

IN THE MATTER the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Porirua District Plan

HEARING REFERENCE Stream 7 - Residential Zones, Commercial and Mixed-Use
Zones

**STATEMENT OF EVIDENCE OF EVITA KEY ON BEHALF OF
FOODSTUFFS NORTH ISLAND LIMITED**

PLANNING

24 FEBRUARY 2023

1. INTRODUCTION

- 1.1 My full name is Evita Caroline Key. I am a planning consultant and senior associate at Barker & Associates Limited, an independent, specialist planning and urban design consultancy with offices throughout New Zealand. I hold a Bachelor of Science with Honours from the University of Canterbury and a Post Graduate Diploma in Resource Studies from Lincoln University.
- 1.2 I have over 20 years' experience covering a wide range of planning matters on behalf of local authorities and private entities in New Zealand, Australia, and the United Kingdom. During that time, I have been involved with many aspects of planning including preparation and lodgement of resource consent applications, submissions and presentation of evidence 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 to a number of supermarket developments by Foodstuffs North Island Limited ("**Foodstuffs**") as well as preparing submissions on plan changes that have directly affected current and future developments by 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 2014. 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, except where I state that I am relying on the evidence of another person.
- 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 Porirua City Council's Proposed District Plan ("**the PDP**").

4. FOODSTUFFS STORES

4.1 Foodstuffs is New Zealand’s largest grocery retailer with over 325 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 Porirua, Foodstuffs currently operate six stores as well as a fuel station (refer **Table 1**). Further expansion opportunities in the future are projected to serve growing communities.

| Store | Address | PDP Zone | PDP Controls |
|------------------------|--|----------------------|---|
| New World Porirua | 2 Walton Leigh Avenue, Porirua City Centre | Metropolitan Centre | Active Street Frontage - Primary Frontage and Building Line Control |
| Pak’nSave Porirua | 12 Parumoana Street, Porirua City Centre | Large Format Retail | Active Street Frontage - Primary Frontage Control |
| Porirua Fuel | 23 Parumoana Street, Porirua City Centre | Large Format Retail | Active Street Frontage - Primary Frontage Control |
| New World Whitby | 69A Discovery Drive, Whitby | Local Centre | Active Street Frontage - Primary Frontage Control |
| New World Paremata | 93 Mana Esplanade, Paremata | Local Centre | Active Street Frontage - Primary Frontage Control |
| Tītahi Bay Four Square | 13 Whitehouse Road, Tītahi Bay | Local Centre | Active Street Frontage - Primary Frontage and Building Line Control |
| Mōrere Four Square | 64 Mōrere Street, Titahi Bay | Neighbourhood Centre | Height Control - Height Increase B |

4.3 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 New Zealand, the content of these and any future District Plan provisions are integral to the continuing operation and development of Foodstuffs in Porirua.

5. SCOPE OF EVIDENCE

- 5.1 My statement of evidence addresses the Commercial and Mixed Use Zone chapters of the PDP.
- 5.2 My evidence responds to recommendations made within Part B of Section 42A Hearing Reports (“**s42A report**”), prepared by Mr Michael Rachlin, Principal Policy Planner at Porirua 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 #122 - see **Attachment 1**) and further submission (further submission #FS38 - see **Attachment 2**) on the PDP. Summaries of Foodstuffs submission relating to zoning are included within Appendix C of Part B of the s42A report on Residential Zones, Planning Maps and General Topics¹. Summaries of Foodstuffs submission relating to the provisions of the Commercial and Mixed Use zones are included within Appendix B of Part B of the s42A report on Commercial and Mixed Use Zones and General Industrial Zone².
- 5.4 My evidence will specifically address the following matters were I either support or disagree with the recommendations of Mr Rachlin, being grouped thematically as follows:
- i. Planning maps with respect to zoning and controls;
 - ii. Objectives and policies;
 - iii. Supermarket activity status in the Commercial zones and Mixed Use zone;
 - iv. Building rules;
 - v. Design guides; and
 - vi. Standards on active frontages, screening, and location of parking.

¹ Refer pages 225, 226 and 229 of the [s42A report](#)

² Refer pages 101-104, 107, 108, 115, 118, 102, 122, 127-130, 133-140 an 143-151 of the [s42A report](#)

6. PLANNING MAPS

- 6.1 Foodstuffs submission³ sought to retain the zoning of their stores located in Porirua. For their New World at 69A Discovery Drive in Whitby they sought to remove the Active Street Frontage - Primary frontage and building line control⁴.
- 6.2 The s42A report recommends that the zoning of Foodstuffs stores is retained as notified except for the renaming of the City Centre Zone to Metropolitan Centre Zone. I support the recommendation in the s42A report for zoning retention and renaming.
- 6.3 The s42A report notes that Mr Rachlin and Mr McIndoe both recommend that the Primary Frontage Control is deleted over Lot 2 DP 90831, however they recommend that the control is retained over 69A Discovery Drive (refer **Figure 1**). Mr Rachlin is of the opinion that this will ensure that the site has a positive interface with the streetscape and public spaces when it is redeveloped or undergoes other building works that trigger the active frontage standard.



Figure 1: Proposed Primary Frontage Control at 69A and 69B Discovery Drive

³ Submission Points 122.41-122.45

⁴ Submission Point 122.44

6.4 Whilst I agree that frontage controls are appropriate in certain locations, this particular site does not warrant the imposition of a frontage control for the following reasons:

- 69A Discovery Drive is 7,747m² in area and was comprehensively redeveloped in 2013 as an integrated retail development with 116 on-site customer parking spaces. The site accommodates a New World supermarket as well as a number of other commercial activities such as a pharmacy, hair dresser, real estate agency, medical and veterinary care, and food and beverage activities. Given that the existing development is only 10 years old with multiple tenancies, it is highly unlikely that the site will be redeveloped in the near future.
- The site is effectively setback from the main carriageway of Discovery Drive by approximately 50m (refer **Figure 2**). The site's street frontage is approximately 33m in width and provides the required vehicular and loading accesses into the site. Given the commercial nature of the site, the existing number of on-site car parking spaces and the lack of on-street car parking spaces, the retention of vehicular ingress and egress as well as a separate loading access is critical to the viability of the existing tenancies. The provision of an active frontage at this particular location will result in an unnecessary requirement to seek consent for an infringement to the standard every time consent is required for building works.
- As demonstrated by the existing development, the existing site layout with glazed shopfronts fronting onto the car parking area already provides for a safe and attractive urban built environment that contributes positively to the Discovery Drive Local Centre zone streetscape and accords with LCZ-O2 and LCZ-P9-2 (refer **Figures 2-4**).
- As illustrated in **Figure 5**, the deletion of the Primary Frontage Control over Lot 2 DP 90831, 69A Discovery Drive, and a small portion of 69B Discovery Drive will only result in approximately 45m reduction of the control with approximately 268m to be retained in the area. This will ensure that the primary street frontage of Discovery Drive accords with LCZ-O2 and LCZ-P9-2.

- 6.5 In my opinion, there has been insufficient consideration given to the unique site characteristics of 69A Discovery Drive and for the reasons detailed above the Primary Frontage Control should be removed from the frontage outlined in red in **Figure 5** below.



Figure 2: View from Discovery Drive



Figure 3: Existing glazed shopfronts providing for activation at 69A Discovery Drive



Figure 4: Existing glazed shopfronts providing for activation at 69A Discovery Drive

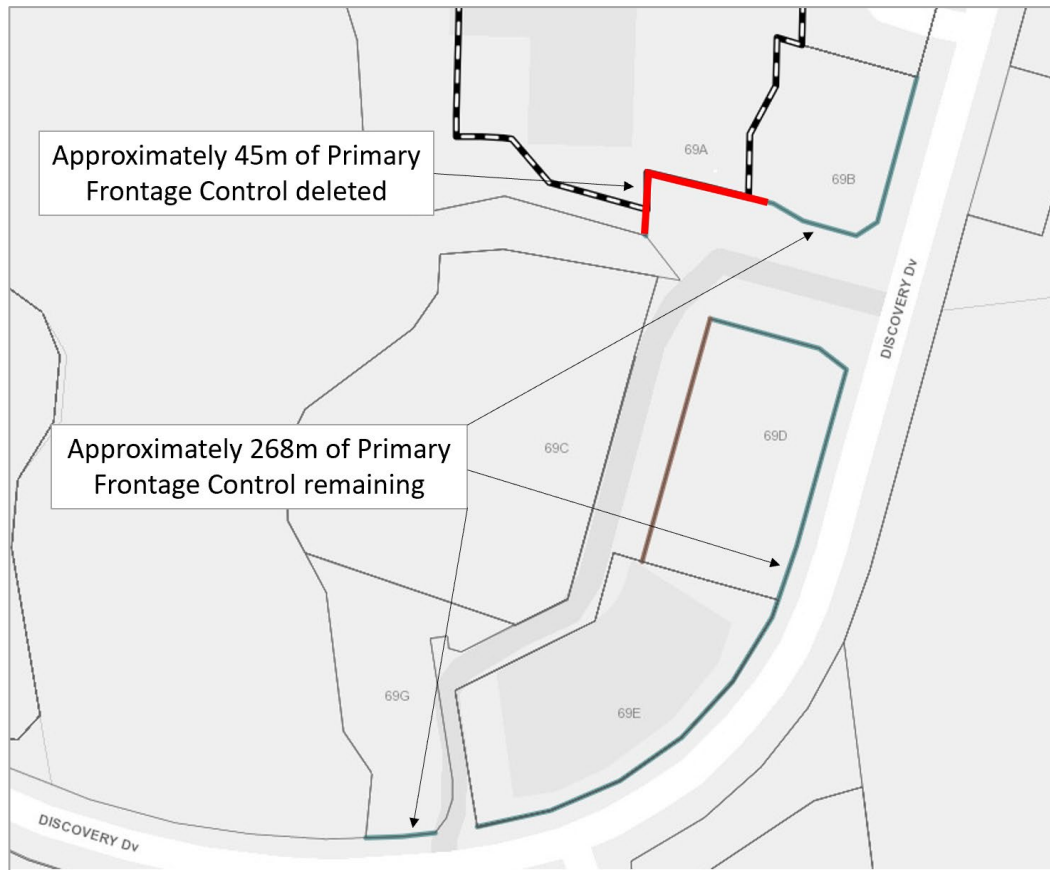


Figure 5: Proposed Primary Frontage Control requested to be deleted

7. OBJECTIVES AND POLICIES

7.1 Planned Urban Built Environment

7.1.1 Foodstuffs submission⁵. sought amendments to objective NCZ-O2 with respect to character and amenity values. The s42A report recommends the submission be rejected however changes have been made to NCZ-O2 in response to the National Policy Statement on Urban Development 2020 (“**NPS-UD**”).

7.1.2 NCZ-O2 is now titled “Planned urban built environment of the Neighbourhood Centre Zone”. The redrafted objective seeks that development in the Neighbourhood Centre zone relates to a residential built form rather than a commercial and there is no recognition of the Height Control that allows for height increases in some Neighbourhood Centre zones, e.g. 64 Mōrere Street, Titahi Bay is located in the Neighbourhood Centre Zone and has a Height Control Increase up to 18m. Given that commercial and residential built form differ (i.e. height,

⁵ Submission Point 122.9

volume and overall appearance) as well as the zone standards for height, height in relation to boundary, coverages, and setbacks, I do not support linking development in the Neighbourhood Centre zones to residential built form. I recommend that the text is amended to instead relate to scale and intensity of the surrounding planned urban built environment. Furthermore an additional policy should be included to acknowledge the Height variation Control, similar to policy LCZ-P8 in the Local Centre zone. Suggested edits are detailed below:

NCZ-O2 Planned urban built environment of the Neighbourhood Centre Zone

Built development in the Neighbourhood Centre Zone:

- 1. Is consistent with the ~~planned urban built form~~ scale and intensity of the surrounding ~~residential neighbourhood~~ planned urban built environment; ~~and~~*
- 2. A greater intensity of built urban form in locations accessible to the Metropolitan Centre Zone or a train station, identified by height increase controls on the planning maps; and*
- 3. Is well-designed and contributes positively to ~~the residential context~~ a well-functioning urban environment.*

NCZ-PX - Height variation Control

Enable buildings and structures up to 22m within a walkable catchment to the Metropolitan Centre Zone and/or a train station, as identified on the planning maps.

7.2 Functional and Operational Needs

7.2.1 Foodstuffs submission⁶ sought an amendment to policy NCZ-P5 (now NCZ-P6) with respect to the functional and operational needs of activities being recognised in the built form of development. The s42A report recommends the submission be rejected as the wording was considered to be unnecessary and confusing.

7.2.2 Functional and operational needs are described in the National Planning Standards⁷ as follows:

“Functional need means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.

⁶ Submission Point 122.10

⁷ <https://environment.govt.nz/assets/publications/national-planning-standards-november-2019-updated-2022.pdf>

Operational need means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.”

7.2.3 I consider that the PDP should include policy provisions that acknowledge the functional and operational needs of commercial and retail activities in the Centre zones. This relates predominantly in respect to access and servicing which influences built form. In order to recognise the positive contribution commercial and retail activities make to Centres, it is appropriate that functional and operational needs are taken into account when assessing applications for resource consent. Suggested edits are as follows:

NCZ-P6 Built development

Provide for built development that:

- 1. Is compatible with the purpose of the Neighbourhood Centre Zone;*
- 2. Is well designed and contributes to an attractive urban built environment; ~~and~~*
- 3. Is of a scale and intensity that is consistent with the planned urban built form and amenity values of the surrounding ~~residential~~ area; ~~and~~*
- 4. Recognises the functional and operational needs of commercial and retail activities and development.*

LCZ-P7 Larger scale built development

Provide for larger-scale built development that:

- 1. Acknowledges and reflects the planned urban built environment of the Local Centre Zone; ~~and~~*
- 2. Is consistent with the Local Centre Zone Design Guide contained in APP7 - Local Centre Zone Design Guide; ~~and~~*
- 3. Recognises the functional and operational needs of commercial and retail activities and development.*

LFRZ-P7 Larger scale built development

Provide for larger-scale built development that:

- 1. Acknowledges and reflects the planned urban built environment of the Large Formal Retail Zone; ~~and~~*
- 2. Is consistent with the Large Format Retail Zone Design Guide contained in APP6 - Large Format Retail Zone Design Guide; ~~and~~*
- 3. Recognises the functional and operational needs of commercial and retail activities and development.*

MUZ-P7 Larger scale built development

Provide for larger-scale built development that:

- 1. Acknowledges and reflects the planned urban built environment of the Mixed Use Zone; ~~and~~*

2. *Is consistent with the Mixed Use Zone Design Guide contained in APP5 - Mixed Use Zone Design Guide; ~~and~~*
3. *Recognises the functional and operational needs of commercial and retail activities and development.*

MCZ-P7 Larger scale built development

Provide for larger-scale built development that:

1. *Acknowledges and reflects the planned urban built environment of the Metropolitan Centre Zone; ~~and~~*
2. *Is consistent with the Metropolitan Centre Zone Design Guide contained in APP4 - Metropolitan Centre Zone Design Guide; ~~and~~*
3. *Recognises the functional and operational needs of commercial and retail activities and development.*

8. SUPERMARKET ACTIVITY STATUS

- 8.1 Foodstuffs submission⁸ sought that supermarkets were permitted activities in all the Commercial and Mixed Use zones the Neighbourhood Centre, Local Centre, Large Format Retail, Mixed Use zones.
- 8.2 Supermarkets act as retail destinations as well as surviving in a standalone location. Smaller stores, such as a Four Square or New World Metro, tend to have a more local catchment while larger New World and Pak'nSave stores can pull from wider catchments although they are still relatively localised when compared to "big box" retailers such as Briscoes, Kmart, etc.
- 8.3 There are typically fewer large sites in centres than in out-of-centre locations and fewer opportunities for on-site parking. In some centres, there is simply no further room for a large supermarket in addition to stores that are already there. That issue is likely to become more prevalent with time as the Council's intensification strategy is realised and available sites are developed.
- 8.4 When a supermarket is established in a centre, surrounding retail can benefit due to increased attractiveness of a centre for customers from enhanced opportunities for comparison shopping and multiple purpose trips.
- 8.5 Without prejudice to Ms Santos' earlier statement of evidence presented to the Hearings Panel under Stream 1 where it was sought that supermarkets were defined as a "Retail activity" rather than a "Large format retail activity", my evidence

⁸ Submission Point 122.7, 122.13, 122.19, 122.25, 122.30 and 122.37 38-40

is based on the provisions as detailed in Variation 1. Any amendments by the Panel to the Variation 1 version may have consequential changes to the provisions referenced below.

- 8.6 The planning status ascribed to supermarkets in Variation 1 represents an improvement from the notified version of the PDP as they are now appropriately recognised as unique operations that function differently to other forms of retail. Notwithstanding, I consider that some further adjustments to the status of supermarkets should be made. Requested amendments to the activity status provisions in the Commercial and Mixed Use zones are detailed in **Table 2** below.

| Table 2: Comparison of Supermarket Activity Rules in the Commercial and Mixed Use Zones | | | | | | | |
|--|---|------------------------|--------|------------|-----|---|--------------------------|
| Text requested to be added to the PDP is <u>underlined in red</u> | | | | | | | |
| Text requested to be deleted from the PDP is struck-through in red | | | | | | | |
| Activity | Neighbourhood Centre zone | Local zone | Centre | Mixed zone | Use | Large Format Retail zone | Metropolitan Centre zone |
| Supermarket up to 200m ² | P <i>(Notified version was D)</i> | RD <u>P</u> | | P | | P | RD <u>P</u> |
| Supermarket >200m ² up to 450m ² | RD <u>P</u> <i>(Notified version was D)</i> | RD <u>P</u> | | P | | P | RD <u>P</u> |
| Supermarket >450m ² up to 1,500m ² | RD <i>(Notified version was D)</i> | RD | | P | | RD <u>P</u> <i>(Notified version was P)</i> | RD <u>P</u> |
| Supermarket >1,500m ² | RD <i>(Notified version was D)</i> | RD | | RD | | RD <u>P</u> <i>(Notified version was P)</i> | RD <u>P</u> |

8.7 Neighbourhood Centre and Local Centre Zones

- 8.7.1 Supermarkets are a unique form of retail, generally with well-defined localised catchments. The supply of supermarkets is a function of demand which is tied to population. As Porirua's residential areas intensify, over time the population of those catchments will increase and more supermarkets will be required to serve that population. Much of the intensification will occur in and around centres. There are currently a New World, a Pak'nSave and a Countdown located in the Metropolitan Centre and adjoining Large Format Retail zones together with smaller speciality food stores. There are also further supermarkets located in the Local Centre zones. Because of the existing residential population located in the vicinity of those areas, the existing supermarkets are unlikely to relocate out of centre.

- 8.7.2 However, increasing residential catchments will have to be catered for by the development of additional supermarkets. The locations of those stores will be determined by factors such as: where the residential activity occurs; the operator's existing store distribution; the distribution of other operators stores; and the availability of sites of sufficient size on land that is zoned appropriately.
- 8.7.3 There is little to no benefit providing for supermarkets below 200m² as a Permitted activity given that the size of a small supermarket (i.e. Four Square) is greater than this. For example Tītahi Bay Four Square has a gross floor area (GFA) of 244m² and Mōrere Four Square has a GFA of 211m². Within the Wellington and southern Wairarapa region, there are 27 Four Square stores that have a GFA ranging from 80m² up to 900m², with the average size being 321m².
- 8.7.4 The Council's recommendation of a Restricted Discretionary status for supermarkets greater than 200m² in the Neighbourhood Centre zone (Rule NCZ-R3) and all sized supermarkets in the Local Centre zone (Rule LCZ-R17) will discourage their development within these centres and may instead result in more standalone stores being placed in out-of-centre locations such as the Mixed Use zone which is much more permissive. That would, in my opinion, represent a missed opportunity to reinforce and strengthen the Neighbourhood Centre and Local Centre zones and their contribution to the surrounding residential areas.
- 8.7.5 Changes to NZC-R3 and LCZ-R17 are sought to allow for supermarkets up to 450m² as a Permitted activity in the Neighbourhood Centre and Local Centre zones. This ensures that there is a recognition of the significant anchoring role that a small supermarket has in those centres while being cognisant of the constrained size and localised catchment.
- 8.7.6 Requested edits are as follows:

NCZ-R3 Retail activity and supermarket

1. Activity status: **Permitted**

Where:

- a. The gross floor area per tenancy does not exceed ~~200m²~~ 450m².

2. Activity status: **Restricted discretionary**

Where:

- a. Compliance is not achieved with NCZ-R4-1.a.

Matters of discretion are restricted to:

1. The matters in NCZ-P4.

LCZ-R17 Supermarket

1. Activity status: Permitted

Where:

a. The gross floor area per tenancy does not exceed 450m².

~~2.~~ Activity status: Restricted discretionary

Matters of discretion are restricted to:

1. The matters in LCZ-P4.

8.8 Mixed Use Zone

8.8.1 No change is sought In the Mixed Use zone as supermarkets have been appropriately recognised and provided for as a Permitted activity up to 1,500m². This allows the zone to work as a "one-stop shop" for its users and has a number of positive effects such as a reduction in traffic effects and convenience for workers and residents.

8.9 Large Format Retail and Metropolitan Centre Zones

8.9.1 Changes to rules LFRZ-R4 and MCZ-R19 are sought to allow for all sized supermarkets as a Permitted activity in the Large Format Retail and Metropolitan Centre zones. Requested edits are as follows:

LFRZ-R4 Supermarket

1. Activity status: Permitted

Where:

~~a. The individual retail activity with a store or individual tenancy exceeds 450m² gross floor area.~~

~~2. Activity status: Restricted discretionary~~

Where:

~~b. Compliance is not achieved with LFRZ-R4-1.a.~~

Matters of discretion are restricted to:

~~2. The matters in LFRZ-P4.~~

MCZ-R19 Supermarket

1. Activity status: Permitted.

~~1. Activity status: Restricted discretionary~~

Matters of discretion are restricted to:

~~1. The matters in MCZ-P4.~~

8.9.2 The rationale for this relief is as follows:

- (a) Supermarkets are considered to have a critical role in terms of anchoring the centre network and are key attributes in promoting the vitality and viability of

Porirua's Metropolitan Centre. They play a key role by providing a destination that attracts high volumes of shoppers. Smaller retailers benefit from this higher footfall, and accordingly the vitality of the Metropolitan Centre is increased.

- (b) Supermarkets are typically the anchor for the centres in which they locate, and encourages the co-location of other stores and entertainment activities, which enhances the development of community facilities and commercial services, and provide in most instances the catalyst for multiple destination trips.
- (c) Supermarkets should be recognised as a critical part of the commercial infrastructure of Porirua's Metropolitan Centre which are vitally important to the Centre's success and vitality. To achieve this, I am of the opinion that supermarkets of all sizes should be encouraged to locate, remain and be developed in Metropolitan Centre zone as well as the Large Format Retail zone areas which directly adjoin the Metropolitan Centre zone. This will reinforce the role of the Metropolitan Centre as the central focal point for commercial growth, development, and intensification.

9. BUILDING RULES

- 9.1 Foodstuffs submission⁹ sought the retention of rule CCZ-R15. The s42A report recommends the submission be rejected as CCZ-R15 has been deleted by Variation 1.
- 9.2 I note that CCZ-R15 has effectively been replaced by MCZ-R1 which provides for new buildings, structures, additions and alternatives that are no more than 450m² to be a permitted activity subject to compliance with certain standards. Non-compliance with the permitted activity requirements results in a restricted discretionary activity. I support this this change to MCZ-R1 within Variation 1.
- 9.3 Foodstuffs submission¹⁰ sought amendments to rule LCZ-R1 for new buildings, structures, additions and alternatives to be amended from being a permitted activity to a restricted discretionary activity to ensure consistency with the other Commercial and Mixed Use zones. The s42A report recommends the submission

⁹ Submission Point 122.31

¹⁰ Submission Point 122.12

be rejected however there appears to have been a misunderstanding that the submission sought the permitted compliance standards be deleted (refer para. 192.b of s42A report) and the removal of the 450m² threshold be deleted (refer para. 192.b of s42A report) which was not the case (refer page 20 of Appendix B of s42A report).

- 9.4 Notwithstanding, I have noted that except for the Neighbourhood Centre zone rule (NCZ-R1), all of the other Commercial and Mixed Use rules (LCZ-R1, LFRZ-R1, MUZ-R1, MCZ-R1) were amended as part of Variation 1 so that they are now largely consistent with one another. I support these changes within Variation 1.

10. DESIGN GUIDES

- 10.1 Foodstuffs submission¹¹ sought that the matters of discretion for standards LCZ-S1, LCZ-S4, LCZ-S7, LFRZ-S6, LFRZ-S7, MUZ-S1, MUS-S4, MUS-S6, CCZ-S5 and CCZ-S5 were amended to delete the reference to the Design Guides.
- 10.2 The s42A report recommends the submission points¹¹ are all accepted as the requests have been addressed by Variation 1. I support this recommendation.

11. ACTIVE FRONTAGES STANDARDS

- 11.1 Foodstuffs submission¹² sought amendments to standards NCZ-S4, LCZ-S4, LFRZ-S4 and CCZ-S2 to ensure that the standards only applied to new buildings and development rather than existing development as well as the location of the principal public entrance in the Neighbourhood and Local Centre zones.
- 11.2 The s42A report recommends the submission points relating to the application of new buildings are accepted in part as the requests have been addressed by Variation 1. I support this recommendation.
- 11.3 With respect to wording around the principal public entrance, in the Neighbourhood Centre zone the s42A report does not agree Foodstuffs submission point 122.8 that request the following change:

The principal public entrance to the building must be ~~located on~~ orientated to the front boundary.

¹¹ Submission Points 122.16-18, 122.23-24, 122.27-29 and 122.35-26

¹² Submission Points 122.8, 122.14, 122.20 and 122.34

- 11.4 The s42A report states that this is because buildings are to be built up to the front boundary¹³. However, in the Local Centre zone the s42A report does agree with the requested change and recommends Foodstuffs submission is accepted¹⁴.
- 11.5 It is unclear why there is a difference between the Neighbourhood and Local Centre zone standards relating to the principal public entrance as both active frontage standards for each zone require that buildings “... *must be built up to and oriented towards the identified building line...*” as well as provide for 35-55% frontage glazing.
- 11.6 I support the recommended change to LCZ-S4-2.b as detailed in the s42A report and also request the same change to NCZ-S4. This is further supported by Policy NCZ-P9.3 which states that new development provide “*An obvious public entrance...*”.

NCZ-S4 Active frontages

1. All buildings must be built up to and oriented towards the front boundary of the site.
2. At least 55% of the ground floor frontage of a building fronting a street, pedestrian mall or other public space must be display windows or transparent glazing.
3. The principal public entrance to the building must be ~~located on~~ orientated to the front boundary.

- 11.7 Alternatively, rather than having an overly prescriptive standard, it may be more appropriate to include as a matter for discretion rather than a standard.

12. SCREENING STANDARDS

- 12.1 Foodstuffs submission¹⁵ sought amendments to standards NCZ-S7, LCZ-S7, LFRZ-S6 and MUZ-S6 to specify a height of the screening. The s42A report notes that Variation 1 has largely addressed this submission. I support the Variation 1 amendments to NCZ-S7, LCZ-S7, LFRZ-S6 and MUZ-S6.

13. LOCATION OF PARKING STANDARDS

- 13.1 Foodstuffs submission¹⁶ sought the deletion of the rule CCZ-R19 and Standard CCZ-S5 (now MCZ-R22 and MCZ-S5) that related to the location of parking. The s42A report recommends these submission points be rejected as:

¹³ Refer pages 21-24 of the [s42A report](#)

¹⁴ Refer pages 41-42 of the [s42A report](#)

¹⁵ Submission Points 122.11, 122.15, 122.21-22 and 122.26

¹⁶ Submission Points 122.32-33

- MCZ-R22 has been amended through Variation 1 to now apply specifically to a 'parking lot'; and
- MCZ-S5 has been amended through Variation 1 to reduce the matters of discretion by deleting:

~~2.— The parking needs of the activity; and~~

~~3.— Consistency with the City Centre Zone Design Guide.~~

- 13.2 I support the amendment to MCZ-R22 relating to a 'parking lot'.
- 13.3 I do not support the retention of MCZ-S5 for the reasons stated in Foodstuffs original submission. Furthermore, the standard does not take into consideration corner sites or activities that require relatively large parking areas due to a strong reliance on private transport to relocate purchases from the store to another destination, i.e. home, work place, etc
- 13.4 Notwithstanding, it is acknowledged that screening of at-grade parking is an appropriate outcome to ensuring an attractive urban environment. Alternative relief sought would be to amend MCZ-S5 so that it was more consistent with the other Commercial and Mixed Use zone standards (refer NCZ-S7, LCZ-S7, LFRZ-S6 and MUZ-S6) with respect to screening of parking. Suggested amendments to MCZ-S5 are detailed below.
- 13.5 Lastly, I support the recommended deletion to the design guide however I consider that the functional and operational needs of the activity should be considered as a matter of discretion. This will also tie into amended policy MCZ-P7 as detailed in Section 7.2 of my evidence. A suggested amendments to MCZ-S5 are detailed below.

MCZ -S5 Location Screening of parking

1. Any on-site ground level car parking must be ~~located within or at the rear of the building that it serves~~ fully screened by a 1.8m high fence or 1.5m deep landscaping where it is visible from the road or any other public space. Landscaping must comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.

Matters of discretion are restricted to:

1. The amenity and quality of the streetscape; and
2. The functional and operational needs of the activity.

14. CONCLUSION

14.1 Overall, Foodstuffs' is generally supportive of the PDP and majority of the recommendations within the s42A reports.

14.2 There are four main areas, which I have addressed within this evidence, where my opinion differs from the position and recommendations of the s42A report. These relate to:

- i. Planning maps with respect to the frontage control over 69A Discovery Drive;
- ii. Objectives and policies relating to the planned urban built environment and functional and operational requirements;
- iii. Supermarket activity status in the Commercial zones; and
- iv. Standards on active frontages and location of parking.

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

- i. The efficiency and effectiveness of the provisions in accordance with s32 of the RMA; and
- ii. That the overall framework provided by the Porirua District Plan is implemented in the manner intended and achieves the sustainable management purpose of the RMA.



Evita Key

24 February 2023

Attachment 1 - Foodstuffs Submission #122

20 November 2020

Submission on Porirua City Proposed District Plan

Porirua City District Council
Proposed District Plan | Environment and City Planning
PO Box 50-218
Porirua

Name of Submitter: Foodstuffs North Island Limited (“Foodstuffs”)

1. Foodstuffs makes this submission on the Porirua City Proposed District Plan (“PDP”) in accordance with Clause 6 of the First schedule of the Resource Management Act (“RMA”) 1991 as follows.
2. Foodstuffs could not gain advantage in trade competition through this submission.
3. Foodstuffs is directly affected by effects of the subject matters of the submission that –
 - a. Adversely affects the environment; and
 - b. Do not relate to trade competition or the effects of trade competition.
4. Foodstuffs wish to be heard in support of their submission.
5. If any other submitters make a similar submission, Foodstuffs will consider presenting a joint case with them at the hearing.

Overview of Foodstuffs

6. Foodstuffs North Island Limited covers the entire North Island of New Zealand. Foodstuffs is proudly 100% New Zealand owned and operated and employs more than 30,000 people nationwide. Foodstuffs is New Zealand’s largest grocery distributor, and one of the country’s largest organisations. As active members of the community, Foodstuffs strive to provide the best shopping experience possible for all customers.
7. Foodstuffs supermarket brands consist of PAK’nSAVE, New World and Four Square which operate throughout the North Island and at the national level too. Within the Porirua City district, Foodstuffs currently operate five stores and further expansion opportunities in the future are projected to serve growing communities.
8. 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 New Zealand, the content



Urban & Environmental

Submission

9. Foodstuffs current store locations in the Porirua City area are given below:

| Site | PDP Zone | PDP Special Features | Submission |
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| New World Porirua City (2 Walton Leigh Ave) | City Centre Zone | Active Street Frontage – Primary frontage control Primary frontage and building line | Retain zoning as notified. |
| PAK'nSAVE Porirua (12 Parumoana St) | Large Format Retail Zone | Active Street Frontage – Primary frontage control | Retain zoning as notified. |
| Porirua Fuel (23 Parumoana St) | Large Format Retail Zone | Active Street Frontage – Primary frontage control | Retain zoning as notified. |
| New World Whitby (69A Discovery Dr) | Local Centre Zone | Active Street Frontage – Primary frontage control | Retain zoning as notified and remove Active Street Frontage - Primary frontage and building line control. |
| New World Paremata (93-97 Mana Esplanade) | Local Centre Zone | Active Street Frontage – Primary frontage control | Retain zoning as notified. |

10. Foodstuffs makes the following submission points as set in **Attachment 1** overleaf.

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

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

| PDP Reference | Submission / Reasons | Support/Oppose | Relief Sought |
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| Part 1: Introduction and General Provisions | | | |
| Definitions Nesting Table | Foodstuffs supports the “Definitions Nesting Tables” approach in Part 1 of the PDP because it is a logical method for organising different land use activities in a broader term. | Support | Retain definitions nesting table as notified. |
| ‘Large format retail activities’ nesting table | <p>Foodstuffs oppose the inclusion of “supermarkets” as a retail activity nested under the broader term of “Large format retail activities”.</p> <p>Supermarkets are individual retail outlets and have a range of store formats and sizes which are not all ‘large format’. This includes store formats referred to as “full service”, “discount”, “superette” and “metro” stores, the latter of which are relatively smaller stores.</p> | Oppose | <p>Amend the ‘large format retail activities’ nesting table to remove supermarkets, as below:</p> <p>“Large format retail activities</p> <ul style="list-style-type: none"> • Integrated retail activity • Supermarkets” |
| ‘Retail activities’ nesting table | <p>Foodstuffs supports the approach of listing the range of activities that are considered to be ‘retail activities’ under this broad term.</p> <p>However, Foodstuffs considers that this level of specificity, and for the avoidance of doubt, should include ‘supermarkets’ as type of retail activities listed in this nested term.</p> | Support in part | <p>Amend the nested term of ‘retail activities’ to specifically include ‘large format retail activities’ or ‘supermarkets’</p> <p>“Retail activities</p> <ul style="list-style-type: none"> • Clothing and footwear • Homeware • Jewellery • Antiques, used goods and charity shops • Recreational goods and sports stores • Electrical goods • Dairies • Bakeries • Supermarkets” |
| ‘Supermarket’ definition | Foodstuffs supports the provision of a ‘supermarket’ definition under the PDP. However, the ‘supermarket’ definition is considered to be insufficiently comprehensive and it is proposed to be replaced with the alternative definition proposed in the relief sought. | Support in part | <p>Replace the definition of ‘supermarket’ given in the PDP with the following:</p> <p>‘An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:</p> <p>a. domestic supplies, fresh food and groceries, such as:</p> <ul style="list-style-type: none"> • fresh meat and produce; • chilled, frozen, packaged, canned and bottled foodstuffs and beverages; • general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and |



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| | | | <p>b. non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to):</p> <ul style="list-style-type: none"> • barbecue and heating fuels; • audio visual products; • electrical appliances; • clothing and footwear; • furniture; and • office supplies. |
| Part 2: District-Wide Matters | | | |
| NH-P2 Hazard-Sensitive and Potentially-sensitive activities within the high hazard areas | <p>Foodstuffs supports the approach to manage development in Natural and Coastal Hazard Overlays. However, provided it is demonstrated that the relevant considerations in policy NH-P2 are satisfied, development should be allowed to proceed.</p> <p>The use of term “avoid” is considered to be unnecessarily onerous and suggests that the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay should not occur at all.</p> | Support in part | <p>Amend policy NH-P2 to read:</p> <p>Avoid Discourage the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay unless it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity has a critical operational need and functional need to locate within the High Hazard Area and locating outside the High Hazard Area is not a practicable option; 2. The activity incorporates mitigation measures that demonstrate that risk to people's life and wellbeing; and building damage is avoided; 3. People can safely evacuate the property during a natural hazard event; and 4. The risk to the activity and surrounding properties is either avoided, or is low due to site-specific factors, and/or the scale, location and design of the activity. |
| NH-P3 Hazard-Sensitive and Potentially-sensitive activities within the medium hazard areas | <p>Foodstuffs supports the approach to manage development in the Medium Hazard Areas of the Natural Hazard Overlay.</p> <p>However, provided it is demonstrated that the relevant considerations in policy NH-P3 are satisfied, development should be enabled.</p> | Support in part | <p>Amend policy NH-P3 to read:</p> <p>Only allow Enable Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the Medium Hazard Areas of the Natural Hazard Overlay where:</p> <ol style="list-style-type: none"> 1. The activity incorporates mitigation measures that demonstrate that risk to people's lives and wellbeing, and building damage is avoided; 2. People can safely evacuate the property during a natural hazard event; and 3. The risk to adjacent properties, activities and people is not increased as a result of the activity proceeding. |
| Part 3: Area Specific Matters | | | |
| NCZ – Neighbourhood Centre Zone | | | |

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| <p>NCZ-R3 Retail activity</p> | <p>Foodstuffs supports the permitted activity status for retail activities in the Neighbourhood Centre Zone (NCZ). However, for the reasons set out above, it is considered that explicit provision should be made for supermarkets in the NCZ.</p> <p>The zone description and objective NCZ-O1 describes the purpose of the NCZ to “service the day-to-day needs of surrounding residential neighbourhoods”. The very nature of supermarkets is to provide for the day-to-day needs of people and communities. Therefore, it is considered that supermarkets meet the purpose and intent of the NCZ. However, this has not been appropriately reflected in the rules of this zone by specifically providing for supermarkets as a permitted activity.</p> | <p>Support in part</p> | <p>Retain rule NCZ-R3 as notified and insert new rule providing for supermarkets in the NCZ as a permitted activity.</p> |
| <p>NCZ – S4 Active Frontages</p> | <p>Foodstuffs acknowledges the intent of the active street frontages controls but consider that they do not appropriately recognise existing development.</p> <p>It is considered that these controls should only apply to new buildings and new development only.</p> | <p>Oppose</p> | <p>Amend rules NCZ-S4 Active frontages to read as follows:</p> <ol style="list-style-type: none"> 1. All new buildings must be built up to and oriented towards the front boundary of the site. 2. At least 55% of the ground floor frontage of a new building fronting a street, pedestrian mall or other public space must be display windows or transparent glazing. 3. The principal public entrance to the new building must be located on orientated to the front boundary. |
| <p>NCZ-O2 Character and amenity values of the Neighbourhood Centre zone</p> <p>NCZ-P5 Built Environment</p> | <p>Foodstuffs acknowledges the following passage from the zone description and for this to be aligned with objective NCZ-O2.</p> <p>“Due to the small size and the location within residential neighbourhoods (often abutting residential sites) any non-residential activities and developments have the potential to generate adverse effects on surrounding residential areas.”</p> <p>However, it is considered that there is sufficient consideration of the operational and functional requirements for particular activities in the objectives and policies framework.</p> | <p>Support in part</p> | <p>Amend NCZ-O2 to be read as follows:</p> <p>Built development in the Neighbourhood Centre Zone:</p> <ol style="list-style-type: none"> 1. Is of low to medium density and reflects the character of the surrounding residential neighbourhood; and 2. Is well-designed, responds and contributes positively to the residential context. <p>Where preferred built form outcomes are not achieved, development needs to achieve a quality built environment by positively contributing to public open space.</p> <p>Amend NCZ-P5 Built development to be read as follows:</p> <p>Provide for built development that:</p> <ol style="list-style-type: none"> 1. Is compatible with the purpose of the Neighbourhood Centre Zone; 2. Reflects the low to medium density scale and built character of the Neighbourhood Centre Zone; |

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| | | | <p>3. Is well designed and contributes to an attractive urban environment; and</p> <p>4. Is of a scale that is consistent with the anticipated character and amenity values of the surrounding residential area; and</p> <p>5. Recognise the functional and operational requirements of these activities.</p> |
| NCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas | <p>Foodstuffs supports the approach in principle to provide screening or landscaping around service, outdoor storage and parking areas to ensure that an appropriate level of inter-site amenity with adjacent sites is achieved.</p> <p>However, it is considered that the current drafting of the rule does not provide sufficient direction to clearly measure compliance or otherwise with this rule and therefore has the potential to lead to unintended consequences.</p> | Support in part | <p>Amend NCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas as follows:</p> <p>1. Any on-site service areas, including rubbish collection areas, and areas for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully adequately screened by a 1.8m fence or 2m landscaping buffer where they are visible from any:</p> <ul style="list-style-type: none"> a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. <p>2. Any on-site parking areas must be fully adequately screened by a 1.8m fence or 2m landscaping buffer from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation.</p> |
| LCZ – Local Centre Zone | | | |
| LCZ-R1 Buildings and structures, including additions and alteration | <p>Foodstuffs considers that a consistent approach and clear terminology should be adopted for the construction of new buildings and structures in the Commercial and Mixed Use Zones.</p> <p>The matters of discretion for supermarkets in LCZ-P3 also concern site layout and design considerations. It is considered that it would be appropriate to assess these matters for the construction of new buildings or structures in the LCZ itself, as opposed to the land use activity.</p> | Oppose | <p>Amend LCZ-R1 to read as below:</p> <p>“LCZ-R1 New Bbuildings and structures, including additions and alterations</p> <p>1. Activity status: Permitted</p> <p>-</p> <p>Where:</p> <ul style="list-style-type: none"> a. The gross floor area of the new building does not exceed 450m²; b. Any addition to an existing building does not result in the total gross floor area of the building exceeding 450m²; and c. Compliance is achieved with <ul style="list-style-type: none"> i. LCZ-S1; ii. LCZ-S2; iii. LCZ-S3; iv. LCZ-S4; v. LCZ-S5; vi. LCZ-S6; and vii. LCZ-S7. <p>2 1. Activity status: Restricted discretionary</p> |

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| | | | <p>Where:</p> <p>a. Compliance is not achieved with LCZ-R1-1.a or LCZ-R1-1.b.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters in LCZ-P5 and LCZ-P6.</p> <p>Notification: An application under this rule is precluded from being publicly notified in accordance with section 95A of the RMA.</p> <p>3 2. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with LCZ-S1, LCZ-S2, LCZ-S3, LCZ-S4 LCZ-S5, LCZ-S6 or LCZ-S7.</p> <p>Matters of discretion are restricted to:</p> <p>1. The matters of discretion of any infringed standard.</p> <p>Notification:</p> <ul style="list-style-type: none"> • An application under this rule where compliance is not achieved with LCZ-S2, LCZ-S3, LCZ-S4, LCZ-S5 or LCZ-S7 is precluded from being publicly notified in accordance with section 95A of the RMA. • An application under this rule where compliance is not achieved with LCZ-S6 is precluded from being publicly or limited notified in accordance with sections 95A and 95B of the RMA. |
| LCZ-R12 Supermarkets | <p>Foodstuffs opposes the restricted discretionary activity status for supermarkets in the Local Centre Zone (LCZ). The zone description for the LCZ states the following, note <u>underlined</u> emphasis added:</p> <p><i>“Local Centres are medium-scale commercial centres that are located conveniently to service the needs of the surrounding residential catchment. They provide for a range of retail, commercial and community activities, and offer services, employment and living opportunities. <u>These can include supermarkets and medical centres.</u>”</i></p> <p>This zone description clearly suggests that supermarkets are provided for and anticipated</p> | Oppose | Amend the activity status for rule LCZ-R12 Supermarkets from restricted discretionary to permitted activity in the LCZ. |

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| | within the LCZ but this is not appropriately reflected in the activity status for this activity. | | |
| LC4-S4 Active Frontages | <p>Foodstuffs acknowledges the intent of the active street frontages controls but consider that they do not appropriately recognise existing development.</p> <p>It is considered that these controls should only apply to new buildings and new development only.</p> | Oppose | <p>Amend rule LC4-S4 Active Frontages to read as follows:</p> <ol style="list-style-type: none"> 1. Along building lines identified on the planning maps all new buildings must be built up to and oriented towards the identified building line and provide a veranda that: <ol style="list-style-type: none"> a. Extends along the entire length of the building frontage; b. Provides continuous shelter with any adjoining veranda; and c. Has a minimum setback of 500mm from any kerb face. 2. For sites with primary street-facing façade controls identified on the planning maps new buildings shall provide the following: <ol style="list-style-type: none"> a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on orientated to the front boundary. 3. For sites with secondary street-facing façade controls identified on the planning maps: <ol style="list-style-type: none"> a. For new buildings At least 35% of the ground floor building frontage for non-residential activities must be display windows or transparent glazing. |
| LCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas | <p>Foodstuffs supports the approach in principle to provide screening or landscaping around service, outdoor storage and parking areas to ensure that an appropriate level of inter-site amenity with adjacent sites is achieved.</p> <p>However, it is considered that the current drafting of the rule does not provide sufficient direction to clearly measure compliance or otherwise with this rule and therefore has the potential to lead to unintended consequences.</p> | Support in part | <p>Amend LCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas to be read as follows:</p> <ol style="list-style-type: none"> 1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully adequately screened by a 1.8m fence or 2m landscaping buffer where they are visible from any: <ol style="list-style-type: none"> a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. 2. Any on-site parking area must: <ol style="list-style-type: none"> a. Be fully adequately screened by a 1.8m fence or 2m landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. b. Where located along a street edge, provide a landscaping strip that extends at least 1.5m from the boundary with |

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| | | | <p>the road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point to the site.</p> <p>Except that:</p> <ul style="list-style-type: none"> • The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided. |
| LCZ-S1 Height, LCZ-S4 Active Street Frontages and LCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas – Matters of Discretion | Foodstuffs opposes the inclusion of Local Centre Zone Design Guide in the matters of discretion for these standards. These are intended to guidelines only and should not be matters of discretion or assessment criteria. | Oppose | <p>Amend matters of discretion for LCZ-S1 Height as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The location, design and appearance of the building or structure; 2. Any adverse effects on the streetscape; 3. Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; 4. Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; 5. Whether an increase in building height results from a response to natural hazard mitigation; and 6. Consistency with the Local Centre Zone Design Guide. <p>Amend matters of discretion for LCZ-S4 Active Street Frontages as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The amenity and quality of the streetscape; 2. The ability to reuse and adapt the building for a variety of activities; and 3. Consistency with the Local Centre Zone Design Guide. <p>Amend LCZ-S7 Screening and landscaping of service areas, outdoor storage areas and parking areas, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading; 3. The service, storage and parking needs of the activity; 4. The size and location of service, storage and parking areas; and 5. Consistency with the Local Centre Zone Design Guide. |
| LFRZ – Large Format Retail Zone | | | |
| LFRZ-R9 Retail activity | Foodstuffs supports the restricted discretionary activity status for retail activities in the LFRZ. | Support in part | Retain LFRZ as notified and insert new rule providing for supermarkets in the LFRZ as a permitted activity. |

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| | However, for the reasons set out above, it is considered that explicit provision should be made for supermarkets in the LFRZ. | | |
| LFRZ-S4 Active Street Frontages | <p>Foodstuffs acknowledges the intent of the active street frontages controls but consider that they do not appropriately recognise existing development.</p> <p>It is considered that these controls should only apply to new buildings and new development only.</p> | Oppose | <p>Amend rule LFRZ-S4 Active Frontages to be read as follows:</p> <p>1. For sites with primary street-facing façade controls identified on the planning maps, new buildings shall provide the following:</p> <ul style="list-style-type: none"> a. At least 40% of the primary ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. <p>2. For sites with secondary street-facing façade controls identified on the planning maps for new buildings at least 20% of the ground floor building frontage must be display windows or transparent glazing.</p> |
| LFRZ-S6 Screening and landscaping of parking areas | <p>Foodstuffs supports the approach in principle to provide screening of parking areas to ensure that an appropriate level of inter-site amenity with adjacent sites is achieved.</p> <p>However, it is considered that the current drafting of the rule does not provide sufficient direction to clearly measure compliance or otherwise with this rule and therefore has the potential to lead to unintended consequences.</p> | Support in part | <p>Amend rule LFRZ-S6 Screening and landscaping of parking areas to be read as follows:</p> <p>1. Any on-site parking area must be fully adequately screened by a 1.8m fence or 2m landscaping from any directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone.</p> <p>2. At least 5% of any ground level parking area not contained within a building must be landscaped.</p> <p>3. Where a ground level parking area adjoins the street edge, a landscaping strip must be provided along the street edge, that extends at least 1.5m from the boundary with a road and comprise a mix of trees, shrubs and ground cover plants, without preventing the provision of an entry point.</p> |
| LFRZ-S7 Service areas and outdoor storage | <p>Foodstuffs supports the approach in principle to provide screening or landscaping around service and outdoor storage areas to ensure that an appropriate level of inter-site amenity with adjacent sites is achieved.</p> <p>However, it is considered that the current drafting of the rule does not provide sufficient direction to clearly measure compliance or otherwise with this rule and therefore has the potential to lead to unintended consequences.</p> | Support in part | <p>Amend rule LFRZ-S7 Service areas and outdoor storage to be read as follows:</p> <p>1. Any on-site service area, including rubbish collection areas, and outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully adequately screened by a 1.8m fence or 2m landscaping where it is visible from any:</p> <ul style="list-style-type: none"> a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. |
| LFRZ-S6 Screening and landscaping of parking areas and LFRZ-S7 Service areas and outdoor storage – Matters of Discretion | Foodstuffs opposes the inclusion of Large Format Retail Zone Design Guide in the matters of discretion for these standards. These are intended to | Oppose | <p>Amend matters of discretion for LFRZ-S6 Screening and landscaping of parking areas, as follows:</p> <p>Matters of discretion are restricted to:</p> |

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| | guidelines only and should not be matters of discretion or assessment criteria. | | <ol style="list-style-type: none"> 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy; 3. The parking needs of the activity; and 4. Consistency with the Large Format Retail Zone Design Guide. <p>Amend matters of discretion for LFRZ-S7 Service areas and outdoor storage, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. Any adverse effects on the streetscape; 2. The visual amenity of adjoining Residential or Open Space and Recreation sites including shading and loss of privacy; 3. The service and storage needs of the activity; 4. The size and location of the service and storage areas; and 5. Consistency with the Large Format Retail Zone Design Guide. |
| MUZ – Mixed Use Zone | | | |
| MUZ-R3 Retail activity | Foodstuffs supports the permitted activity status for retail activities in the Mixed Use Zone. However, for the reasons set out above, it is considered that explicit provision should be made for supermarkets in MUZ. | Support in part | Retain rule MUZ-R3 as notified and insert new rule in the MUZ specifically providing for supermarkets as a permitted activity. |
| MUZ-S6 Screening and landscaping of service areas, outdoor storage areas and parking areas | <p>Foodstuffs supports the approach in principle to provide screening or landscaping around service, outdoor storage and parking areas to ensure that an appropriate level of inter-site amenity with adjacent sites is achieved.</p> <p>However, it is considered that the current drafting of the rule does not provide sufficient direction to clearly measure compliance or otherwise with this rule and therefore has the potential to lead to unintended consequences.</p> | Support in part | <p>Amend rule MUZ-S6 Screening and landscaping of service areas, outdoor storage areas and parking areas to be read as follows:</p> <ol style="list-style-type: none"> 1. Any on-site service area, including rubbish collection areas, and area for the outdoor storage of goods or materials must, without preventing the provision of an entry point to the site, be fully adequately screened by a 1.8m fence or 2m landscaping where they are visible from any: <ol style="list-style-type: none"> a. Public road; b. Other public space; and c. Directly adjoining site zoned General Residential Zone, Medium Density Residential Zone, Open Space Zone or Sport and Active Recreation Zone. 2. Any on-site parking area must: <ol style="list-style-type: none"> a. Be fully adequately screened by a 1.8m fence or 2m landscaping from any directly adjoining site zoned General Residential, Medium Density Residential, Open Space or Sport and Active Recreation. b. If located along a street edge, provide a landscaping strip along the frontage, that extends at least 1.5m from the boundary with the road and comprise a mix of trees, shrubs and ground cover |

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| | | | <p>plants without preventing the provision of an entry point to the site.</p> <p>Except that:</p> <ul style="list-style-type: none"> The landscaping requirement for on-site parking areas along a street edge does not apply to individual parking spaces for residential development, if provided. |
| MUZ-S1 Height, MUS-S4 Active Street Frontage, MUZ-S6 Screening and landscaping of service areas, outdoor storage areas and parking areas – Matters of Discretion | Foodstuffs opposes the inclusion of Mixed Use Zone Design Guide in the matters of discretion for these standards. These are intended to guidelines only and should not be matters of discretion or assessment criteria. | Oppose | <p>Amend matters of discretion for MUZ-S1 Height, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The location, design and appearance of the building or structure; Any adverse effects on the streetscape; Visual dominance, shading and loss of privacy for adjoining Residential or Open Space and Recreation zoned sites; Compatibility with the anticipated scale, proportion and context of buildings, structures and activities in the surrounding area; Whether an increase in building height results from a response to natural hazard mitigation; and Consistency with the Mixed Use Zone Design Guide. <p>Amend matters of discretion for MUS-S4 Active Street Frontage, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The amenity and quality of the streetscape; The ability to reuse and adapt the building for a variety of activities; and Consistency with the Mixed Use Zone Design Guide. <p>Amend matters of discretion for MUZ-S6 Screening and landscaping of service areas, outdoor storage areas and parking areas, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Any adverse effects on the streetscape; The visual amenity of adjoining Residential and Open Space and Recreation zoned sites including shading; The service, storage and parking needs of the activity; The size and location of service, storage and parking areas; and Consistency with the Mixed Use Zone Design Guide. |
| CCZ – City Centre Zone | | | |
| CCZ-R5 Retail activity | Foodstuffs support the permitted activity status for retail activities in the City Centre Zone. However, for the reasons set out above, it is considered that explicit provision should be made for supermarkets in CCZ. | Support in part | Retain rule CCZ-R5 Retail activity as notified and insert new rule in the CCZ specifically providing for supermarkets as a permitted activity. |

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| | It is considered that supermarkets should be encouraged to locate in the City Centre Zone because this activity positively contributes to the economic viability and function of the city centre being Porirua's principal commercial, civic and community centre. | | |
| CCZ-R15 New buildings and structures | Foodstuffs support the restricted discretionary activity status for new buildings and structures in the City Centre Zone, and the rule to preclude public notification of an application under this rule. | Support | Retain rule CCZ-R15 New buildings and structures as notified. |
| CCZ-R19 Ground level parking and CCZ-S5 Location of Parking | <p>Foodstuffs opposes the rules pertaining to ground level parking and the location of parking which requires the provision of on-site car parking to be located within 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> | Oppose | Delete rule CCZ-R19 Ground level parking and standard CCZ-S5 Location of Parking. |
| CCZ-S2 Active Street Frontages | <p>Foodstuffs acknowledges the intent of the active street frontages controls but consider that they do not appropriately recognise existing development.</p> <p>It is considered that these controls should only apply to new buildings and new development only.</p> | Oppose | <p>Amend standard CCZ-S2 Active Street Frontages to be read as follows:</p> <ol style="list-style-type: none"> 1. Along building lines identified on the planning maps all new buildings must be built up to and oriented towards the identified building line and provide a veranda that: <ol style="list-style-type: none"> a. Extends along the entire length of the building frontage; b. Provides continuous shelter with any adjoining veranda; and c. Has a minimum setback of 500mm from any kerb face. 2. For sites with primary street-facing façade controls identified in the planning maps new buildings shall provide the following: <ol style="list-style-type: none"> a. At least 55% of the ground floor building frontage must be display windows or transparent glazing; and b. The principal public entrance to the building must be located on the front boundary. 3. For sites with secondary street-facing façade controls identified in the planning maps for new buildings at least 35% of the ground floor building frontage must be display windows or transparent glazing. |

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| <p>CCZ Location of Parking and CCZ-S6 Service areas and outdoor storage - Matters of Discretion</p> | <p>Foodstuffs opposes the inclusion of City Centre Zone Design Guide in the matters of discretion for these standards. These are intended to guidelines only and should not be matters of discretion or assessment criteria.</p> | <p>Oppose</p> | <p>Amend matters of discretion for CCZ Location of Parking, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The amenity and quality of the streetscape; 2. The parking needs of the activity; and 3. Consistency with the City Centre Zone Design Guide <p>Amend matters of discretion for CCZ-S6 Service areas and outdoor storage, as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. The amenity and quality of the streetscape or public space; 2. Their service and storage needs of the activity; and 3. Consistency with the City Centre Zone Design Guide. |
|---|--|---------------|---|

Attachment 2 - Foodstuffs Further Submission #FS38

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11 May 2021

Further Submission on Porirua City Proposed District Plan

Porirua City District Council
Proposed District Plan | Environment and City Planning
PO Box 50-218
Porirua

via email: dpreview@pcc.govt.nz

1.0 SUBMITTER DETAILS

Submitter Name: Foodstuffs North Island Limited

Submitter No. 122

Address for Service:

Barker & Associates Ltd
Attn: Matt Norwell
PO Box 1986
Shortland Street
Auckland 1140

Contact Number: 029 850 2780

Email: mattn@barker.co.nz

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

I 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 Porirua City district and the submitter's long term aspiration is for further expansion opportunities to serve growing communities.



Urban & Environmental

3.0 ATTENDANCE AT COUNCIL HEARING

I wish to be heard (attend and speak at the Council hearing) in support of my submission.

If others make a submission, I will consider presenting a joint case with them at the hearing.

4.0 SIGNATURE OF SUBMITTER

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

A handwritten signature in black ink, appearing to read 'M Norwell', written in a cursive style.

Matt Norwell – Director
Barker & Associates Ltd

The specific submissions on the Porirua City Proposed District Plan that this further submission relates to is/are as follows:

| Submission Point | Submitter name | Support | Oppose | Reasons | Relief Sought |
|------------------|--------------------------------|-----------------|--------|---|---|
| 11.34 | Porirua City Council | Support in part | | Foodstuffs supports the ability for appropriate development to occur within hazard areas. However, the use of term “avoid” is considered onerous and suggests that establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Hazard Areas of the Natural Hazard Overlay should not occur at all. | Amend policy NH-P2 to remove the term “avoid” and replace this with the term “discourage” as per the relief sought in Foodstuffs’ submission. |
| 11.35 | Porirua City Council | Support in part | | Foodstuffs supports the ability for appropriate development to occur within hazard areas. However, the use of term “only allow” is considered onerous and provided it is demonstrated that the relevant considerations in policy NH-P3 are satisfied, development should be enabled. | Amend policy NH-P3 to remove the term “only allow” and replace this with “enable” as per the relief sought in Foodstuffs’ submission. |
| 120.4 | Woolworths New Zealand Limited | Support | | Foodstuffs supports the inclusion of the non-notification clause for public and limited notification as it relates to TR-R5 – Trip Generation as this rule is related to traffic related matters only. | Amend Rule TR-5 to include a non-notification clause for both public and limited notification. |
| 120.4 | Woolworths New Zealand Limited | Support | | Foodstuffs supports the removal of TR-P1(5) matters of discretion relating to character and amenity as this is not relevant to the consideration of high trip generating use and development. | Delete matters of discretion TR-P1(5). |



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| 81.7 | Kāinga Ora – Homes and Communities | | Oppose | Foodstuffs opposes the extension of the City Centre Zone to replace the Large Format Zone to the north of the City Centre Zone. Rezoning this area City Centre will allow uses such as residential to be established as a permitted activity. This is not compatible with the existing uses within the area and could result in reverse sensitivity effects. | Amend the extent of the City Centre Zone to be consistent with that as shown on the planning maps in the Proposed District Plan. |
| 81.2 | Kāinga Ora – Homes and Communities | | Oppose | Foodstuffs opposes the inclusion of a height variation control to enable at least 6+ storeys. The 12m height limit is appropriate for the Local Centre Zone and provides a better transition for the adjoining Sports and Active Recreation Zone and Medium Density Residential Zone where an 8m height limit and 11m height limit is provided for respectively. | Retain Local Centre Zone with no additional height variation control as shown on the planning maps in the Proposed District Plan. |