

SUBMISSION ON A NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

CLAUSE 6 OF SCHEDULE 1, RESOURCE MANAGEMENT ACT 1991

To: Waimakariri District Council
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Name of submitter: Woolworths New Zealand Limited ("**Woolworths**")

Introduction

1. This is a submission on the Waimakariri District Council's Variation 1 to the Proposed District Plan ("**PDP**").
2. Woolworths could not gain an advantage in trade competition through this submission.
3. The specific matters of Variation 1 that Woolworths' submission relates to are (and with reference to Woolworths' primary submission on the PDP itself):
 - a) Woolworths' primary submission identified that the PDP fell short of its own Strategic Directions towards self-sufficiency and further, did not clearly articulate or establish its National Policy Statement on Urban Development 2020 ("**NPSUD**") obligations within the PDP in respect to either housing or business growth.
 - b) Further, across the board, Woolworths considers the PDP has significantly limited the opportunity for business activity that should be enabled to deliver necessary services for growing communities and to continue to develop "well-functioning urban environments" in accordance with the NPSUD. Specific to the "Commercial and Mixed Use Zones" ("**CMUZ**"), Woolworths considers the PDP undermines the ability to deliver well-functioning urban environments and at scale and intensity to satisfy future demand.
 - c) Variation 1 purports to enable intensification per the NPSUD policies of relevance, and to introduce and implement the requirements of the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 through the re-zoning of land as Medium Density Residential zone. However, Variation 1 exacerbates the concerns raised by Woolworths in relation to the PDP through a lack of proportionate

intensification in business and employment growth within the revised planning framework.

- d) The only nod by Variation 1 to increased intensity and subsequent provision of business and employment growth within CMUZ is the limited application of an increased height limit from 8m to 11m within the Neighbourhood Centre zone, and from 10 to 11m in the Local Centre zone. Whilst these increases are supported, Woolworths considers Variation 1 does not go far enough in response to the NPSUD obligations in respect of commercial activity to support a well-functioning urban environment.
 - e) Finally, Woolworths notes with the introduction of some new objectives and policies, the numbering of provisions addressed in Woolworths' primary submission on the PDP has been affected and this is addressed below.
- 4. Woolworths **opposes** the relevant provisions in Variation 1 as notified and as referred to above and seeks amendments as set out in this submission.
 - 5. Woolworths' reasons for opposing the above provisions are set out below.

Scope and Reasons for Submission

- 6. Woolworths is one of New Zealand's leading supermarket operators. Woolworths currently operates over 190 Countdown stores nationwide, together with a portfolio of over 70 franchisee stores operating under the Super Value and Fresh Choice brands.
- 7. In the Waimakariri District, Woolworths operates Countdown supermarkets in Rangiora East and Kaiapoi and is the franchisor for Fresh Choice and SuperValue supermarkets in Oxford and Mandeville, respectively.
- 8. Woolworths continues to explore new opportunities in response to demand caused by population growth and is currently working on development proposals in the Waimakariri District to address gaps in its network or to upgrade existing operations, not least in response to the above-average growth experienced and forecast for the District (as part of the Greater Christchurch region) and also changes in customer shopping requirements.
- 9. Woolworths considers that Variation 1 as notified:
 - a) Does not yet achieve an appropriate balance in that rather than providing opportunities for business activities to establish and prosper within a network of business and industrial areas zoned appropriate to their type

and scale of activity to support district self-sufficiency (SD-O3, formerly SD-O2), the approach taken in the Variation does not release any new commercial land use and supply and the PDP overall continues to direct, limit and control that supply;

- b) Does not give effect to the relevant provisions of the Canterbury Regional Policy Statement (2020) ("**CRPS**"), particularly Policy 6.3.6(4), which seeks to implement a more responsive "centres plus" approach to commercial activity in Greater Christchurch;
 - c) Does not give effect to the NPSUD, which seeks well-functioning urban environments (Objective 1) through enabling urban environments to develop and change in a responsive manner (Objective 4), and requires provisions that have particular regard to providing choice (Policy 1);
 - d) Is not appropriate in terms of sections 32, 74 and 75 of the Resource Management Act 1991 ("**the Act**"); and
 - e) Does not achieve Part 2 of the Act.
10. Specifically, Woolworths is concerned with the following, without derogating from the generality of the above.

Planning for Growth

11. The Council has recognised that Waimakariri District is one of the fastest growing districts in New Zealand. It has adopted projections that approximately 16,000 new households may be required to be accommodated within the district by 2048.¹ The main centres of Rangiora, Kaiapoi, Oxford and Woodend are anticipated to serve as the primary focus for this anticipated growth.
12. The Business Capacity Assessment ("**BCA**") estimates a significant uplift in retail expenditure in the district to approximately \$450 million per annum, a figure capable of supporting approximately 74,000m² of retail floor space.
13. In brief, the district is forecast to fall short in commercial land supply by 17ha over the long term, with potential shortfalls in the short term and medium term of 5ha and 9ha respectively.
14. The BCA confirms therefore that there is significant growth in commercial expenditure and a corresponding increase in land supply is needed for these

¹ Waimakariri 2048 District Development Strategy, Greater Christchurch Business Capacity Assessment 2018.

activities, to support the growing population within the district and to continue its supporting economic role within the Greater Christchurch region. Further, there are currently very low vacancy rates on existing commercial zoned land (approximately 5%), identifying that such land is being well-utilised.

15. To address these growth constraints, the Variation along with the PDP needs to be forward thinking and ambitious. It needs to zone appropriately to accommodate anticipated commercial growth in the district and to achieve its own goal of district self-sufficiency.
16. Woolworths considers that the Variation currently falls short of its Strategic Directions towards self-sufficiency and further, does not clearly articulate or establish its NPSUD obligations within the PDP in respect to business growth.
17. Further, across the board, the Variation together with the PDP continue to significantly limit the opportunity for business activity that should be enabled to deliver necessary services for growing communities and to continue to develop “well-functioning urban environments” in accordance with the NPSUD.
18. Woolworths seeks consideration of more aspirational zoning provisions for business growth in the Variation, utilising the strategic process of a plan review to comprehensively and sustainably plan for and enable growth.

Change in Numbering

19. With the introduction of new proposed Objective SD-O2 seeking to promote well-functioning urban environments, the Variation alters previously numbered Objective SD-O2 which now becomes Objective SD-O3. For the avoidance of doubt, Woolworths continues to support Objective SD-O3. Woolworths also supports the inclusion of new Objective SD-O2 and considers this further supports its sought-after consistency in delivering well-functioning urban environments through increased and aspirational business growth in the District.

Relief Sought

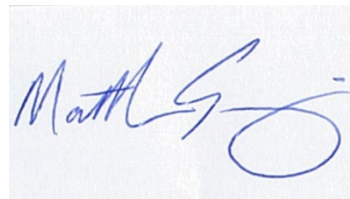
20. Woolworths seeks:
 - a) For the avoidance of doubt, the same relief as that presented in its primary submission on the PDP; and
 - b) Clarification and any necessary amendments to the Variation to address the matters outlined above; and

- c) One way to address Woolworths' relief sought is per the redline text in Appendix 1 to Woolworths' primary submission to the PDP; and
- d) Any necessary consequential relief to give effect to its submission.

21. Woolworths wishes to be heard in support of its submission.

22. If others make a similar submission, Woolworths would consider presenting a joint case with them at the hearing.

DATED at Auckland this 8th day of **September 2022**



Signature:

Matthew Grainger
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& Property
Woolworths NZ Ltd

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