

21 October 2014

Thames Coromandel District Council
Private Bag 1001
515 Mackay Street
Thames
Via email

**Attention: Lisa Madgwick
District Plan Coordinator**

Dear Lisa

Re: Thames Coromandel District Council's Proposed District Plan: Hearing Session (22-23 Oct)

I write on behalf of our client, Bunnings Limited ("Bunnings"), in relation to their submissions on the Proposed District Plan, specifically as regards the Commercial and Industrial provisions to be addressed at the hearing session scheduled for 22nd – 23rd October. Of specific relevance to Bunnings, these matters include the provisions within Section 47 (Light Industrial zone) for building improvement centres.

Although I will not be attending the Hearing on the 22nd – 23rd October on behalf of Bunnings, I would like to request that this letter be treated as evidence and tabled accordingly.

Having reviewed the section 42A reports, and further to Bunnings' original submission, the key points I wish to address are as follows:

1. Original Submission

In the original submission, Bunnings made the following relevant submission points:

- The PDP should include a separate definition and activity category for "building improvement centres"; and
- The PDP should provide for them as permitted activities in the Light Industrial zone.

2. Section 42A Reports

The hearing report has responded to Bunnings' submission points as follows:

- The planning officer acknowledges that the proposed permitted activity status for building improvement centres has merit (paragraphs 35-36). However, instead of considering the relief and adopting it in the further tracked changes version of the Light Industrial zone, the planning officer suggests that *"the submitter should provide further analysis particularly*



comparing the efficiency and effectiveness of the submission point vs the Plan provision with benefits/costs (RMA Section 32(3))”.

- The section 42a report does not acknowledge Bunnings’ relief seeking a new definition of ‘building improvement centre’.

Response to section 42A report

In response to the hearing report, the following comments are made.

Providing for building improvement centres within industrial zones is accepted practice around the country. Recent examples of this approach can be found in Taupo, Rotorua, Hamilton, Waipa and Auckland (both the operative Isthmus District Plan and the Proposed Auckland Unitary Plan).

The majority of these plans has been recently updated or in the very late stages of review. During these reviews, Bunnings has been involved to ensure that building improvement centres are provided for in the industrial zone(s), and the following arguments have been accepted, as a result:

- A Bunnings activity typically provides a large, utilitarian building form with associated at-grade car parking necessitating a large site area which is extremely difficult to find in a more fractured land holding situation seen in other zones and in centres.
- Further, Bunnings activities typically generate a level of customer and service vehicle traffic that is more compatible with industrial activities than other commercial uses, and especially within core retail areas or centres. For example, a typical store would generate, on average and on a daily basis, 20 courier trucks, 10 to 12 fixed-axle trucks and 3 to 4 B-train trucks¹. The service vehicle traffic is then combined with customer vehicle trips.
- Therefore, in terms of building form, site layout, and potential nuisance effects (traffic and noise, for example), Bunnings’ operations are consistent with, and indeed compatible with, industrial activities.
- Further, to retain a non-complying activity status (or not provide for them at all (in any zone) which has the same consequence), building improvement centres are effectively precluded from further development within the district, across the board, despite them being an existing and important part of the district’s economy.

The Light Industrial zone is described (47.1 zone description) as a buffer zone, one that can host, among other activities, “mechanical servicing, car sales yard, building depots, warehousing”. Distinguishing features of the zone are described as including “*large-scale buildings, with the scale*

¹ Figures taken from an application for a Bunnings operation, which was granted consent in 2011 in Takanini, Auckland. The store comprises approximately 9,900m² in retail floor area (including nursery and timber trade sales).



and design of the buildings derived from their function”, “medium and large lot sizes to store material and to park, load and manoeuvre vehicles” and “a significant number of vehicle movements from light trade vehicles, delivery vehicles and cars”.

It is noted that “building depots” are proposed to be provided for in the Light Industrial zone. While there is no clear definition of this activity, a common sense interpretation would be that a Bunnings could fall within this category. Further, Bunnings’ activities are consistent with the description and purpose of the zone.

The section 42a report suggests (at paragraph 39(c)) that *“building improvement centres have some industrial characteristics and service local tradespeople and industries as well as the general public”*. However, the report goes on to raise concern with the potential to reduce industrially-zoned land.

While it is recognised that the PDP places an emphasis on industrial land for industrial uses, the Light Industrial zone has been reserved for activities that appear to cross over between light industrial and heavy commercial, whilst the Industrial zone is preserved for those wholly industrial activities that are truly incompatible with more sensitive land uses, for example *“cement production, foundries and marine industries”* (46.1 zone description). To this end, and considering the PDP already acknowledges the need for flexibility in accommodating *“limited residential and commercial activities”* within the Light Industrial zone, it is considered that a Bunnings is most appropriately located within the Light Industrial zone.

For the reasons noted above, it is considered that “building improvement centres” should be provided for as permitted activities within the Light Industrial zone.

I ask that you table this letter on 22nd – 23rd October in place of personal attendance on Bunnings’ behalf at the hearing. Please do not hesitate to contact me should you have any queries regarding the above matters.

Yours faithfully

Barker & Associates Ltd



Kay Panther Knight

Senior Planner

DDI: 09 375 0902

