

**FURTHER SUBMISSIONS ON PRIVATE PLAN CHANGE 35 – TE AWAMUTU LARGE FORMAT RETAIL
CENTRE**

Clause 8 of Schedule 1 of the Resource Management Act 1991

To: Waipa District Council
districtplan@waipadc.govt.nz

Copy to: The Submitters listed in **Annexure A**

FOODSTUFFS NORTH ISLAND LIMITED at the address for service set out below (“**Foodstuffs**”) makes the following further submission in support of / opposition to relief sought in original submissions (“**Original Submissions**”) on Private Plan Change 35 to the Waipa District Plan (“**Plan Change**”).

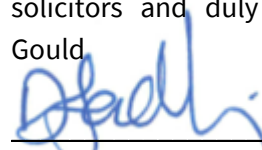
1. Foodstuffs has an interest in the Plan Change that is greater than the interest the general public has because:
 - (a) It has lodged a submission on the Plan Change;
 - (b) It owns or occupies land that is subject to the Plan Change¹; and
 - (c) It owns or occupies land that is affected by the relief sought in the Original Submissions.
2. Foodstuffs could not gain an advantage in trade competition through this submission.
3. **Annexure B** to this submission comprises a schedule summarising the parts of the Original Submissions that Foodstuffs supports or opposes, any reasons for that position in addition to those set out in paragraph 4 below, and the decisions sought.
4. The reasons for this submission are as follows:
 - (a) The relief sought in the Original Submissions that are supported by Foodstuffs:

¹ Foodstuffs is the fee simple owner of Lot 1 DP 433466, which includes the Pak’n Save Te Awamutu, and associated service and station and carparking within the Te Awamutu Large Format Centre.

- (i) Promotes the sustainable management of natural and physical resources and is consistent with the purpose and principles of the Resource Management Act 1991 (“**RMA**”);
 - (ii) Is appropriate in terms of section 32 of the RMA; and
 - (iii) If granted, will more fully serve the statutory purposes than rejecting that relief.
 - (b) The relief sought in the Original Submissions that are opposed by Foodstuffs:
 - (i) Does not promote the sustainable management of natural and physical resources and is inconsistent with the purpose and principles of the RMA;
 - (ii) Is inappropriate in terms of section 32 of the RMA; and
 - (iii) If declined, will more fully serve the statutory purposes than granting that relief.
 - (c) The reasons set out in Foodstuffs submission on the Plan Change.
 - (d) Any additional reasons identified in respect of each of the Original Submissions specified in **Annexure B**.
5. Foodstuffs asks that, for the reasons set out above, the Primary Submissions be:
- (a) Allowed to the extent they are supported; and
 - (b) Disallowed to the extent they are opposed.
6. Foodstuffs wishes to be heard in support of its further submissions. If others make a similar submission, Foodstuffs will consider presenting a joint case with them at any hearing.

DATED this 26th day of February 2026

FOODSTUFFS NORTH ISLAND LIMITED by its
solicitors and duly authorised agents Ellis
Gould



Daniel Sadlier

ADDRESS FOR SERVICE: The offices of Ellis Gould Lawyers, Level 31, Vero Centre, 48 Shortland Street, PO Box 1509, Auckland 1140, DX CP22003, Auckland, Telephone: (09) 307-2172. **Attention:** Daniel Sadlier. dsadlier@ellisgould.co.nz.

ANNEXURE A – NAMES AND ADDRESSES OF SUBMITTERS

Sub No.	Submitter Name / No.	Contact Name	Address for Service
01	New Zealand Transport Agency Waka Kotahi	N/A	environmentalplanning@nzta.govt.nz
03	Waipa District Council	Michael Briggs	michael.briggs@waipadc.govt.nz

ANNEXURE B – FURTHER SUBMISSIONS AND DECISIONS SOUGHT BY FOODSTUFFS NORTH ISLAND LIMITED

Sub No.	Submitter Name and address for service	Support / Oppose	Additional Reasons for Support / Opposition	Decision Sought
1/1 1/2 1/3	New Zealand Transport Agency Waka Kotahi	Support	Foodstuffs supports requiring the Applicant to provide better information and robust modelling to understand the effects of the Plan Change, and the incorporation of robust and appropriate plan provisions to manage any and all potential adverse environmental effects of those activities.	Allow the original submission
3/1	Waipa District Council	Oppose	Foodstuffs supports the inclusion of requirements for necessary transport upgrades prior to the commencement of activities within Area B. However, these need to be accommodated within the existing road reserve, without vesting of any additional land from Area A. The relevant land in Area A is required for the safe and efficient operation of Foodstuffs' activities within Area A, particularly in light of the replacement of trade and building supply activities in Area A with smaller retail tenancies. The loss of land and/or carparking in Area A could have significant adverse effects on the ongoing safe and efficient operation of Foodstuffs' activities in Area A.	Reject the original submission
3/6		Oppose in part	The need for transport upgrades is driven by the Plan Change's inclusion of Area B, and enabling additional retail GFA within Area A to "backfill" the area currently occupied by the building and trade supply activity. Any amendment to the provisions in this regard should be limited to the new area, and new activities, enabled by the Plan Change and not existing activities currently being undertaken.	Reject the submission insofar as it would apply to existing or changes to existing activities within Area A.

3/7		Oppose in part	Proposed requirements for ecological enhancement are driven by the Plan Change's inclusion of Area B in the Te Awamutu Large Format Retail Centre, where the rule subject of the submission would apply across the entirety of Area A and Area B. The Rule should be limited in application to Area B only.	Reject the submission insofar as it would apply activities within Area A.
3/8		Oppose in part	Proposed requirements for ecological enhancement and protection are driven by the Plan Change's inclusion of Area B in the Te Awamutu Large Format Retail Centre, where the rule subject of the submission would apply across the entirety of Area A and Area B. The Rule should be limited in application to Area B only.	Reject the submission insofar as it would apply to activities within Area A.