



SUBMISSION ON THE DRAFT FIRST SET OF NATIONAL PLANNING STANDARDS

Introduction and summary

1. Woolworths New Zealand Limited ("**Woolworths**") (formally known as Progressive Enterprises Limited) welcomes the opportunity to provide a submission to the Ministry for the Environment ("**Ministry**") on the draft first set of National Planning Standards ("**Standards**").
2. Woolworths is one of New Zealand's leading supermarket operators. Woolworths' substantial operations include over 180 Countdown supermarkets across New Zealand, as well as distribution centres, meat processing plants, warehouse operations and support offices. In addition, Woolworths is the franchisor for both the Freshchoice and Supervalu supermarket brands across New Zealand. Woolworths employs approximately 18,000 people nationwide, and has stores in almost every district in New Zealand.
3. Woolworths is currently actively engaged in an expansion of its store network throughout New Zealand. In Auckland alone, it is estimated that at least 30 new supermarkets will be required over the next 30 years to serve the growing population. Woolworths' significant asset base and national programme of development and redevelopment across New Zealand means it is very experienced in dealing with local authorities and regional and district planning documents.
4. In Woolworths' experience, regional and district planning frameworks often do not properly recognise the need for business growth to occur, including alongside residential growth. As such, Woolworths has been extensively involved in planning processes nation-wide, including extensively participating in the Auckland Unitary Plan and Christchurch Replacement Plan processes, to ensure that supermarkets and associated activities are sufficiently recognised and provided for within local plans. Woolworths also provided feedback on the discussion documents for the Standards last year.
5. Given Woolworths' significant past and planned further investment in New Zealand, the contents of these and any future Standards will be integral to the continuing operation and development of Woolworths' operations in New Zealand. However, to have any real benefit, the Standards must include standardised content.
6. While Woolworths supports the objectives of the Standards, it is concerned that the standards do not go far enough in terms of providing standardised content. The current

standards will make plans look the same, but without more standardised content, the standards will not deliver real benefits in terms of making plans easier to use and change. Woolworths considers that there should be a greater level of content including rules and rule requirements.

7. While Woolworths generally supports the standardisation of definitions, it is critical that the definitions are well informed and appropriately provide for existing activities. Woolworths therefore suggests that a number of definitions should be amended in order to avoid perverse planning outcomes.

CONTENT OF STANDARDS

Q1: What are your thoughts on this proposed package of planning standards? If you consider changes necessary, how would these affect the anticipated outcomes?

8. The Standards promise to make plans easier to change and use. Woolworths supports this objective as it is a mechanism that will result in efficient plan-making processes and national consistency where appropriate. In particular, Woolworths supports the requirement for increased and more consistent electronic accessibility and functionality for plans and the standardisation of plan structure.
9. Woolworths supports and agrees with the potential for beneficial outcomes of standardisation set out on page 11 of the Consultation Document, especially in relation to improving plan usability for those who work across different plans throughout the country, such as Woolworths. While Woolworths agrees with these outcomes, Woolworths is concerned that the Standards do not go far enough in terms of providing standardised content, and will not produce the positive results expected.
10. In particular, Woolworths is concerned that no standardised content is provided for zones or spatial planning tools. In Woolworths' experience, the most time and resources involved in plan preparation processes is spent working on plan content – the devil is in the detail. Elements of plan structure and format are minor considerations that do not significantly increase plan making costs. This is also true for plan use.
11. While the Standards will make plans look and feel the same, users will still need to consider the detail of each zone or spatial planning tool in each district or region. Unless the Standards provide a level of standardised content, the issues regarding plan preparation and use will remain.
12. Given the time and effort that has gone into the preparation of these Standards, Woolworths is disappointed by the lack of content in the draft first set. It is unreasonable to expect

councils and plan users to be put to the significant cost that will be involved in incorporating the Standards into plans throughout the country, without achieving any real benefits.

Answer: Woolworths is generally supportive of this proposed package, but considers that further content standards must be provided in order to achieve the anticipated outcomes and derive any real benefit for councils and plan users.

Q2: What topics or matters should be investigated for future planning standards?

13. Future planning standards should include a greater level of content. Woolworths is concerned by reports from the Ministry that there are no plans for any further content Standards.
14. In Woolworths' experience, a lot of investment (both in time and cost) is required to address issues with local plans that are common across the country. Standardisation of zone content, for example, would go some way in reducing this repeated consideration of common issues. For example, supermarket activities in centre and commercial zones are treated differently by different plans, despite supermarkets being an appropriate activity in such areas. Standardising such provisions would provide a great deal of certainty to supermarket operators and retailers, and would considerably reduce time and cost spent preparing and using plans.
15. The detail of such content will be critical. In particular, content for the commercial zones must provide for the functional and operational requirements of business activities (such as parking) and the need for expansion of certain business activities to meet demands of residential growth.
16. Woolworths agrees that councils should retain control over aspects of plan content that vary in order to be appropriate for the local resource management issues on a district scale. It is, therefore, not appropriate to develop compulsory directions for the content of entire zones. However, Woolworths considers that there would be significant benefit in providing some level of standardisation, including a mix of mandatory and discretionary directions, which relate to district wide rules and rule requirements.
17. Requirements relating to matters such as parking, signs, landscaping and screening vary significantly from plan to plan and regularly attract submissions and appeals, with associated cost and time implications. Some aspects of this level of plan variation are clearly unnecessary, given the resources required to develop provisions that do not have good reason to vary from district to district, and it would therefore be appropriate to provide a 'cookie cutter' level of detail for some rules and rule requirements.

18. Woolworths would therefore support a future Standard that provides zone content which addresses common core planning issues in a consistent manner, while ensuring councils can still draft plan provisions to manage the issues that matter to the local community.
19. Woolworths would also like to see further Standards that manage and standardise:
- (a) district wide activities, such as parking, traffic and signs; and
 - (b) district wide amenity matters, such as landscaping and screening required around supermarkets and provision of three waters infrastructure.
20. Providing national direction on such matters will significantly increase plan consistency and make it easier to use plans, and would give clear guidance to councils as to the appropriate district wide provisions and amenity issues that should be taken into account when considering a resource consent application or plan change.

Answer: Future planning standards should provide for standardised zone content, district wide activities and district wider amenity matters.

DEFINITIONS

Q18: Are these drafting principles suitable for definitions? Should they be changed or expanded?

21. Woolworths generally supports the proposal to standardise certain definitions and considers that providing a more consistent approach across the country will be beneficial. Woolworths has spent considerable time involved in plan-making processes in order to ensure that definitions adequately take into account its operations, including the Auckland Unitary Plan.
22. However, it is critical that the definitions are well informed and appropriately provide for existing activities. It is essential that any standard definitions must accurately reflect current industry practice.
23. In particular, given the extensive planning process that has recently been undertaken with the Auckland Unitary Plan, which involved considerable scrutiny through numerous submissions, expert conferencing, mediation, evidence, legal submissions and, in some cases, appeals, it would be appropriate to adopt an approach to the definitions in the Unitary Plan where possible.
24. In particular, Woolworths wishes to comment on the definitions of:
- (a) **commercial activity** – Woolworths disagrees with the proposed definition of "commercial activity" on the basis that it is broad to the point that it lacks clarity and uses an indefinite measure of "primary purpose". The approach taken by the

Auckland Unitary Plan of referring to a range of well understood commercial activities should be preferred.¹ The Auckland Unitary Plan's definition refers to the range of commercial activities, including "offices", "retail" and "commercial services providers". Given that these definitions are applicable nationally and are commonly defined terms, it would be appropriate to include them in the definitions standard, and will result in a much more appropriate and usable definition of "commercial activity".

(b) **gross floor area** – Woolworths supports this definition to the extent that it is consistent with the Unitary Plan, but considers that the definition must provide for certain areas to be excluded in order to avoid perverse planning outcomes where new and significantly greater areas are included in the definition. Such areas to be excluded from the definition should include:

- basement areas used for parking including manoeuvring areas, access aisles and access ramps;
- plant areas within the building, including basement areas;
- any entrance foyer/lobby or part of it including any void forming an integral part of it. The entrance foyer/lobby must be publicly accessible, accessed directly from a street or public open space and have an overhead clearance of at least 6m;
- non-habitable floor space in rooftop structures;
- required off-street loading spaces; and
- publicly accessible pedestrian circulation space between individual tenancies.

(c) **height** – the height definition in the Standards effectively adopts the "rolling height" method of measurement. While that is appropriate at times, a range of plans use other methods such as the average height method. Plans also typically exclude a range of building protrusions from the definition of height, such as building services and lift columns. Adopting such a simplistic height definition is likely to require significant additional drafting in the rules of plans to capture the same meaning and anticipated outcome. In other words, while the definition will be simpler, the planning response in zone and spatial area rules will be complex and inconsistent across the country. Woolworths therefore suggests that either a definition of "height" is not included in the Standards, or that the definition is amended to

¹ The proposed definition would read "Commercial activities means the range of commercial activities including offices, retail and commercial services providers."

provide alternative measures for assessing height and to provide for appropriate exclusions.

- (d) **net floor area** – while Woolworths does not disagree with this definition in principle, it prefers the approach taken in the Auckland Unitary Plan, which does not include a definition of net floor area. Accordingly, Woolworths suggests that it is not necessary to have a definition of "net floor area", as the definition of gross floor area is sufficient.
- (e) **sign** – Woolworths supports the proposed definition of "sign".

Answer: Woolworths generally supports the drafting principles, but considers that amendments should be made to the definitions of "commercial activity", "gross floor area", "height" and "net floor area".

Q19: What other definitions should be standardised in future sets of planning standards?

25. Providing a clear set of definitions has the potential to reduce the time and cost involved for Woolworths in ensuring appropriate definitions are contained in plans throughout the plan-making process. Woolworths would therefore support standardisation of a greater number of definitions.
26. Woolworths considers that consistent definitions of "supermarket" and "retail" across the country are appropriate, and should be included in these set of definitions, rather than waiting for some future set, which may be some time away.
27. A proposed definition for "supermarket" is:
- means an individual retail outlet that sells a comprehensive range of domestic supplies such as food, beverage and other disposable goods, including fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; and general housekeeping and personal goods.
28. Woolworths suggests that the Standards should adopt the definition of "retail" from the Auckland Unitary Plan.²

Answer: Definitions should be provided for "supermarket" and "retail" in this set of Standards.

Conclusion

29. While Woolworths supports the intent of the Standards, in order to achieve the objective of these Standards, and the Standards generally, Woolworths considers that more

² Means selling goods to the general public.

standardised content is required. Woolworths would be willing to work with the Ministry on the content of the first set of Standards, and any future standards, to the extent that they are relevant to supermarkets.

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