

**Before a Hearings Panel
appointed by Selwyn District Council**

Under the Resource Management Act
1991

And

In the Matter of a submission (DPR-0396) and
further submission on the Proposed
Selwyn District Plan by Woolworths
New Zealand Limited

**Memorandum of counsel for
Woolworths New Zealand Limited in
relation to topic allocations**

Dated: 8 July 2021

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MAY IT PLEASE THE HEARINGS PANEL:

Introduction

1. This memorandum is filed on behalf of Woolworths New Zealand Limited (**Woolworths**). Woolworths made a primary submission (DPR-0396) and further submission on the Proposed Selwyn District Plan (**PDP**).
2. The purpose of this memorandum is to request that each of Woolworths' submission points are heard within the appropriate hearing topics.

Submissions and Topic Allocation

3. Woolworths' submissions address a range of aspects of the PDP, including:
 - (a) the high-level strategic direction of the PDP and its enablement of urban growth; and
 - (b) the zoned based controls in the PDP, in particular for the Commercial and Mixed Use Zones.
4. Woolworths' primary submission contains an Appendix 1, which sets out the changes (in redline text) that Woolworths seeks to various objectives, policies and rules.
5. It appears that Woolworths' submission points have been allocated to hearing topics based on the redline text in Appendix 1 to Woolworths' primary submission. However, Woolworths' submissions are broader than the redline text and, in particular, address the PDP's overarching model of setting commercial land supply in the District and the need for a more flexible planning regime than is currently proposed.
6. Woolworths is concerned to ensure that the breaking down of relief sought does not procedurally result in key submission points being left out of topics to be heard through the hearings process.
7. Based on the Council's topic list and the summary of submissions, it would appear that currently Woolworths' submissions will be heard within:
 - (a) Topic 1 – Strategic Directions;

- (b) Topic 18 – Signs;
 - (c) Topic 23 – Commercial and Mixed Use Zones; and
 - (d) General Industrial Zones.
8. In addition, counsel consider it is necessary for the relevant matters raised in Woolworths' submissions to also be heard within:¹
- (a) Topic 3 – Urban Growth; and
 - (b) Topic 30 – Rezoning Requests.
9. Other submissions raising similar issues to those raised in Woolworths' submissions appear to have been allocated into the above topics.
10. Counsel therefore request that Woolworths retains the ability to register its attendance and participate in the relevant hearing topics that address the matters raised in its submissions.
11. Counsel anticipate that at the Topic 1 – Strategic Directions hearing, in legal submissions counsel would be able to provide an overview of Woolworths' interests in the relevant parts of the PDP, which would guide Woolworths' position and participation in the remainder of the hearing topics.



J Leckie / A Hawkins

Counsel for Woolworths New Zealand Limited

¹ Depending on the scope of the Council's Section 42A Reports, it may also be appropriate for parts of Woolworths' submissions to be heard in other hearing topics.