

21 November 2018

Hamilton City Council
Planning Guidance
Attn: Sam Le Heron – Senior Planner

Dear Sam,

RE: Application for resource consent for new supermarket and associated fuel facility at 980 Te Rapa Road, Pukete – Reference no. 010.2018.00009962.001

In reference to our recent discussions, Foodstuffs North Island Limited (“Foodstuffs”) formally requests that this application be publicly notified pursuant to section 95A(2) of the Resource Management Act.

This application was submitted with a suite of technical assessments which included a Centres Assessment Report (CAR). Based on the analysis given in the CAR submitted and subsequent further information provided by Property Economics, we are of the view that the proposal will not undermine the role and function of other business centres and, as such, the activity status for establishing the proposed supermarket in the Industrial zone is a restricted discretionary activity.

We understand that the advice of Council’s economic peer reviewer of the centres assessment is that the proposed supermarket is, or may be, a non-complying activity in the Industrial zone. In the circumstances, we ask that you notify the application on the basis that it is or may be a non-complying activity. That request is made without prejudice to Foodstuffs’ view that the proposal qualifies as a restricted discretionary activity and Foodstuffs reserves the right to pursue that argument in evidence and legal submissions. For completeness we record that the Assessment of Environmental Effects (AEE) submitted with the application included an assessment of the proposal that assumed that Council would conclude that the application is a non-complying activity. Foodstuffs asks that Council proceeds with publicly notifying this application at the earliest opportunity.

Yours faithfully,



Matt Norwell / Mary Wong
Director / Senior Planner
Barker & Associates Ltd

B&A

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