

22 July 2024

Far North District Council
Attn: Hearings Administrator

By email: alicia-kate.taihia@fndc.govt.nz

Hearing Statement of Woolworths New Zealand Limited (submission 458) on the Far North Proposed District Plan – Hearing Stream 4 Natural Environment Values and Coastal Environment

1. Submission Details

Submitter: Woolworths New Zealand Limited
Submitter Contact: Ross Burns
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2. Purpose of this statement

2.1 The purpose of this statement is to reconfirm those submission points made by Woolworths New Zealand Limited (“Woolworths”) regarding the Coastal Environment chapter of the Far North Proposed District Plan (“PDP”) in submission 458. Woolworths will not be presenting evidence at the hearing, but instead advise of their position in respect of the submission points relevant to Hearing Stream 4 through this tabled statement.

3. Background

3.1 As noted in Woolworths submission, Woolworths generally supports the intent of the PDP, being a move towards an activity-based plan. However, Woolworths is concerned with a number of proposed rules and standards that will affect the continued operation of Woolworths stores within the District. The ability to provide and undertake development within existing stores has become particularly relevant in the last few years as operations and technologies have had to change to support customers and staff.

4. Section 42A Report

4.1 The Section 42A Report recommends accepting in part the Woolworths’ submission points made in submission 458 on the Coastal Environment Chapter of the PDP.

Submission point 458.003

- 4.2 The Section 42A Report recommends submission point 458.00 be accepted in part. Submission point 458.00 sought the Coastal Environment rules be amended to provide for activities that do not comply with the specified 300m² gross floor area in the Coastal Environment as a Restricted Discretionary Activity. The Section 42A Report acknowledges that the notified PDP did not include a rule for activities that do not comply with the 300m² gross floor area. However, instead of accepting the Woolworths' request of a Restricted Discretionary Activity status, the Section 42A reporting planner instead recommends the rule be amended to specify that it does not apply to buildings in the Mixed-Use Zone within the Waitangi Settlement (paragraph 306). Woolworths supports the change recommended by the S42A reporting planner in relation to submission point 458.00.

Submission point 458.004

- 4.3 The Section 42A Report recommends submission point 458.004 be accepted in part. Submission point 458.004 sought that standard CE-S2 be amended to refer only to the reflectivity value of the external surfaces of buildings or structures, and not a specific colour chart (BS5252). The submission point notes that the standard 'pawpaw green' colour used to paint its stores satisfies the specific light reflective value standard, but it is not in the generic Resene colour palette, resulting in any repainting of its existing stores requiring resource consent as a Discretionary Activity.
- 4.4 The Section 42A reporting planner acknowledges the concerns of Woolworths and other submitters (paragraphs 346 to 351) and recommends changes to the standard to address concerns. In response to the recommended changes:
- a) Woolworths supports the recommended change to only apply the standard to new buildings;
 - b) Woolworths does not support the recommended change to subclause (b) as this still includes specific reference to BS5252 standard colour palate, which is unnecessarily specific in requiring the colour of a building to be on a predefined palate from one paint manufacturer. The focus should be on the effect of the colour of a building, which in the Coastal Environment relates to the light reflective value. Woolworths maintain that there should only be reference to the light reflective value in CE-S2, and the reference to BS5252 should be removed.

5. Conclusion

- 5.1 Woolworths does not wish to be heard in support of this statement however I will make myself available for questions from the Hearings Panel if requested.
- 5.2 Woolworths will not gain an advantage in trade competition through this statement.

5.3 Please contact me if you require any further clarification on the above statement.

A handwritten signature in black ink, appearing to read 'Ross Burns', with a long, sweeping underline.

Ross Burns
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