets in the West Coast region. Across these overlays, Foodstuffs seeks for rules to allow development with appropriate mitigation measures, rather than a restriction on development. Foodstuffs seeks changes to the overlay provisions for the following reasons:

- (a) Breaches of the Flood Susceptibility Overlay provisions should be non-notified if it does not have off-site effects on the environment; and
- (b) Similarly, the provisions applying to the bespoke flood hazard overlays for Hokitika and Westport should apply a restricted discretionary status on a non-notified basis. A discretionary status is too restrictive, given the isolated nature of hazard risks.

23 *Signage* – Foodstuffs supports recognition of the importance of signage to business. Rule SIGN-R17 is too restrictive in prescribing the lesser of 3m² or 10% of the building façade as the sign size limit in the Commercial and Mixed Use Zones. These zones are high-activity commercial areas where retail activity is commonplace. A supermarket, as an essential service provider, can easily absorb signage greater than 3m² per sign.

Conclusion

24 With the changes as sought above and attached in **Appendix 1**, this will better assist:

- (a) the Councils in carrying out their statutory duties under the Resource Management Act 1991 (**RMA**) including the integrated management of the effects of the use, development, or protection of land;
- (b) in meeting the requirements of section 32 of the RMA, in that the proposed provisions must be the most appropriate method for achieving the RMA's purpose;
- (c) in meeting the National Planning Standards and giving effect to the recent National Policy Statement on Urban Development 2020 which requires provision for all business activities and a well-functioning urban environment;
- (d) in giving effect to the West Coast Regional Policy Statement; and
- (e) to promote the sustainable management of natural and physical resources in accordance with Part 2 of the RMA.

Relief sought

25 Foodstuffs seek the following decisions in relation to the pTTPP:

- (a) That the pTTPP be amended to reflect the issues raised in this submission, including but not limited to the specific amendments sought in **Appendix 1**; and/or
- (b) Such further, other or consequential relief as may be required to give effect to this submission and **Appendix 1**, including consequential amendments to the pTTPP that address the matters raised by Foodstuffs.

26 Foodstuffs wishes to be heard in support of this submission. If others make a similar submission, Foodstuffs will consider presenting a joint case with them at a hearing

Date: 9 November 2022



Alex Booker

**On behalf of Foodstuffs South Island Limited and Foodstuffs (South Island)
Properties Limited**

Appendix 1: Foodstuffs (South Island) Properties Ltd – relief sought

Plan Section	Provision	Support/ Oppose	Reasons	Decision Sought
Part 1 – Introduction and General Provisions				
Interpretation				
Interpretation	Insert new term: SUPERMARKET	Support	A definition for 'supermarket' would provide certainty for Foodstuffs' suggested amendments to the provisions.	<u>A retail activity that uses land and/or buildings for displaying or offering a comprehensive range food, beverage and other disposable goods such as fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and housekeeping and other personal items for sale to the public.</u>
Part 3 – Area-Specific Matters				
Commercial and Mixed Use Zones – Objectives and Policies				
Commercial and Mixed Use Zones	Commercial and Mixed Use Zones	Support in Part	Express provisions are needed for supermarkets. These should recognise their functional and operational needs and allow for design mitigation, rather than operation minimisation.	
Commercial and Mixed Use Zones	CMUZ-O1	Amend	Provisions within the CMUZ chapter should reflect existing activities and their effects. Rather than restricting commercial activities, the provisions should also recognise that adverse effects can be managed through retention techniques, such as fencing, glazing and sound-proofing.	To maintain and enhance the character and amenity values of commercial areas and town centres in a way that enables commercial and other activities to support the local community and visitors, while minimising adverse effects on amenity within and adjoining the commercial areas <u>managing amenity effects on adjoining sensitive activities.</u>

			Residential activities within commercial areas should have a lower expectation of amenity.	
Commercial and Mixed Use Zones	CMU-P4	Amend	Foodstuffs supports good quality design outcomes, but these must fit within the functional and operational needs of supermarkets.	New development in CMUZ - Commercial and Mixed Use Zones should have quality design outcomes and is expected to <u>which:</u> <ol style="list-style-type: none"> Acknowledge, and respond to, the context of the site and the surrounding environment; Ensure the bulk, form and siting of new buildings maintains and enhances the quality of the environment; Provide a quality street frontage with visual interest and connection with the street; and Ensure visual effects from car parking areas are minimised <u>Enable and provide for operational and functional requirements.</u>
Commercial and Mixed Use Zones	CMU-P6	Oppose in Part		Recognise the substantial investment by communities in town centres and their infrastructure by ensuring that any new CMUZ - Commercial and Mixed Use Zones are located where they support the function of town centres rather than pulling activity away from the centre.
Commercial and Mixed Use Zones	CMU-P7	Amend	Supermarkets provide an essential service and are particularly important in natural hazards. Design techniques can mitigate the impact of supermarkets on natural hazard risk, wāhi tapu and SNAs and this should be assessed via a resource consent process.	New CMUZ - Commercial and Mixed Use Zones should not be <u>restricted located</u> in areas subject to significant risks from natural hazards, in wāhi tapu or significant natural areas.
Commercial and Mixed Use Zones	CMU-P13	Amend	The avoid policy is unnecessarily restrictive and does not reflect the existing townships, nor does it	Activities in the COMZ - Commercial, MUZ - Mixed-Use and NCZ - Neighbourhood Centre Zones should:

			enable supermarkets to locate where they have a functional and operational need.	<ul style="list-style-type: none"> a. Meet performance standards on development and land use that maintain or enhance the amenity of the commercial areas and do not create <u>significant</u> adverse effects beyond the boundaries of these areas, particularly in respect of residential areas; b. Provide safe urban design (including pedestrian and vehicle safety); and c. Avoid the fragmentation <u>Encourage compact urban form</u> of town centres.
Commercial and Mixed Use Zones	CMUZ-P15	Oppose in Part	<p>Customers of supermarkets often require vehicles to transport their groceries, so supermarkets are not reliant on pedestrian movement. The National Planning Standards definition for the Town Centre Zone (TCZ) describes the TCZ as:</p> <p>Areas used predominantly for:</p> <ul style="list-style-type: none"> • in smaller urban areas, a range of commercial, community, recreational and residential activities. • in larger urban areas, a range of commercial, community, recreational and residential activities that service the needs of the immediate and neighbouring suburbs. <p>The TCZ should therefore provide for a range of commercial activities, not solely ones reliant on pedestrian movement or fine grain retail.</p>	<p>Activities within the TCZ - Town Centre Zones should:</p> <ul style="list-style-type: none"> a. Maintain or enhance natural and historic features and built form; b. Adaptively reuse existing heritage buildings where practicable; c. Recognise and implement good urban design; d. Provide for low-speed vehicle movement; e. Allow for noise associated with commercial activities including bars and restaurants; f. Provide for commercial signs associated with on-site activities; g. Provide a high-quality pedestrian environment, with pedestrian oriented street layout; h. Have consolidated on-street parking; i. Have efficient wastewater, water supply and stormwater infrastructure that maximises the use of existing services; j. Allow for a range of transport options; <u>and</u> k. Have new buildings built to a high <u>quality design</u> standard up to the street frontage and predominantly with verandahs over the footpath; and l. Be activities reliant on pedestrian movement.

Commercial and Mixed Use Zones	CMUZ-PREC-P5	Amend		<p>Require high quality design outcomes in the TCZ - PREC1 - Greymouth/Māwhera Town Centre Precinct which adhere to the Greymouth/Māwhera Town Centre Design Guidelines. In particular, new development and additions and alterations to existing buildings are expected to:</p> <ul style="list-style-type: none"> a. Acknowledge, and respond to, the context of the site and the surrounding environment; b. Create visual interest and be in keeping with streetscape values; c. Address Poutini Ngāi Tahu and historic heritage values and design elements; d. Create a vibrant, active pedestrian environment; e. Take into account sustainable building design and Crime Prevention through Environmental Design (CPTED) principles; f. Utilise the Greymouth Pounamu and Māori Heritage paint palette on building frontages; and g. Ensure continuous verandah coverage on the Main Street Frontage of the TCZ - PREC1 - Greymouth/Māwhera Town Centre Precinct-; and h. <u>Take into account the operational and functional needs of activities.</u>
Commercial and Mixed Use Zones	New provision after CMUZ-PREC2-P9	Amend	Express provisions are needed for supermarkets that recognise their functional and operational needs and allow for design mitigation, rather than minimisation.	<u>Provide for the operational and functional needs of existing anchor tenants, such as supermarkets.</u>
Commercial and Mixed Use Zones	New provision after CMUZ-PREC3-P12	Amend	Express provisions are needed for supermarkets that recognise their functional and operational needs and allow for design mitigation, rather than minimisation.	<u>Provide for the operational and functional needs of existing anchor tenants, such as supermarkets.</u>

Commercial and Mixed Use Zones	New provision: CMUZ-PREC4-P15	Amend	Express provisions are needed for supermarkets that recognise their functional and operational needs and allow for design mitigation, rather than minimisation.	<u>Provide for the operational and functional needs of existing anchor tenants, such as supermarkets.</u>
Commercial Zone				
Commercial Zone	Overview	Support	Foodstuffs supports the overview of the Commercial Zone (COMZ), particularly because it recognises that commercial activities are often accessed by car.	
Commercial Zone	COMZ-R1	Amend	Applying discretionary status to breaches of urban design and landscaping conditions is excessive. Restricted discretionary status is more appropriate and allows urban design mitigations to still be considered.	Activity status where compliance not achieved: Restricted Discretionary where standards <u>3, 4, 5</u> and 6 are not complied with. Discretionary where standards 1- <u>24</u> are not complied with.
Commercial Zone	COMZ-R8	Amend	Supermarkets have a built form usually requiring a long building length. This is necessary for supermarkets to store goods and offer a range of products to consumers.	Where: <ul style="list-style-type: none"> 1. The maximum height is 15m; 2. Maximum building length abutting a residential zone is 35m, <u>excluding expansions to or redevelopment of existing supermarkets</u>; and 3. Any building or structure is set back 3m from any Residential Zone or Open Space Zone.
Neighbourhood Centre Zone				
Neighbourhood Centre Zone	NCZ-R1	Amend	No supermarket is likely to be able to operate with a floor space of 250m ² or less. The activity requires much greater floor space	Where: <ul style="list-style-type: none"> 1. Community Facilities, Emergency Service Facilities, retail and office activities are a maximum of

			<p>and currently exists with floor levels of at least 1000m² in Neighbourhood Centre Zones.</p>	<p>250m² gross floor area per activity, <u>or 1000m² per supermarket</u>, provided;</p> <ol style="list-style-type: none"> 2. The activity does not include: <ol style="list-style-type: none"> i. Drive through restaurants; ii. Service stations; iii. Motor vehicle sales; iv. Yard-based retail activities; v. Trade retail and trade suppliers; or vi. Bars/taverns; 3. The maximum height above ground level is 10 metres except that this standard does not apply to hose drying towers at Emergency Service Facilities; 4. External storage is screened by a 1.8m fence or landscaping so that it is not visible from any adjoining residential zone boundary or adjoining public place; 5. Maximum site coverage is 60%; 6. No more than one heavy vehicle is stored on the site; 7. Activities other than Emergency Services shall be limited to the following hours of operation: <ol style="list-style-type: none"> i. 6am – 11pm weekdays; and ii. 7am – 10 pm weekends and public holidays; except where <ol style="list-style-type: none"> a. The entire activity is located within a building; and b. There are no visitors, customers or deliveries outside the above hours. 8. The maximum building length is 20m where this abuts a RESZ - Residential Zone; 9. Any building or structure is set back <ol style="list-style-type: none"> i. 2m from a RESZ - Residential Zone or OSRZ - Open Space and Recreation Zone boundary; ii. 3m from the road boundary; or iii. For sites with frontage to two roads in the NCZ - Neighbourhood Centre Zone: <ol style="list-style-type: none"> a. 3m on one road boundary; and
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				<p>b. 1.5m on the other road boundary;</p> <p>10. A landscape buffer of 1m width must be provided along the frontage between the street and any car parking, loading or service areas which are visible from the street frontage. This rule excludes access points;</p> <p>11. No building shall protrude beyond ...</p>
Neighbourhood Centre Zone	NCZ-R9	Amend	As above.	<p>Where:</p> <p>1. The gross floor area is greater than 250m² per activity <u>or 1000m² per supermarket</u>, but all other Performance Standards for 1- 8 for Rule NCZ - R1 are complied with.</p> <p>Discretion is restricted to:</p> <p>a. Design and location of buildings;</p> <p>b. Design and location of parking, loading and access areas; and</p> <p>c. Landscape measures.</p>
Neighbourhood Centre Zone	NCZ-R11	Oppose in Part	The rules as notified effectively make all supermarkets a non-complying activity due to the gross floor area restrictions. This is inappropriate given that supermarkets currently exist in the NCZ and are a common feature of any township.	<p>Where:</p> <p>1. Retail and office activities are a maximum of 250m² gross floor area per activity, <u>excluding expansions to or redevelopment of supermarkets</u>;</p> <p>2. The activity does not include:</p> <p>i. Drive through restaurants;</p> <p>ii. Service stations;</p> <p>iii. Yard-based retail activities;</p> <p>iv. Motor vehicle sales; or</p> <p>v. Trade retail and trade suppliers.</p>
Town Centre Zone				
Town Centre Zone	Overview	Amend		The TCZ - Town Centre Zone is found in the four main town centres of Reefton, Greymouth/Māwhera, Westport/Kawatiri and Hokitika. There are common policies and rules across

				<p>the TCZ - Town Centre Zone, however each town centre has a Precinct where specific additional policies and rules apply.</p> <p>The four centres are <u>generally</u> characterised by 2-3 storey buildings located up to the street with verandahs and retail display windows. These town centres are pedestrian oriented and parking is available on the street. Residential living above ground floor and mixed use activities are provided for.</p> <p><u>A supermarket is present and occupies town centres as an anchor tenant. Existing supermarkets have specific operational and functional needs, including, but not limited to, large gross floor area, extended hours of operation, increased vehicle access and larger built form. High quality design of supermarkets is achieved through methods that do not disrupt their operational and functional needs such as building recesses, material/colour variation or landscaping.</u></p> <p>...</p> <p>The location of the Hokitika, Greymouth/Māwhera and Westport/Kawatiri town centres on the coast and adjacent to large rivers, means parts of the town centres are subject to risk from existing and future flood and coastal inundation. The Te Tai o Poutini Plan <u>acknowledges this is an existing risk and</u> enables development within the TCZ - Town Centre Zone and MUZ - Mixed Use Zone that responds to and manages the risk. However, it is also acknowledged that over time a movement away from the most hazardous locations is desired, and this is reflected in other parts of the Te Tai o Poutini Plan through the NH - Natural Hazards provisions.</p>
Town Centre Zone	TCZ-R1	Amend	Current supermarkets in the TCZ do not achieve the conditions of TCZ-R1, despite existing in the TCZ already. A TCZ may be	<p>Where:</p> <ol style="list-style-type: none"> 1. Any building is located: <ol style="list-style-type: none"> a. On the front boundary of the site;

			appropriate for these areas, but the pTTPP rules do not give effect to the TCZ described in the National Planning Standards.	<ol style="list-style-type: none"> b. With no setback from the street boundary, except that a recess of up to 0.5m within the facade of the building is permitted; 2. Any building is setback a minimum of 3m from any RESZ - Residential Zone boundary; 3. All external storage is screened by a 1.8m fence or landscaping so it is not visible from any adjoining residential zone boundary or any adjoining public space; 4. The ground floor facade of all buildings with a Main Street Frontage must have: <ol style="list-style-type: none"> a. 50% of the facade devoted to display windows or 75% of its height for at least 50% of the ground floor building frontage; and b. One public entrance with glazing comprising at least 40% of the doors; except that c. Any Heritage Building in Schedule One is exempt from this requirement. 5. No building shall create a featureless facade or blank wall on a Main Street Frontage at ground floor level wider than 3m; 6. No building shall project beyond a building envelope ... <p><u>7. Existing supermarkets are not subject to conditions 1, 4 and 5 of this rule.</u></p>
Town Centre Zone	TCZ-R2	Amend	As above.	<p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. Any commercial activity on a Main Street Frontage does not include: <ol style="list-style-type: none"> a. Motor vehicle sales yards; b. Service stations; c. Yard based retail; d. Trade retail and trade suppliers; e. Drive through restaurants.

				<ol style="list-style-type: none"> 3. The maximum height above ground level is 12 metres except that hose drying towers at an Emergency Service Facility are exempt from this standard; 4. Every building with a Main Street Frontage must erect a cantilevered continuous verandah to cover the full width of the footpath except that this does not apply to Heritage Buildings identified in Schedule One; and 5. New buildings and additions and alterations to any Main Street Frontage façade must demonstrate that they meet the Hokitika Town Centre Urban Design Guidelines. <p><u>6. Existing supermarkets are not subject to conditions 4 and 5 of this rule.</u></p>
Town Centre Zone	TCZ-R3	Amend	As above.	<p>Where:</p> <ol style="list-style-type: none"> 1. All performance standards from Rule TCZ - R1 are complied with; 2. The maximum height above ground level is 20 metres; 3. Every building with a Main Street Frontage must erect a cantilevered continuous verandah (with no decorative poles) to extend from the shop frontage to be 400mm inside the kerblines. This requirement for a verandah does not apply to Historic Heritage buildings identified in Schedule One. <p>Advice Note:</p> <ol style="list-style-type: none"> 1. The verandah shall extend from the shop frontage to be 400mm inside the kerblines. The verandah, if on a corner, shall be splayed so as to be 400mm back from the kerblines. 2. When designing new buildings in Greymouth/Māwhera Town Centre developers are encouraged to use the Greymouth/Māwhera Town Centre and Mixed Use Urban Design Guidelines.

				3. <u>Existing supermarkets are not subject to condition 3 of this rule.</u>
Town Centre Zone	TCZ-R15	Amend	Applying a non-complying status effectively makes all supermarkets a non-complying activity with the TCZ. This is inappropriate given the current and long-established existence of supermarkets in these areas. It also does not give effect to the National Planning Standards descriptions of TCZs.	Activity status where compliance not achieved: <u>Non-complying Discretionary</u>
Town Centre Zone	TCZ-R18	Amend	As above.	Activity Status <u>Non-complying Discretionary</u>
Rural Zones – Objectives and Policies				
Rural Zones	Overview	Amend	Recognition of the existing environment is needed. Also, the Rural Zones should enable any activity that has a functional and operational need to occur in rural environments. Such activities will include ancillary activities such as supermarkets, which enable people to live and work in the rural space.	<p>Rural areas represent the majority of private land within the West Coast/Te Tai o Poutini. They are working environments – with farming, mining, tourism, horticulture, and forestry being undertaken alongside a number of smaller industries. They contain native bush, wetlands, renewable electricity generation sites and national grid infrastructure. Rural areas are also residential environments – characterised by a lower levels of built development and greater separation distance from neighbours.</p> <p>The rural area is characterised by its open vistas and natural features that are of importance to the wider community. Components of the rural area include the coastline, waterbodies, vegetation and the absence of built-up areas.</p>

				<p>Small settlements and townships are a significant feature within the rural areas of the West Coast/Te Tai o Poutini, with numerous coastal and inland settlements around the districts. <u>These settlements include existing commercial activities, such as supermarkets, that service not only the township, but the surrounding rural environment as well.</u> Some of these settlements were once much larger, due to past mining and forestry activities which supported the settlements population. Some are expanding, mainly due to the increase in tourism activities or their proximity to the main centres meaning they are becoming more like commuter areas.</p> <p>...</p>
Settlement Zone				
Settlement Zone	Overview	Support	Foodstuffs supports the description of SETZ-PEC2 as a developing area with changing character and a need for growth.	
Settlement Zone	SETZ-R2	Amend	Supermarkets have a functional and operational need for different, more flexible, urban design elements to achieve quality design outcomes.	<p>Where:</p> <ol style="list-style-type: none"> 1. The maximum height above ground level for buildings is: <ol style="list-style-type: none"> i. 10m for residential buildings and Emergency Service Facilities and 7m for accessory buildings; except ii. No building, structure or tree shall protrude into the Airport Approach Path of any airport or aerodrome identified on the planning maps and as described in Appendix Nine; iii. 7m for buildings in the SETZ - PREC3 - Coastal Settlement Precinct; and iv. 12m for buildings in the SETZ - PREC2 - Settlement Centre Precinct <u>and existing supermarkets;</u> 2. The maximum site coverage is:

				<ul style="list-style-type: none"> i. 40%; except ii. Maximum site coverage is 60% in the SETZ - PREC2 - Settlement Centre Precinct <p>3. The maximum gross ground floor area of any one building</p> <ul style="list-style-type: none"> i. Is 350m²; except ii. In the SETZ - PREC3 - Coastal Settlement Precinct the gross ground floor area is a maximum of 200m² total for all buildings on the site <p>4. Buildings are setback from boundaries as follows:</p> <ul style="list-style-type: none"> i. 5m from the road and any GRUZ - General Rural or INZ Industrial Zone boundary and 1m from internal boundaries; except ii. In the SETZ - PREC4 - Rural Residential Precinct all buildings are setback 10m from road boundaries, residential buildings are setback 10m from the internal boundaries and non-residential buildings are setback 5m from internal boundaries; iii. In the SETZ - PREC2 - Settlement Centre Precinct no setback from the road boundary is required where there is a verandah provided over an adjacent footpath. <p>5. In the Kumara Junction Developments area: ...</p> <p><u>Existing supermarkets in Settlement Zones are not subject to condition 2, 3, and 4 of this rule.</u></p>
Settlement Zone	SETZ-R13	Amend	Supermarkets will almost always breach conditions 4, 6, 7 or 8 despite being an existing activity in the SETZ. A restricted discretionary activity status is more appropriate where discretion would be limited to	<p>Activity status where compliance not achieved: <u>Discretionary-Restricted Discretionary</u></p>

			urban design and operational matters.	
Settlement Zone	SETZ-R26	Amend	As above	<p>Activity Status Discretionary <u>Restricted Discretionary</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <u>Design and location of buildings;</u> <u>Size and height of buildings;</u> <u>Vehicle movements and access;</u> <u>Design and location of parking and access;</u> <u>Landscape measures;</u> <u>Any requirement for financial contributions;</u> <u>Hours of operation; and</u> <u>Acoustic and noise management requirements</u>
Part 2 – District Wide Matters				
Transport				
Transport	TRN-O1	Support	Foodstuffs support the recognition of the important role road infrastructure plays in supporting the West Coast and the need to protect the use of this infrastructure.	
Transport	TRN-O2	Oppose	Amenity effects have not previously been considered in West Coast district plans. Further, restrictions on the use of roads will decrease economic activity.	<p>To manage the effects of land transport infrastructure on the character, landscape and amenity of the towns, settlements and rural areas and minimise adverse effects on the environment.</p> <p>Or, alternatively, amend as follows:</p> <p><u>To provide for the safe and efficient operation of land transport infrastructure, while managing adverse effects on the surrounding environment.</u></p>

Transport	TRN-O3		As above in relation to amenity effects.	To enable accessibility, safety and connectivity of land transport infrastructure and consider the amenity of <u>for</u> all transport users, including pedestrians and cyclists.
Transport	TRN-P1		As above in relation to amenity effects.	The road and rail networks shall; <ul style="list-style-type: none"> a. Be maintained or enhanced to provide safe and efficient transportation; b. Consider the needs of all transport users and modes of transport; and c. Minimise effects on adjoining properties including the impacts of vibration, noise and glare.
Natural Hazards				
Natural Hazards	NH-R12	Amend	Public or limited notification is not necessary or appropriate for an assessment of whether the natural hazard mitigation is effective.	Discretion is restricted to: <ul style="list-style-type: none"> a. The effects of natural hazards on people and property; b. The location and design of proposed sites, buildings, vehicle access, earthworks and infrastructure in relation to natural hazard risk; c. Any freeboard requirements to be included; d. The management of vegetation or other natural features to mitigate natural hazard risk; e. The timing, location, scale and nature of any earthworks in relation to natural hazard risk; f. The potential for the proposal to exacerbate natural hazard risk, including transferring risk to any other site; g. <u>The functional or operational need to locate in these areas;</u> and h. Any adverse effects on the environment of any proposed natural hazard mitigation measures. <u>Any application arising from this rule shall be non-notified.</u>
Natural Hazards	NH-R26	Amend	Additions and alterations to and new commercial buildings can be appropriately managed through	Activity Status Discretionary <u>Restricted discretionary</u> Refer to matters of discretion and notification status in NH-R12.

			restricted discretionary matters limited to those set out in NH-R12.	
Natural Hazards	NH-R51	Amend	Restricted discretionary status is more appropriate, with matters of discretion limited to those in NH-R12.	Activity Status Discretionary <u>Restricted discretionary</u> Refer to matters of discretion and notification status in NH-R12.
Natural Hazards	NH-R53	Amend	Restricted discretionary status is more appropriate, with matters of discretion limited to those in NH-R12.	Activity Status Discretionary <u>Restricted discretionary</u> Refer to matters of discretion and notification status in NH-R12.
Coastal Environment				
Coastal Environment	CE-R4	Oppose in Part	Applying the very restrictive gross floor area limit undermines the Settlement Zone policy thrust, particularly in settlements identified for future growth and commercial activity such as supermarkets.	Activity Status Permitted Where: <ol style="list-style-type: none"> 1. These are not located within: <ol style="list-style-type: none"> a. An Outstanding Natural Landscape identified in Schedule Five; b. An Outstanding Natural Feature identified in Schedule Six; c. An area of High Coastal Natural Character identified in Schedule Seven and subject to Rule CE - R5; d. An area of Outstanding Coastal Natural Character identified in Schedule Eight; and 2. These: <ol style="list-style-type: none"> a. Comply with the rules for buildings and structures within the relevant zone, except that within the GRUZ - General Rural Zone, RLZ - Rural Lifestyle and SETZ - Settlement Zone: <ol style="list-style-type: none"> i. Maximum height is 7m for new buildings; ii. No height limits apply where this is replacement of a lawfully

				<p>established building with another building of the same height, in the same location; and</p> <p>iii. The gross ground floor area is:</p> <ol style="list-style-type: none"> I. A maximum of 200m² per building for new buildings; II. No maximum area where this is the replacement of a lawfully established building with another building of the same ground floor area, in the same location; or <p>...</p> <p><u>This rule does not apply to existing supermarkets within a centre.</u></p>
Noise				
Noise	NOISE-O2	Support	Recognising existing and permitted future noise generating noise activities is important. Foodstuffs' operations are often long-established activities that are known to produce noise effects. Persons living adjacent or nearby should be aware of this.	
Noise	NOISE-R2	Support in Part	Existing and normal noise activities should be recognised across all zones for consistency. This change also reflects submissions made on transport amenity effects above. Foodstuffs supports conditions 5 and 7 (as amended) as they recognise the functional and	<p>Where the following activities are exempted from meeting Zone noise standards:</p> <p>...</p> <p>5. The use of generators and mobile equipment (including vehicles) for emergency purposes, including testing and maintenance not exceeding 2 weeks in duration, where they are operated by emergency services or lifeline utilities;</p> <p>...</p>

			operational needs of supermarkets to utilise emergency generators and on-site vehicle movements, without restrictive noise limits.	7. Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1998), or within a site as part of or compatible with a normal residential activity_ <u>expected for that zone</u> ;
Signs				
Signs	SIGN-O1	Support	Foodstuffs supports the recognition of the contribution signs make to businesses.	
Signs	SIGN-P2	Amend	Adverse visual and amenity effects can result from some signage, including where signs are visible from, but not directed at the more sensitive areas. A more appropriate limit is on unacceptable adverse effects.	Ensure the landscape, natural character and amenity values of residential areas, settlements, rural areas, open space and outstanding natural landscapes and features are protected from <u>unacceptable</u> adverse visual and amenity effects from large areas or numbers of signs.
Signs	SIGN-R17	Oppose in Part	Signage is expected in the commercial environment and generally does not cause significant adverse effects. There is also a functional and operational need for reasonably sized signage in these areas, to efficiently direct customers.	Where: <ol style="list-style-type: none"> 1. Signs must relate to an activity occurring on the site; 2. Signs are not directed towards residential or rural areas <u>where practicable</u>; 3. Signs attached to the structure or face of the building must be a maximum of 10% of the area of the building facade or 3m², whichever is the lesser; and 4. All performance standards for Rule SIGN - R1 are complied with.
Part 4 - Appendices				
Hokitika Town Centre Urban Design Guidelines				
Hokitika Town Centre Urban	Insert new clause	Amend	The precise requirements set out in the design guidelines are not	<u>These guidelines are not intended to apply to activities such as supermarkets, which have specific functional and</u>

Design Guidelines			readily compatible with the functional and operational need of supermarkets. Supermarkets achieve good quality design outcomes through other measures, as suggested in the proposed text.	<u>operational requirements. Good quality design is achieved by introducing architectural/design elements to achieve an attractive, engaging and pedestrian-scale interface with public areas. Elements may include building recesses, material/colour variation or landscaping.</u>
Reefton Heritage Town Design Guidelines				
Reefton Heritage Town Design Guidelines	Insert new clause	Amend	As above.	<u>These guidelines are not intended to apply to activities such as supermarkets, which have specific functional and operational requirements. Good quality design is achieved by introducing architectural/design elements to achieve an attractive, engaging and pedestrian-scale interface with public areas. Elements may include building recesses, material/colour variation or landscaping.</u>
Westport – Kawatiri Town Centre and Mixed Use Zone Urban Design Guidelines				
Westport – Kawatiri Town Centre and Mixed Use Zone Urban Design Guidelines	Insert new clause	Amend	As above.	<u>These guidelines are not intended to apply to activities such as supermarkets, which have specific functional and operational requirements. Good quality design is achieved by introducing architectural/design elements to achieve an attractive, engaging and pedestrian-scale interface with public areas. Elements may include building recesses, material/colour variation or landscaping.</u>