

27 February 2015

Thames-Coromandel District Council
Private Bag
Thames 3540

Via email: lisa.madgwick@tcdc.govt.nz

Attention: Lisa Madgwick – District Plan Co-ordinator

Dear Lisa

Re: Thames-Coromandel District Council's Proposed District Plan: Hearing Session 10-12 March 2015)

I write on behalf of our client, McDonald's Restaurants (NZ) Limited ("McDonald's"), in relation to their primary submission on the definitions of the Proposed District Plan, specifically with regard to the definition of "restaurant".

Although I will not be attending the Hearing on the 10th-12th March on behalf of McDonald's, I would like to request that this letter be treated as evidence and tabled accordingly.

Having reviewed the section 42A report, and further to McDonald's original submission, the key point I wish to address is as follows:

1. Definition – restaurant

1.1 Original Submission and s42A report

In the original submission, McDonald's raised a matter relevant to the definition of "restaurant" activities, and sought inclusion of "drive-through" facilities within this definition, as follows:

- McDonald's consider that their business is generally covered by the term and definition of "restaurant" as "the sale of ready-to-eat food and drink is the principal activity on-site";
- However numerous McDonald's also include a 'drive-through' component to the restaurant activity, including at the Goldfields Shopping Centre.
- McDonald's seeks that the definition of "restaurant" be amended to include provision for "drive-through" facilities to provide for more clear administration of the District Plan provisions and to align with the transportation provisions which have specific rules relating to "drive-through" facilities.

The Section 42A report for Section 3 - Definitions addressed this matter with recommended changes to the definition of "restaurant" as follows (changes underlined):



Restaurant means a site where the sale of ready-to-eat food and drink is the principal activity on-site. This includes 'take-away' and 'drive-through' food outlets.

1.2 Response to section 42A report and relief sought

Having reviewed the planning officer's report and recommendations, I concur with the officer's recommendation to modify the definition of "restaurant" per the above wording and seek that this recommendation be accepted by the Hearing Commissioners. This wording achieves the same clarity as the wording sought in the McDonald's submission and it is my opinion that this will provide effective administration of the Proposed District Plan through clarity, and will align the activity with the transportation provisions of the PDP with regard to parking rates for drive-through facilities.

Further, I concur with the planning officer that drive-through facilities will have the opportunity to be appropriately assessed on a case-by-case basis through the rules of the District Plan, not through the definitions.

Overall, I consider that the above relief sought will provide for the sustainable management of the district's commercial and industrial land resources and provide for effective administration of the proposed plan provisions.

I ask that you table this letter on 10th-12th March in place of personal attendance on McDonald's 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

A handwritten signature in black ink, appearing to read 'M Norwell', written over a faint, illegible typed name.

Matt Norwell

Director

DDI: 09 375 0909

The logo for Barker & Associates, consisting of the letters 'B&A' in a large, bold, black, sans-serif font.