

14 April 2025

Hearings Panel  
Proposed Far North District Plan  
Far North District Council  
Private Bag 752  
Kaikohe 0440  
By email to: [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz) [alicia-kate.taihia@fndc.govt.nz](mailto:alicia-kate.taihia@fndc.govt.nz)

Tēnā koutou Commissioners,

**Proposed Far North District Plan – Hearing 11 - Infrastructure, Transport, Renewable Energy and Designations**

McDonald's Restaurants (NZ) (**McDonald's**) is made up of several independent co-operatives, with all employees and retail members supportive of the organisation's commitment to provide New Zealanders with the best possible service and quality products. McDonald's have a total of 170 restaurants throughout New Zealand, which includes three established restaurants in the Far North District at the following sites:

- 87-93 North Road, Kaitaia (McDonald's Kaitaia)
- 87 Kerikeri Road, Kerikeri (McDonald's Kerikeri)
- 41 Station Road, Kaikohe (McDonald's Kaikohe)

In McDonald's experience, regional and district planning frameworks often do not properly recognise the need for business growth to occur, including alongside residential growth. Given McDonald's significant past and planned further investment in New Zealand, the contents of District Plan provisions is integral to the continuing operation and development of McDonald's in the Far North.

McDonald's made the following submissions on the on the Transport Chapter:

- **S385.007 Transport – TRAN-R2** seeking amendment to PER-R3 so that the discretionary activity trigger only applies to new vehicle crossings onto State Highway and upgrades making alterations to existing vehicle crossings a permitted activity; and
- **S385.008 and S385.009 Transport – TRAN-R5 and TRAN-Table 11 Trip Generation** seeking amendments to:
  - Reference defined terms so that it is clear to plan users how activities are intended to be captured;
  - Increase thresholds to appropriately provide for drive through restaurants and cafes; and
  - Exclude additions and alterations from being captured where they do not result in an increase to Gross Floor Area (**GFA**).

The Reporting Officer's recommendation contained in "Section 42A Report Transport" responded to McDonald's submission points as follows:

- S385.007 Transport – TRAN-R2: Reject.
- S385.008 and S385.009 Transport – TRAN-R5 and TRAN-Table 11 Trip Generation: Accept in Part.

McDonald's does not support the Reporting Officer's recommendation to reject McDonald's submission point S385.007 TRAN-R2. The relief sought by McDonald's to amend TRAN-R2 PER-3 was made on the basis that it is considered overly onerous to require discretionary resource consent for an upgrade or alteration to an existing vehicle crossing onto a State Highway particularly considering that approval from Waka Kotahi as the requiring authority of the designation would be required under s176 of the RMA.

The Reporting officer states that they *'disagree with deleting or amending PER-3 on the basis that vehicle crossings onto State Highways are solely controlled by NZTA...'*. On further review of TRAN-R2, McDonald's has realised that TRAN-R2 does not apply to vehicle crossings onto State Highways, and that TRAN-R9 manages new or alterations to an existing vehicle crossing from State Highway as a restricted discretionary activity where compliance with RDIS-1 is achieved which requires compliance with TRANS-S2 Requirements for Vehicle Crossings. Where compliance with the standard is not achieved, discretionary activity consent is required.

In reviewing the justification for rejecting S385.007, it appears that the Reporting Officer may have also incorrectly interpreted the application of TRAN-R2. McDonald's respectfully requests that S385.007 be considered in the context of TRAN-R9. In this regard McDonald's revised position is that a restricted discretionary resource consent should simply be required.

Regarding S385.008 and S385.009 Transport – TRAN-R5 and TRAN-Table 11 Trip Generation, McDonald's supports the Reporting Officers amendments to Rule TRAN-R5 and TRAN -Table 11 so that they do not apply to existing activities where additions and alterations to an activity do not increase the GFA.

McDonald's opposes the Reporting Officer's decision not to use defined terms for trip generation thresholds and rejection of amendments to thresholds in TRAN-Table 11 to appropriately provide for drive through restaurants and cafes. In addressing this submission, the Reporting Officer acknowledges *that it is important to use defined terms where applicable to ensure alignment between trip generation thresholds and the way activities are referred to* but concludes that they *'do not consider that the remaining undefined activities in TRAN – Table 11 warrant a specific definition'*. McDonald's considers that the hybrid approach of using defined and undefined terms in the table sends a conflicting message to plan users and remains concerned that this will create uncertainty for plan users when assessing proposals for compliance with TRAN-R5.

Regarding the rejection of amendments to thresholds in TRAN – Table 11, the Reporting Officer relies on the Abley report in deciding appropriateness for amendments. The Abley Report recommends all submissions seeking increases be *'rejected'* as they align with the generation relates calculated by NZTA. McDonald's acknowledges that the NZTA framework provides a framework for informing thresholds, however, it is a blunt tool and does not necessarily need to be the only consideration. McDonald's continues to be concerned that the thresholds proposed will create consenting barriers for developments, particularly

where are otherwise provided for as a permitted activity and seeks the relief sought in S385.008 and S385.009.

I can confirm that McDonald's will not be filing evidence for Hearing 11 at this stage and does not wish to be heard at the hearing. However, I am available to answer any questions from the Hearing Panel either in writing or via videoconference if required.

Yours sincerely | Nāku noa, nā

**Barker & Associates Limited**



**David Badham**

Partner/Northland Manager

021 203 1034 | DavidB@barker.co.nz