

Tabled 5/12

**BEFORE THE INDEPENDENT HEARING COMMISSIONERS**

**UNDER** the Resource Management Act 1991 ("the Act")

**AND**

**IN THE MATTER OF** a submission by **COMMERCIAL CENTRES LIMITED** (submitter 210 and further submitter) on the Whangarei District Plan

**AND**

**IN THE MATTER OF** the hearing of submissions on Proposed Urban and Services Plan Changes

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**SUBMISSIONS ON BEHALF OF COMMERCIAL CENTRES LIMITED – SUBMITTER 210**

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5 December 2019

**ATLAS LEGAL LIMITED**

J S Baguley

PO Box 144

Kerikeri 0230

Phone: (09) 401 6537/ (027) 245 8144

Email: [jo@atlaslegal.co.nz](mailto:jo@atlaslegal.co.nz)

**MAY IT PLEASE THE COMMISSIONERS**

1. These submissions are presented on behalf of Commercial Centres Limited, submitter 210 to the Urban and Services Plan Changes – Whangarei District Plan.
2. CCL is a privately-owned property development company and landowner of several titles at Southdale in Raumanga and Tikipunga.

**Southdale**

3. The Southdale site is situated adjacent to State Highway 1, Raumanga, Whangarei across eight properties.
4. **Figure 1** below identifies and show the location of each property within the site, and **Figures 2 and 3** illustrate the operative and proposed zoning. The site is currently zoned Living 1 and Business 3 and proposed to be rezoned to Local Commercial Zone (LC), High Density Residential (HDR), Medium Density Residential (MDR) and Light Industrial Zone (LI).



*Figure 1 – An aerial map showing the Southdale site adjacent to State Highway 1, Raumanga, Whangarei.*



Figure 2 – Map showing current zoning and the location of the properties in question (blue = Living 1, pink = Business 3).



Figure 3 – Map showing the Proposed Plan (May 2019) zoning (dark blue = High Density Residential Zone, light blue = Medium Density Residential Zone, light green = Local Commercial Zone, pink = Light Industry Zone).

## Tikipunga

5. The Tikipunga site is situated on 81 Paramount Parade, Tikipunga and is occupied by the Paramount Plaza (**Figure 4**) which contains a petrol station, a Countdown supermarket, a number of retail shops and an associated parking area. The site is currently zoned Business 3 (**Figure 5**) under the operative District Plan and is proposed to be rezoned LCE (**Figure 6**) under the proposed District Plan. The surrounding area is largely characterised by residential development within the Living 1 Environment which is proposed to be rezoned HDR (to the north, east and south) and MDR (Denby Golf Course to the west) under the proposed urban and services plan changes.





Figure 5 – Map showing the site (yellow highlight) and current zoning (pink = Business 3, blue = Living 1).



Figure 6 – Map showing the Proposed Plan (May 2019) zoning of the site (light green = Local Commercial Zone, dark blue = High Density Residential Zone, light blue = Medium Density Residential Zone, dark green = Open Space Zone).

6. Commercial Centres Limited ("CCL") lodged a submission (number 210) on the Proposed Plan Changes in July 2019 and further submissions in August 2019. CCL has considered the detailed s42A report prepared by Whangarei District Council. The purpose of these submissions is to identify which recommendations are supported, opposed or no longer pursued.
7. A Table tracking the submission numbers and CCL's response to the s42A report recommendations is annexed hereto.
8. The key matters which arise from the s42A recommendations for CCL are set out below.
  - a. Zoning – CCL accepts the recommendations regarding zoning across all of its sites.
  - b. Grocery stores GFA in the Local Centre Zone– the s42A report recommends the removal of a Gross Floor Area maximum for Grocery Stores and confirms this as a Permitted Activity: *Part 4, Attachment 1, p11-12*. CCL supports this recommendation.
  - c. Other Retail Activities GFA in Local Centre Zone – the s42A report recommends increasing the maximum tenancy size from 300m<sup>2</sup> to 450m<sup>2</sup> for other retail activities: *Part 4, Attachment 1, p12*. CCL supports this recommendation.
9. As a result of these recommendations, CCL no longer pursues its relief for reinstatement of the 7500m<sup>2</sup> GFA for its Southdale site which has been recommended to be rejected in Part 4 of the s42A report (*para 134 Part 4*). Council's reasoning in making that recommendation is that the Permitted status or grocery stores in Local Centre Zone and 450m<sup>2</sup> GFA for other retail provided more flexibility (*paras 123-127, Part 4*). CCL agrees with that reasoning and recommendations.
10. In all other respects, CCL either accepts or does not pursue the further submissions points as set out in the attached Table.

Dated: 5 December 2019



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J S Baguley  
Counsel for Commercial Centres Ltd