

# Submission on PDP

Full Name: McDonald's Restaurants (NZ) Limited (**McDonald's**)  
Address for Service: Barker & Associates Attention: [Mattn@barker.co.nz](mailto:Mattn@barker.co.nz)  
Date: 21 October 2022  
Re: Submission on Proposed Far North District Plan (**Proposed Plan**) – McDonald's

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## Submission Information:

McDonald's could not gain an advantage in trade competition through this submission.

The specific provisions of the Plan Changes that McDonald's submission relates to are attached.

McDonald's seek amendments to the specific provisions as listed in the attached document. The reasons are provided in the attached document.

The decisions that McDonald's wishes Far North District Council (**FNDC**) to make to ensure the issues raised by McDonald's are dealt with are also contained in the attached document.

McDonald's wishes to be heard in support of this submission.

If others make a similar submission, McDonald's will consider presenting a joint case with them at a Hearing.



**Matt Norwell, Director Barker & Associates, on behalf of McDonald's**

## 1.0 Introduction

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McDonald's Restaurants (NZ) Limited (**McDonald's**) welcomes the opportunity to provide feedback on the Far North District Council (**FNDC**), proposed District Plan (**Proposed Plan**), as released on 27 July 2021.

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.

This submission covers matters addressed by the Proposed Plan which McDonald's have an interest in, particularly in regards to their Kaitaia, Kerikeri and Kaikohe restaurants, all of which have been zoned Mixed Use. **Attachment 1** indicates the location of these restaurants, the proposed zoning and any overlays the sites are subject to.

Specific points of submission are detailed in **Section 4**, whilst general feedback is detailed in **Section 2**.

## 2.0 General Feedback

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McDonald's acknowledge and appreciate the work that FNDC have put into developing the Proposed Plan and providing an opportunity to submit on the draft provisions prior to notification. This fosters greater stakeholder and community engagement beyond the statutory process in the RMA.

McDonald's have general concern that the Strategic Direction chapter contains objectives for each topic, and not policies. In McDonald's view, the objectives need policies to demonstrate how they are going to be achieved in the Plan. It is also important at this strategic level of the Proposed Plan, that the policies provide clear direction for the consideration of resource consents where there is conflict between different areas of strategic direction.

Further, McDonald's notes that the Strategic Direction Chapter does not include any form of direction by way of mapping or provisions to set a clear hierarchy of centres. McDonald's considers that the larger urban areas within the Far North, which would benefit from stronger policy direction with respect to economic growth and development.

McDonald's have not been able to confirm that the proposed Strategic Direction objectives are appropriate under section 32 (1)(a) of the RMA, because the section 32 report does not include an evaluation of the proposed objectives.

McDonald's support a clear and well drafted plan; the lack of definition nesting table and incomplete suite of definitions makes it difficult to understand what activities are permitted in what zones. Of particular concern to McDonald's in regards to definitions is that there are multiple terms used throughout the plan which could describe a McDonald's restaurant activity some of which are undefined. Ensuring cogent definitions that are consistently used throughout is a critical component to McDonalds' submission.

McDonald's considers that the Mixed Use Zoning that has been applied to their restaurants is the 'best fit' from the suite of zoning provided (noting that there is only one commercial zone) but is concerned that the lack of options in terms of commercial zoning or centres hierarchy has resulted in a blunt framework that does appropriately provide for the expansion of commercial activities which will restrict the economic growth and development of the District. Accordingly, primarily, McDonald's seeks that FNDC reconsider their commercial zoning approach to provide more breadth, enable more targeted zoning and better urban design outcomes.

As a secondary position, McDonald's seeks a number of amendments to the provisions within the Mixed Use Zone to ensure that McDonalds' restaurants as an activity are appropriately provided for.

McDonalds' submission also addresses District Wide Chapters to ensure that McDonald's restaurants (as an activity) are provided for as a permitted activity in the Mixed Use Zone, and that future additions and alterations are appropriately accommodated in recognition of the benefits such an activity provides to the wider community.

The specific submission points in **Section 4.0** seek to improve the Proposed Plan and to efficiently and effectively achieve the proposed objectives of the plan change package, and the purpose of the RMA.

## 3.0 Conclusion

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In conclusion, McDonald's seeks the following relief:

- (a) McDonalds' general feedback in **Section 2.0** and specific feedback in **Section 4.0** is addressed and necessary changes incorporated into the PDP.
- (b) Any further necessary consequential amendments required to achieve (a) above.

McDonald's looks forward to working collaboratively with FNDC to address the above relief and is happy to meet with FNDC policy staff or consultants to work through these matters.

# Submission on PDP



Sub #	Feedback Topic	Support/Oppose/Seek Amendment	Comments / Reasons	Relief Sought
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Part 1 – Introduction and General Provisions – How the Plan Works

S385.001

1	How the Plan Works	General	<p>McDonald’s considers that a definitions nesting table and carefully considered definitions are critical to ensuring the efficient and effective implementation of the Plan in a consistent manner and considers the How the Plan works chapter to be an appropriate location for this. Nesting tables provide a clear and succinct way of organising different land use activities in a broader term which is critical given the plan typically defaults to discretionary activity where not otherwise specified.</p> <p>McDonald’s notes that section 14 Definitions Standard of the National Planning Standards Councils must consider whether to include instructions on how definitions relate to one another (e.g. nesting diagrams). On review of the Overview s32 analysis it is not clear to McDonalds that Council has considered either option.</p>	Include definition nesting table.
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Part 1 – Introduction and General Provisions – Interpretation - Definitions

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S385.002

2	Definitions - General	Seek Amendment	<p>The Proposed Plan includes activity-based rules which manage the establishment and operation of activities within zones and sites. However, the rules (particularly with respect to the MUZ rules of interest to McDonald’s) include terms as activity rules that do not have definitions. For example, a McDonald’s restaurant could meet the definition of:</p> <ul style="list-style-type: none"> <li>• Commercial Activity</li> <li>• Large Format Retail</li> </ul> <p>‘Drive- through activity’ (see Mixed Use Zone, ‘Drive-thru’ (see Transport Chapter), and ‘restaurants cafes and takeaway food outlets’ (see Light Industrial Zone) are all terms that also describe a McDonald’s restaurant but are not defined, nor is it clear how these terms or the definitions highlighted above cascade.</p> <p>McDonald’s support a clear and well written plan to support ease of reading and implementation for plan users. The lack of definitions for activities coupled with the lack of nesting table (see sub#1) organising different land use activities under a broader term makes it very difficult to confirm with certainty what activities are provided for as permitted activities.</p> <p>This is a critical element of an activities based plan, particularly where the default for</p>	<p>McDonald’s seek that FNDC review all definitions (noting sub#3, sub#4 and sub#5), and amend overlaps or create definitions for terms which are not currently defined and incorporate nesting tables.</p>
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			activities not otherwise specified is typically discretionary activity.		
S385.003	3	Large Format Retail	McDonald’s considers that the reliance on a performance standard (gross business area) for this definition is flawed. It is confusing in a predominantly activities based plan, results in difficult interaction with other activities based definitions, and results in unclear rules. McDonald’s seek that the definition for Large Format Retail be reviewed to relate to the type of retail activity Council want to manage through this definition, and rely on performance standards to manage scale and associated effects.	Amend definition of Large Format Retail to removed reference to Gross Floor Area and refer to retail activities that Council wants to capture through this definition.	
S385.004	4	Drive-through activity/Drive-thru	Seek amendment	<p>Drive-through activity is a term used in the Mixed Use Zone (see MUZ-R16) and fast food with ‘drive-thu’ under ‘Food and Beverage Activity’ in the Transport Chapter tables. McDonald’s note that:</p> <ul style="list-style-type: none"> <li>• Neither drive through, drive-thru or food and beverage are defined.</li> <li>• It is unclear whether a McDonald’s restaurant would be captured by any of these activity,</li> <li>• In the absence of a nesting table, it is difficult to understand if these activities are considered commercial activities (which is defined) and whether they are sub classification.</li> </ul> <p>As noted in section 2 and sub#1 McDonalds seek that Council review definitions and</p>	Include definition for drive-through activity.

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S385.005

			<p>include a nesting table to provide some clarity for plan users and ensure an efficient and effective plan that can be applied consistently.</p> <p>With specific regard to Drive-through activity McDonalds seeks that a definition be included.</p>	
5	Restaurant and cafe	Seek amendment	<p>McDonald’s notes that ‘restaurants’ and ‘cafes’ are terms used in the Transport Chapter (under food and beverage) and in the Light Industrial Zone (see LIZ 5).</p> <ul style="list-style-type: none"> <li>• These terms are not defined, it is unclear whether a McDonald’s restaurant would be captured by either of these activities,</li> <li>• In the absence of a nesting table, it is difficult to understand if these activities are considered commercial activities (which is defined) and whether they are sub classification.</li> </ul> <p>As noted in section 2 and sub#1 McDonalds seek that Council review definitions and include a nesting table that clearly identifies restaurants and cafes as a commercial activity. This is critical for the efficient and effective application of the plan</p>	<p>Include definition for restaurant and café activity, and confirm that this is a subclassification to ‘commercial activity’.</p>

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			With specific regard to 'restaurant activity' and 'café activity' McDonalds seeks that definition be included.	
Part 2 – District Wide Matters – Strategic Direction – Economic and Social Wellbeing				
S385.006 S385.031	6	Strategic Direction	Seek amendment	<p>The Strategic Direction chapters do not contain policy which give effect to proposed objectives. McDonald's consider that there is no clear policy direction to give effect to the proposed objective which could lead to an ineffective plan.</p> <p>Amend the Strategic Direction Chapter to:</p> <ul style="list-style-type: none"> <li>• Provide clear direction for growth and development throughout the Far North District.</li> <li>• Include appropriate policy to give effect to strategic direction objectives.</li> <li>• Establish a centre hierarchy to set a clear policy direction for the larger urban areas within the District, and amend zoning as necessary to implement the hierarchy.</li> <li>• Evaluate objectives in accordance with section 32AA to confirm that these are the <u>most appropriate</u> objectives.</li> </ul>
Part 2 – District Wide Matters -Energy, Infrastructure and Transport – Transport				
S385.007	7	Transport - TRAN-R2	Seek amendment	<p>The discretionary activity trigger for any alterations to an existing vehicle crossing onto State Highway is considered overly onerous. McDonald's Kaitaia abuts State Highway 1 and seeks to ensure flexibility for any future additions and/or alterations.</p> <p>This rule would mean that any upgrades to this vehicle crossing would require discretionary consent which is considered overly onerous particularly when considering</p> <p>Amend PER-3 as follows (or to same effect) :</p> <p><b>PER-3</b> <b>Where</b> The vehicle crossing <b>is a new vehicle crossing it</b>, is not off a State Highway, or off a road classified arterial or higher under the One Network Road Classification.</p>

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			<p>that all works within the State Highway Corridor require the approval of Waka Kotahi as the requiring authority of the designation pursuant to s176/s178 of the RMA.</p> <p>This provides an adequate process to ensure that upgrades to existing approved (by Waka Kotahi) vehicle crossings and access do not result in any adverse effects on the Waka Kotahi transportation network.</p>	
<p>S385.008</p> <p>S385.009</p>	<p>8</p> <p>Transport - TRAN-R5 and TRAN- Table 11 – Trip Generation</p>	<p>Seek amendment</p>	<p>The trip generation thresholds have changed from zone-specific daily traffic volumes to district-wide standards set by a combination of daily volumes, gross business area, and occupancy-based thresholds.</p> <p>As noted in section 2.0 and earlier submission points, the Transport Chapter includes terms that are not defined, accordingly, it is difficult for McDonald’s to understand how a McDonald’s restaurant would be captured.</p> <p>In terms of extensions and alteration, as currently drafted, there is no specific direction for how these would be treated where the existing activity already exceed the specified GFA. McDonalds seeks that TRAN-5 be amended to ensure that the rule does not apply where additions and alterations to an activity to not increase the GFA.</p>	<p>Amend TRAN-R5 and TRAN – Table 11 – Trip Generation to:</p> <ul style="list-style-type: none"> <li>• Reference defined terms consistently applied throughout the plan to provide clarity for plan users</li> <li>• Increase the threshold to appropriately provide for drive through and restaurant/cafes (see sub#5 and sub#6) particularly within zones where they are a permitted activity,</li> <li>• Amend the provisions to provide for extension of activities.</li> </ul>

## Part 2 – District Wide Matters - General District Wide Matters – Signs

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S385.010	9 Signage – General	Seek amendment	It is unclear how this chapter interacts with Part 3 – Area Specific Matters. Note 1: indicates that this part of the plan applies but doesn't provide direction in terms of what section takes precedence. This is critical given that signs are captured as structures, and the zones and the Signs chapter include performance standards for structure height.	Amend Note 1 to clarify which performance standards take precedent when there is overlap between those in the signs chapter and the zones.
S385.011 S385.012	10 Signage –SIGN-R5 and SIGN-R6	Seek amendment	Rules SIGN-R5 and SIGN-R6 refer to free standing, double sided and V-shaped signs. There are no definitions to clarify what these signs are. McDonald's consider that signs could potentially fall into multiple rules in the absence of clear definitions.	Amend SIGN-R5 and SIGN-R6 to manage signs, utilising standards to clearly articulate types of signs with specified limits.  <u>Or</u> alternatively insert definitions for free standing, double sided and V-shaped signs.
S385.013	11 Signage – SIGN -R7	Seek amendment	McDonald's considers that where signage is attached to a building in the Mixed Use Zone, and the signage is directly related to the use of that building/comprises branding it should be exempt from the maximum area (SIGN-S) and maximum number (SIGN – S1) standards.  McDonald's also notes that PER-1 and PER-3 SIGN – S2 are a double up and considers it unnecessary to specify 'window' or 'wall' which are parts of buildings.  Accordingly, McDonald's seek the following amendments to SIGN-R7 and suggest that a separate rule be include to address signage on fences.	Amend SIGN – R7 as follows (or to same effect):  Signs on or attached to a building, <del>window, fence or wall</del> (excluding a scheduled heritage resource  Activity status: Permitted Where:  <del>PER-1</del> The sign does not protrude above the highest point of the building or structure.  PER-2 The sign complies with standards:

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				<p>SIGN-S1 Maximum area; SIGN-S2 Maximum height; SIGN-S3 Maximum number; SIGN-S4 Traffic safety; and SIGN-S5 Sign design and content.</p> <p>PER-3</p> <p>The sign is not for third party advertising, <b><u>and is directly related to a permitted activity undertaken within the building or</u></b></p> <p>Include additional rule for fences R7</p>	
S385.014	12	Signage – SIGN – S1	Seek amendment	<p>In regards to the Mixed Use Zone, the maximum total sign area is considered overly restrictive for a commercial setting.</p> <p>McDonalds seeks that this be increased for signage that is associated with the activity being undertaken on the site to better accommodate commercial activities.</p>	Amend SIGN – S1 to enable increased areas of signage in the Mixed Use Zone.
S385.015	13	Signage – SIGN – S2	Seek amendment	<p>In regard to the Mixed Use Zone, the height limited for free standing signs is not appropriate. In general, free-standing signs, intended to be higher than the building to provide wayfinding assistance and be visible from a distance. Accordingly, McDonald’s seek the following amendment to provide flexibility noting that in the Mixed Use Zone</p>	<p>Amend SIGN – S2 as follows (or to same effect) :</p> <ol style="list-style-type: none"> <li>1.Freestanding signs must not exceed <del>the height of the building</del> <b><u>12m in height</u></b>;</li> <li>2.Signs attached to a building must not protrude above the highest point of the building</li> </ol>

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			buildings and structures are permitted up to 12m in height.	
Part 2 – District Wide Matters - General District Wide Matters – Natural Hazards				
S385.016	14	Natural Hazards – General River Flood Hazard	Seek amendment	<p>McDonald’s understand the importance of ensuring community safety when it comes to natural hazards. However, McDonald’s considers that appropriate consideration needs to be given to existing development in both the 1 in 100 and 1 in 10 River Flood Hazard Areas.</p> <p>Review Natural Hazards chapter to provide more flexibility to additions and alterations of an appropriate scale for existing infrastructure within River Flood Hazard areas.</p>
S385.017	15	Natural Hazard – NH-R2	Seek amendment	<p>McDonald’s Kaitaia and mapped as being within a River Flood Hazard Area. This rule provides for extensions and alterations to buildings and structures where they result in no more than a 10m<sup>2</sup> increase to Gross Floor Area.</p> <p>On review of the s32 analysis for Natural Hazards, it is unclear where this threshold has come from and how they are justified, particularly when considering the allowances that have been made for other structures (e.g; 30m<sup>2</sup> for a deck and 100m<sup>2</sup> for a structure ancillary to farming.)</p> <p>McDonald’s seeks that the thresholds for non-habitable buildings and structures be re-considered to enable better flexibility for extensions and alterations to existing structures in both the 1 in 100 <u>and</u> 1 in 10 Flood Hazard Area.</p> <p>Amend NH-R3 as follows (or to same effect)</p> <p>Activity status: Permitted</p> <p>1 in 100 Year River flood hazard area</p> <p><b><u>1 in 10 River flood hazard area</u></b></p> <p>Where: PER-1 <b><u>The works are located in a 1 in 10 Year River Flood hazard area and</u></b></p> <p><b><u>1. there is no increase to the GFA of the building or footprint of the structure that results in the building or structure exceeding the limits for new buildings or structures in NH-R3- PER 1 and new buildings or structures ancillary to farming activities in NH-R4 PER 1. PER 2</u></b></p>

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				<p><u>2.No part of the building or structure is enclosed in a manner that alters or diverts an overland flow path or reduces flood plain storage</u></p> <p><u>PER-2</u>  <u>The works are located in a 1 in 100 Year River Flood hazard area and:</u></p> <p><u>1.The increase in GFA to any building or structure is no more than 100m<sup>2</sup></u></p> <p><u>2.No part of the building or structure is enclosed in a manner that alters or diverts an overland flow path or reduces flood plain storage</u></p>
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## Part 3 – Area Specific Matters – Zones – Mixed Use

16	Mixed Use Zone - Zoning	Seek amendment	<p>McDonald’s Kerikeri, Kaikohe and Kaitia have all been zoned Mixed Use. Mixed Use Zone is the only commercial zone within the Proposed Plan suite. As noted in section 2.0, McDonald’s considers the limited commercial zoning to be a flaw of the Proposed Plan and seeks that Council review the suite of zoning, in the least, to differentiate between town centres and commercial areas on the peripheries where Light Industrial is not appropriate.</p> <p>This will enable a more targeted approach to ensure that the right activities are located in</p>	Review suite of commercial zoning.
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S385.018

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S385.019,  
S385.032,  
S385.033

S385.020

			the right place and enable a much clearer hierarchy, and better planning outcomes.	
17	Mixed Use Zone – Overview	Seek amendment	<p>The overview of the Mixed Use Zone provides for activities that are not defined (retail activities, and food and beverage). As per sub#1 and sub#2 McDonald’s seeks clear definitions and nesting tables to provide clarity to plan users.</p> <p>McDonald’s notes that the overview of the Zone suggests that it seeks to ‘revitalise urban centres’, however, the zone has been applied beyond urban centres which could create issues in terms of the integrity of this Chapter. As noted in sub#2 and section 2.0 McDonald’s seeks that Council review their suite of zones to provide additional commercial zones.</p>	Include definitions for retail activities and food and beverage.
18	Mixed Use Zone – MUZ – R1		<p>McDonald’s seek amendments to the building and structures provisions to ensure that McDonald’s restaurants (buildings and structures) can be established as a permitted activity.</p> <p>As noted in sub#1 and sub#2 given the lack of definitions nesting table, it is difficult to understand how a McDonald’s restaurant would be treated. Regardless, it is considered that PER-1 is unnecessary as resource consent will be required for the activity separately if it is not permitted which will provide Council</p>	<p>Amend MUZ -R1 as follows:</p> <ul style="list-style-type: none"> <li>• Delete PER -1</li> <li>• Increase threshold for coverage for new buildings or structures</li> <li>• Permit alterations where they do not result in an increased building footprint</li> <li>• Permit extensions of an appropriate scale where they comply with MUZ-S1, MUZ-S2, MUZ-S3, MUZ-S4, MUZ-S10 to</li> </ul>

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			<p>the opportunity to consider the appropriateness of the activity.</p> <p>McDonalds considers that the 400m<sup>2</sup> Gross Floor Area restriction for permitted activity with a default to discretionary activity where compliance is not achieved is particularly onerous approach. In the absence of any s32 justification for this threshold, McDonald's seeks that this be increased.</p> <p>Flexibility is also required for extensions and alterations for existing legally established structures. As currently drafted, any alteration to an existing building or structure that is already more than 400m<sup>2</sup> GFA would require discretionary resource consent, regardless as to whether this is internal/external or the degree of change to the approved footprint.</p>	<p>avoid unnecessary consenting requirements.</p> <ul style="list-style-type: none"> <li>• Default to a restricted discretionary activity for non-compliance with PER 2.</li> </ul>
19	Mixed Use Zone – MUZR5	Support	<p>McDonalds supports providing for commercial activities as a permitted activity, however as noted in earlier submissions, and section 2.0 it is critical to the effectiveness and efficiency of the plan that it is clear to plan users what is incorporated as a commercial activity that it includes 'restaurants and cafes' which is a term that needs to be defined.</p>	<p>Retain as notified subject to the changes sought in sub#5 which seeks that Council clarify what a restaurant and café activity is, and that they are a subset of commercial activity.</p>

S385.021

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S385.022	20 Mixed Use Zone – MUZ-R16	Oppose	<p>As noted earlier, Drive-through is not a defined activity, as such it is difficult to understand if a McDonald’s drive through would be captured by this definition.</p> <p>On the assumption that it would be captured, McDonald’s oppose Drive-through activities as a discretionary activity in the Mixed Use Zone, and notes that this activity is not currently provided for as a permitted activity in any zone.</p> <p>McDonalds seek that this activity be permitted in the Mixed Use Zone.</p>	Provide for drive-through as a permitted activity in the Mixed Use Zone.
S385.023	21 Mixed Use Zone – MUZ S1	Support	McDonald’s supports the 12m building height for buildings and structures.	Retain as notified
S385.024	22 Mixed Use Zone – MUZ S2	Support	McDonald’s supports no height in relation to boundary standard for where the site adjoins industrial or mixed use zoned sites.	Retain as notified
S385.025	23 Mixed Use Zone – MUZ S3	Support	McDonald’s support no setback requirements where the site adjoins industrial or mixed use zoned	Retain as notified
S385.026	24 Mixed Use Zone – MUZ S6	Seek amendment	<p>McDonald’s Kerikeri is subject to a pedestrian frontage overlay. McDonalds seek that MUZ-S6 be amended so that it does not apply to extensions and alterations.</p> <p>Further, McDonald’s considers that 65% clear glazing on building frontages will generate issues in terms of passive solar gain and seek that this be reduced. It is difficult to</p>	<p>Amend MUZ-S6 as follows (or to same effect). For sites with pedestrian frontage identified on the planning maps:</p> <p><b><u>1. Any new building must have:</u></b></p> <p><del>1.a.</del> At least <del>25%</del>65% of the building frontage at ground floor must be clear glazing; and</p>

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			understand the justification behind this figure, accordingly, McDonald’s seeks that this be reduced to 25% which will still provide for active street frontages.	<del>2.b.</del> The principal public entrance to the building must be located on the front boundary
S385.027	Mixed Use Zone – MUZ S7	Seek amendment	<p>McDonald’s Kerikeri is subject to a pedestrian frontage overlay. McDonalds seek that MUZ-S6 be amended so that it does not apply to extensions and alterations.</p> <p>McDonald’s is concerned that this provision may prevent property owners upgrading the exterior of existing buildings which could result in perverse urban design outcomes and impacts on streetscape.</p>	<p>Amend MUZ-S7 as follows:</p> <p>For sites with pedestrian frontage identified on the planning maps:</p> <ol style="list-style-type: none"> <li>1. Any new building, <del>or extension or alteration to a building (including alterations to the façade)</del> must be built up to the road boundary; and</li> <li>2. A verandah must be provided for the full frontage of the road boundary of the site. The verandah shall:             <ol style="list-style-type: none"> <li>a. directly adjoin any adjacent veranda so there is no horizontal gap to provide continuous pedestrian coverage; and</li> <li>b. have a minimum height of 3m and a maximum height of 6m above the footpath immediately below; and</li> <li>c. be setback a minimum of 300mm and a maximum of 600mm from a vertical line measured up from the face of the kerb.</li> </ol> </li> </ol>
S385.028	Mixed Use – MUZ S7	Seek amendment	McDonald’s seeks flexibility within the drafting of provisions so that MUZ-S7 is not triggered where an alteration of extension to	Seek amendment to MUZ-S7 to provide flexibility for alterations and extensions.

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S385.029

S385.030

			a legally established building or structure that contains a permitted activity (see sub# 18).	
27	Mixed Use – MUZ S8	Seek amendment	McDonald’s seeks flexibility within the drafting of provisions so that MUZ-S7 is not triggered where an alteration of extension to a legally established building or structure that contains a permitted activity (see sub# 18).	Seek amendment to MUZ-S8 to provide flexibility for alterations and extensions.
28	Mixed Use – MUZ S10	Seek amendment	McDonald’s seeks flexibility within the drafting of provisions so that MUZ-S10 is not triggered where an alteration of extension to a legally established building or structure that contains a permitted activity (see sub# 18).	Seek amendment to MUZ-S10 to provide flexibility for alterations and extensions.

## 4.0 Specific Submission Points on PDP

## ATTACHMENT 1 – PLANNING MAPS



Figure 1 showing Proposed Plan zoning of McDonald's Kaitaia.



Figure 2 showing Proposed Plan zoning of McDonald's Kerikeri.



Figure 3 showing Proposed Plan zoning of McDonald's Kaikohe.