

BEFORE THE NEW PLYMOUTH DISTRICT COUNCIL HEARING COMMISSIONER

IN THE MATTER OF

The Resource Management Act 1991

AND

Applications by Bunnings Limited to construct and operate
a Bunnings Warehouse and associated development at 662
Devon Road, Waiwhakaiho (LUC25/48839 and
SUB17/46785.02)

BRIEF OF EVIDENCE OF SEAN PETER ZIELTJES

On behalf of Ngāti Tāwhirikura Hapū and Puketapu Hapū

(Planning)

21 September 2026

A. Introduction and experience

1. My full name is Sean Peter Zieltjes.
2. I am an independent planning consultant. I hold a Master of Legal Studies in Environmental Law with Honours from the University of Auckland and a Bachelor of Resource and Environment Planning in Ecology with Honours from Massey University. I have been a Full Member of the New Zealand Planning Institute since 2016, and I am a certified hearing commissioner.
3. I have practised as a planner in Taranaki since 2009. I have worked as a monitoring and enforcement officer, resource consent processing planner, policy planner and private planning consultant. I provide planning advice to iwi authorities, hapū entities, local authorities and private developers. I have presented expert planning evidence at commissioner hearings and to the Environment Court.
4. Experience relevant to this application includes my involvement in the New Plymouth District Council Wāhi Tapu and Archaeological Sites Review between 2014 and 2018, and the planning advice I provided to Ngā Kaitiaki through the development of the Part Operative New Plymouth District Plan 2025 (**'The Plan'**). I am familiar with the development and intended operation of the provisions relating to Sites and Areas of Significance to Māori (**'SASM'**), the Special Purpose – Māori Purpose Zone and the relationship between those provisions and the Part Operative New Plymouth District Plan 2025 zone framework.
5. I have been engaged to provide planning advice and evidence in relation to the Bunnings application to Ngāti Tāwhirikura Hapū and Ngā Kaitiaki o Puketapu Hapū since August 2023. I have attended several of the consultation meetings between the applicant and Ngāti Tāwhirikura over that time, and visited the site on several occasions as a part of those consultations.

B. Code of Conduct

6. I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. Except where I state otherwise, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.
7. This statement of evidence is not cultural evidence. I rely on the evidence and advice of Ngāti Tāwhirikura Hapū and Puketapu Hapū regarding their tikanga, mātauranga, cultural values and associations with Aotere Pā, Te Pou Tūtaki, Mangaone and the wider cultural landscape. I also rely on the evidence Ngāti Tāwhirikura Hapū as landowners of Lot 3 DP 509004 regarding their aspirations

regarding the use and development of that property. In particular, I rely on the evidence of Ms Bev Gibson and Ms Sera Gibson for Ngāti Tāwhirikura, and Ms Raukura Salisbury for Puketapu as the cultural foundation for the planning opinions I express.

C. Purpose and scope

8. This evidence addresses the proposed land use consent and consent notice cancellation sought by Bunnings Limited for the proposed warehouse and associated parking, access, loading, earthworks, landscaping and infrastructure at 662 Devon Road, Waiwhakaiho.
9. In particular my evidence addresses:
 - a. the relevant aspects of the proposal and receiving environment;
 - b. the interface between the General Industrial Zone and Special Purpose – Māori Purpose Zone;
 - c. the policy direction on the Part Operative New Plymouth District Plan for industrial development adjoining Special Purpose – Māori Purpose zoned land;
 - d. the additional and overlapping direction provided by the Sites and Areas of Significance to Māori provisions;
 - e. the adequacy of the application's response to the local context generated from Aotere Pā, Te Pou Tūtaki and the wider cultural landscape;
 - f. the assessment and recommendations in the section 42A report; and
 - g. whether cultural design elements can appropriately be deferred to post-consent plans and a Kaitiaki Forum.
10. With the exceptions outlined further in this evidence, I generally adopt the description of the proposal set out in the evidence of Mr Matthew Forbes Norwell at section 4. I generally adopt the section 42A report's description of consent requirements and activity status. I agree that the application should be considered as a fully discretionary activity.
11. I agree with the reporting officer that no permitted baseline should be applied.
12. I agree that mana whenua are best placed to assess and explain the effects of development on their cultural values.

D. Principal planning matters in contention

13. In my view the principal planning issue is whether the location, layout and design of the proposal appropriately respond to the localised cultural and planning context resulting from Aotere Pā, Te Pou Tūtaki, the Special Purpose – Māori Purpose Zone boundary, Mangaone and the applicable Sites and Areas of Significance to Māori provisions.

14. I consider that the principal planning matters in contention are the following:
 - a. Whether the design and layout of the application site adequately internalise actual and potential adverse effects on the adjoining Special Purpose – Māori Purpose zoned land; and
 - b. Whether the proposal adequately recognises the local context and the planned character of the area and provides for the incorporation of mātauranga Māori in the design, construction and development of the built environment.

E. The proposal and the receiving environment

15. The application site is an approximately 7.31-hectare property. I understand that the Bunnings operation will occupy approximately 3.85 hectares, or around 53% of that property. The remaining approximately 47% retained as land for future uses that are not yet identified.
16. The application site is entirely in the General Industrial Zone. It is subject to a number of overlays as set out in the section 42A report.
17. The application seeks to construct and operate a Bunnings Warehouse with a gross floor area of approximately 13,280m², together with a nursery and bagged-goods area, parking, loading, truck circulation, vehicle access, signs, landscaping, earthworks and infrastructure.
18. Until the applicant filed its evidence, part of the remaining application site was identified as a potential future through-road connecting Katere Road and Smart Road. A short section of that road at the Smart Road end to be constructed as part of the Bunnings development. That potential corridor adjoins Lot 3 DP 509004, the Ngāti Tāwhirikura property. A future-road alignment remains shown on the architectural plans in Appendix 1 and the landscape plans in Appendix 2 to the evidence of Mr Turner and Mr Siciliano.
19. The application no longer proposes to construct part of that potential future road. The use of the part of the application site adjoining the Ngāti Tāwhirikura property has instead been amended as described at paragraphs 4.5 and 6.3 to 6.4 of Mr Georgeson's evidence.
20. I note that at paragraph 6.7 of Mr Georgeson's evidence he outlines that the prospect of a future road alignment of the proposed Bunnings driveway and extending through to Katere Road is a matter for New Plymouth District Council to engage with Ngāti Tāwhirikura on. It is not a requirement of the Bunnings development which can be delivered with a standard driveway at this time.

21. I also note that within the Bunnings operational footprint three smaller future tenancies are also identified. The application states that these would be considered/realised through a future resource consent process.
22. The application, s42A report and the evidence of the applicant are silent on any future uses of the remaining approximately 47% of the development site. There is no information or assessment regarding how that part of the site is to be accessed and maintained or how it might interface with the adjoining Special Purpose – Māori Purpose zoned land.
23. I accept that this may be due to any plans being too premature or not formed. However, I consider it important to recognise that the remainder of the application site is also zoned General Industrial, and that a range of industrial activities are anticipated across that part of the site and are permitted as such by the Part Operative New Plymouth District Plan.
24. As such, I do not consider that the application presents a cohesive and coordinated development proposal for the overall application site. Rather it is for partial development of the application site where considerable future development may also be realised over time that must be borne in mind when considering the actual and potential adverse effects of the proposal.
25. The Ngāti Tāwhirikura property at Lot 3 DP 509004 is zoned Special Purpose – Māori Purpose Zone as well as being the location of a Site and Area of Significance to Māori (Aotere Pā) and subject to that overlay. The Special Purpose – Māori Purpose zoning of this property has not been well reported nor assessed in the application, section 42A report, or the evidence of the applicant.
26. The Special Purpose – Māori Purpose Zone enables tangata whenua to exercise their customary responsibilities as kaitiaki and mana whenua and to undertake activities that reflect Māori customs and values. Pā/marae provide an important community focal point for social gatherings and cultural activities. Papakāinga provides another housing choice for Māori and enables tangata whenua to maintain or re-establish connections to their Māori identity, culture, whānau and whenua. Other activities that support and are compatible with Māori Purpose Activities are anticipated in this zone, such as education, small-scale offices and general retail activities.
27. I consider that the General Industrial zoning of the application site and the Special Purpose – Māori Purpose zoning of the Ngāti Tāwhirikura property are relevant planning context for describing and understanding the receiving environment. Those zones also inform the planned character of the area and the contribution the proposal is expected to make to that character.

28. The receiving environment is therefore not a homogenous General Industrial zone that anticipates the same type, scale, character or intensity of activities, rather its planning context is formed by the convergence of the General Industrial Zone, the Special Purpose – Māori Purpose Zone boundary, the SASM and archaeological overlays, the Entrance Corridor and state highway interface, and the adjacent waterbody – the Mangaone.

F. Part Operative New Plymouth District Plan 2025

29. I generally agree with the section 42A report identification of relevant objectives and policies of the Part Operative New Plymouth District Plan. I do not share the same conclusions reached in all instances, and consider that a broader set of Strategic Objectives, and the provisions of the Special Purpose – Māori Purpose Zone are also relevant to this proposal.

Application of General Industrial Zone objectives and policies at 662 Devon Road

30. As reported in the application, and referenced in the section 42A report and the evidence of the applicant the application site was previously subject to substantial planning work and approvals to establish commercial activities as a Sub-Regional Centre Zone. This work, the withdrawal of the Bluehaven submission to the then Proposed District Plan, and the subsequent reversion to the General Industrial Zone provisions is discussed at section 13 of Decision Report 28.¹
31. I consider the discussion in Report 28 to be important context for the application of the objectives and policies to the application site. Specifically, paragraphs 13.10 to 13.12 of that decision report highlight the importance of GIZ-O5, and the Tangata Whenua strategic objectives to the area given its particular context and setting. Paragraphs 13.10 to 13.12 read as follows:

13.10 Following direction in our Minute 39, a Joint Memorandum of Counsel for Bunnings and for the Council was provided to the Panel with a specific emphasis on natural justice issues. As part of this work, counsel for the Council liaised with relevant parties. Further submitters Kāinga Ora, Waka Kotahi and Bro Devon Limited did not express any concerns with respect to Bunnings' withdrawal of the submission points to rezone the landholding. TKOTAT and Ngāti Tawhirikua expressed concern that development of the zone provisions had benefitted from the expert advice of tangata whenua and go further than the notified GIZ provisions in ensuring the relationship of Ngāti Tawhirikura with their ancestral lands and cultural landscape.

13.11 We acknowledge the position of TKOTAT and Ngāti Tawhirikura. We also acknowledge the advice that Bunnings representatives have contacted Ngāti

¹ See Section 13 at page 30 of Decision Report 28 - <https://proposeddistrictplan.npdc.govt.nz/decisions/>

Tawhirikura in relation to Bunnings development aspirations for the site. We refer to our recommendation to amend Objective GIZ-O5 and confirm that this objective would be relevant to any discretionary activity resource consent application for the site. The amendment reads as follows:

GIZ-O5: The adverse environmental effects generated by industrial activities are managed, in particular effects on waterbodies, historic heritage, scheduled features, indigenous biodiversity and effects at zone boundaries.

13.12 We also note the requirement that all objectives in the Plan must be achieved in a manner consistent with the Strategic Objectives, including the five Tangata Whenua Strategic Objectives that are detailed in our Recommendation Report 3.

Strategic Objectives of the Part Operative New Plymouth District Plan 2025

32. The Part Operative New Plymouth District Plan contains a strategic direction section that contains overarching strategic objectives for the District. The Plan explicitly notes that *for the purposes of preparing, changing, interpreting and implementing the District Plan all other objectives and policies in all other chapters of this District Plan are to be read and achieved in a manner consistent with these strategic objectives.*²
33. The Strategic Objectives set out a range of outcomes sought to be achieved across the District. I consider that the Historic and Cultural, Tangata Whenua and Urban Form and Development Strategic Objectives are most relevant to this application.
34. There are five Tangata Whenua Strategic Objectives as referenced in Decision Report 28. In particular I draw the attention of the Commissioner to TW-16 which reads as follows:

Tangata whenua are able to protect, develop and use their ancestral land in a way which is consistent with their culture and traditions and their social, cultural and economic aspirations.

35. I understand that this objective was included in the Plan in part in recognition of the particular colonisation, raupatu and resulting land/property/tenure context of the District, and how this remains a key attribute of the relationship māori in the New Plymouth District with their ancestral lands, waters, sites, wāhi tapu, and other taonga.³

² Practise note included at the start of each Strategic Objective section of the Plan.

³ As set out in the evidence of Ms Salisbury on behalf of Puketapu Hapū, Te Pou Tūtaki is a prominent site and feature of this raupatu history.

36. The Special Purpose – Māori Purpose Zone and associated provisions are one of the primary methods through which the Plan implements objective TW-16. Importantly, and as explained in the submissions and evidence of Ngāti Tāwhirikura these provisions are designed to provide for a post-Treaty settlement context and aspirations of iwi and hapū; including cultural and educational use, ecological restoration, papakāinga, narrative sharing, access by uri and hapū-led development.
37. The Special Purpose – Māori Purpose Zone was included in the Plan to enable Māori Purpose Activities over a range of land tenures. Māori Purpose Activities are defined in the Plan.
38. I do not consider that this context and these Strategic Objectives and the provisions which implement them have been given sufficient weight in considering the appropriateness of the effects resulting from the proposal on the interface of the application site with the adjoining Ngāti Tāwhirikura property.
39. I also note that the General Industrial Zone provisions require that industrial activities located on sites adjoining the Māori Purpose Zone to internalise and minimise adverse effects on sites within those zones.⁴
40. TW-17 is also of particular relevance to the proposal. It reads as follows:
- Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.*
41. This strategic objective is also implemented in part by the Sites and Areas to Significance to Māori provisions. SASM rule provisions trigger at different distances from an identified SASM in recognition that there may be archaeological features and the like that may be rediscovered at time of earthworks, and the setback distances also serve to manage the nature of structures and buildings that are looking to establish in proximity to a SASM to ensure these recognise the cultural context the building, structure or activity is looking to establish within.
42. As shown in Figure 3 of the section 42A report, the setback and rule trigger distances vary between the identified SASM that overlay the application site.
43. The SASM provisions address activities in proximity to significant places and require an assessment of cultural values, setting, relationships, access, long-term opportunities to protect these values, and consultation outcomes. The Special

⁴ Policy GIZ-P8

Purpose – Māori Purpose Zone adds additional and independent requirements to recognise the use and character of the adjoining land, and to appropriately manage boundary interfaces. These are related requirements but must not be conflated.

Planned Character

44. I also draw the attention of the Commissioner to UFD-24 which reads as follows:

Urban environments are well-designed, liveable, connected, accessible, and safe spaces for the community to live, work and play, which:

- 1. integrate and enhance natural features and topography into the design of development to minimise environmental impacts;*
- 2. recognise the local context and planned character of an area;*
- 3. reduce opportunities for crime and perceptions of crime through design solutions;*
- 4. create ease of movement in communities through connected transport networks, a range of transport modes and reduced reliance on private motorised vehicles;*
- 5. incorporate mātauranga Māori in the design, construction and development of the built environment;*
- 6. use low impact design solutions and healthy, accessible, energy efficient buildings; and*
- 7. are adequately serviced by utilising and upgrading existing infrastructure and social infrastructure or with new infrastructure and social infrastructure.*

45. It is clear from this strategic objective that recognising the local context and the planned character of an area, and incorporating mātauranga Māori in the design, construction and development of the built environment are specific attributes of the well-designed urban environment.
46. The use of the term ‘planned character’ across the Plan is deliberate. Planned character is not defined in the Part Operative District Plan, nor elsewhere in the RMA. I understand that the term was deliberately added throughout the plan following submissions of Kāinga Ora to make plain that the provisions of the Plan anticipated a level of change across the District from the current character of neighbourhoods and places⁵.
47. On that basis, I understand the deliberate use of the word ‘planned’ to direct attention away from the status quo. Maintenance of existing character is not necessarily the outcome sought by the Plan. The relevant inquiry includes the change anticipated and enabled by the applicable provisions.

⁵ See Decision Report 38, section 9 page 14 - <https://proposeddistrictplan.npdc.govt.nz/decisions/>

48. The planned character of an area is not separately defined and must be understood from the zone descriptions, objectives and policies, enabled activities and the values identified through applicable overlays. Here, the planned character includes future Māori Purpose activities, cultural occupation, ecological restoration, education, papakāinga and other hapū-led development on the adjoining land.
49. I understand character to include the physical and natural attributes of a place as well as its experiential and relational qualities. Landscape and views contribute to character, as do historic associations, cultural relationships and the lived experience of people who occupy and use the place.
50. From my participation in the proposed District Plan process and from the evidence produced with respect to planned character and design I understand that implementation of the term ‘planned character’ is inclusive of realising applied cultural expressions at appropriate places and in appropriate ways as advised by mana whenua within various zones and planning processes⁶.

G. Application site design, layout, internalisation of effects, and the planned character of the receiving environment

51. As set out above, a principal planning issue is that the proposed site design and layout do not adequately address the reasonably foreseeable future environment or demonstrate that adverse effects of the wider site’s development can be internalised, and effects on the adjoining Special Purpose – Māori Purpose Zone minimised.
52. The evidence of Ngāti Tāwhirikura Hapū is directly relevant to the planned character of the environment, and the zone interface. The Special Purpose – Māori Purpose zoning anticipates occupation, restoration, education, cultural activity, papakāinga and other hapū-led development. The present undeveloped appearance of Lot 3 DP 509004 is therefore not an appropriate proxy for its planned character. The interface must be assessed against the active future use and cultural functions enabled by the Plan, including the need to avoid creating reverse-sensitivity constraints through noise, light, traffic conflict.
53. The applicant has revised the Smart Road access in response to concerns raised by Ngāti Tāwhirikura. The approximately 12-metre-wide section of the possible future link road previously proposed between Smart Road and Access 5 has been

⁶ See the evidence of Ms Sarah Mako to Hearing 16 - <https://proposeddistrictplan.npdc.govt.nz/hearings/hearing-16-commercial-and-mixed-zones/>. See the evidence of Mr Rangi Kipa to Hearing 17(a) & 15(b) - <https://proposeddistrictplan.npdc.govt.nz/hearings/hearing-17-a-15-b-design-guidelines-and-residential-zones/>

replaced by an approximately 6-metre-wide, one-way inbound driveway. The revised driveway is approximately 9 metres from the Aotere Pā boundary rather than approximately 3 metres, avoids the previously proposed retaining wall and provides space for a landscaped and battered interface.

54. I acknowledge that this is a material improvement in relation to the immediate physical effects of the Bunnings development. It reduces the scale of the transport infrastructure presently proposed beside Aotere Pā and provides a more appropriate degree of physical separation.
55. However, the amendment does not resolve the wider concern about the future development of the application site. The application relates to a site of approximately 7.31 hectares, while the Bunnings development occupies only approximately 3.85 hectares. The plans continue to anticipate future development and identify a future road alignment, but neither the revised plans nor the transport evidence demonstrates how the substantial residual balance can be accessed.
56. The evidence of Mr Georgeson confirms that the possibility remains of a future road following the alignment of the Bunnings driveway and extending through to Katere Road. His evidence is that such a road is not required for Bunnings and would be a future matter for NPDC. That distinction explains why the partial road construction is no longer proposed as part of this application, but it does not establish that the revised Bunnings layout provides an integrated or acceptable long-term access solution for the application site.
57. In my view, the identity of a possible future road proponent is not particularly important. The planning issue is whether the present development layout of the northern half of the application site recognises the significance of the zone and SASM interface, responds to it structurally and provides reasonable confidence that the response will endure as the balance of the application site is developed.
58. In particular, the evidence of the application does not demonstrate:
 - a) how the residual balance of the application site can be accessed independently of a future road adjoining or approaching the Aotere Pā property or through new crossings of the Mangaone Stream;
 - b) how the proposed access 5 (and upgrading this access to provide for the future environment) would impact on the ability to access the Ngāti Tāwhirikura property;
 - c) whether an access corridor through another part of the site remains technically and legally available;
 - d) whether the location of the Bunnings building, yards, parking and circulation areas forecloses less effects-generating access options;

- e) whether the landscaped buffer now offered beside Aotere Pā/the Ngāti Tāwhirikura property would remain if the driveway were subsequently widened or converted into part of the future link road; or
 - f) the cumulative traffic, noise, lighting, visual, cultural and severance effects that could arise at the interface between the General Industrial Zone and Special Purpose – Māori Purpose Zone as the balance land is developed.
59. I do not suggest that this process should assess or authorise an unidentified future road. I agree with the section 42A report that other planning processes would be required to establish a road corridor. The relevant issue in this hearing is narrower.
60. The Bunnings proposal fixes the principal built form and circulation pattern across a substantial part of a larger application site. It therefore determines, or materially constrains, the practical options available for the balance land. The applicant has not demonstrated that those remaining options include a feasible and lawful access arrangement that avoids placing further roading pressure on Aotere Pā or the adjoining Special Purpose – Māori Purpose Zone interface.
61. In my opinion, the revised driveway only partially resolves an immediate design issue but does not resolve the future-environment or integrated site-planning issue. Without a whole-of-site access strategy, I do not agree that the effects of developing the application site are being internalised within the General Industrial Zone or that the sensitive interface with the Special Purpose – Māori Purpose Zone has been appropriately planned as required in the policies and objectives of the Plan.
62. I consider that the lack of information or assessment about the future environment created by permitted industrial activities across the balance of the application site, and about whether the through-road shown on the plans remains a realistic option creates material uncertainty. Until those matters are resolved, there is a risk of incremental and cumulative adverse effects on Ngāti Tāwhirikura and the General Industrial Zone and Special Purpose – Māori Purpose Zone interface that I do not consider to be acceptable.
63. Accordingly, I do not consider that the proposal is consistent with the relevant strategic objectives of the Plan and the provisions that implement them, including TW-13, TW-15, TW-16, UFD-24, GIZ-O5 and GIZ-P8.

H. Design responses to cultural context

64. The evidence of Ms Gibson and Ms Salisbury explains that SASM such as Aotere Pā and Te Pou Tūtaki do not operate as isolated points on a planning map. Their significance arises from relationships between people and place and among pā, kāinga, waterways, travel routes, food-producing areas and other features of the cultural landscape. Both Ngāti Tāwhirikura and Puketapu hapū identify the

retention, an active hapū relationship and appropriate applied cultural expression as distinct outcomes that must be determined by mana whenua according to the circumstances of each place. Ms Salisbury describes Puketapu's cultural landscape as an interconnected system of occupation, movement, food gathering, whakapapa and intergenerational knowledge.

65. The evidence on behalf of Ngāti Tāwhirikura also distinguishes a design process that provides genuine cultural input from the addition of Māori-themed decoration after the fundamental design decisions have been made. Genuine co-design must occur early enough to influence the site structure, orientation, movement network, architecture, landscape, infrastructure and long-term management. Applied cultural expression may be an outcome of that process, but it cannot substitute for avoiding or minimising adverse effects through the layout itself.
66. The evidence of Ngāti Tāwhirikura explains that Aotere Pā has persisted despite extensive modification and remains a marker of the enduring presence and authority of Ngāti Tāwhirikura in Waiwhakaiho. Its prominence is not confined to visibility from one viewpoint. It is cultural and relational, including its connections with Te Pou Tūtaki, Mangaone, Waiwhakaiho and the wider system of occupation and movement. Ms Salisbury likewise identifies Aotere Pā and Te Pou Tūtaki as connected elements of the cultural landscape shared with Puketapu. In planning terms, maintaining a narrow line of sight does not by itself demonstrate that the values, setting and relationships protected by the SASM provisions will be maintained.
67. Ms Salisbury explains that the original location of Te Pou Tūtaki marked the boundary beyond which further European settlement was not to proceed towards Waitara and that its continuing significance is reinforced by the mauri stone from Oropuriri Pā interred at the site. Te Pou Tūtaki is therefore not appropriately understood as an isolated replica or heritage object. Its location, cultural function and relationships are integral to its significance. Ms Gibson describes Te Pou Tūtaki as marking a line of resistance and authority established when land sales threatened the whenua and livelihood of Te Ātiawa.
68. I agree with the reporting officer that the proposal will have effects on the SASM, that mana whenua are best placed to assess those effects, that no permitted baseline should be applied, and that meaningful cultural design input is required. I also agree that the nursery, parking and manoeuvring areas occupy part of the visual and experiential relationship between Aotere Pā and Te Pou Tūtaki.
69. The evidence of Mr Norwell identifies the design responses the applicant has made to recognise this cultural context Bunnings is seeking to be established within at paragraph 6.5.

70. The principal change to the application in response to the local cultural context is the relocation of the main Bunnings building approximately 25 metres to the east, adjustment to the location of pad 2 set aside for future development, and the car-parking layout intended to retain a visual connection between Te Pou Tūtaki and Aotere. A visual simulation prepared during consultation included an indicative building on proposed future pad 3 at 6.5 metres in height, although the permitted building height in the General Industrial Zone is 12 metres.
71. The visual simulations confirm a degree of visual connection from part of Aotere Pā in the modelled scenario is maintained. I consider that those simulations are only partly helpful because the reduced height modelled for pad 3 is not secured and the process for maintaining the connection when that pad is developed is unclear. The future role of Ngāti Tāwhirikura and Puketapu in that process is also unclear.
72. With respect to the other design responses set out in the evidence of Mr Norwell at paragraph 6.5 I rely on Ngāti Tāwhirikura evidence that the planting, potential pavement treatment and possible mural or graphic treatment on the water tank do not, in themselves, provide an adequate response. Planting may assist with mitigation, and an artwork may have cultural value if appropriately authorised, but neither measure resolves the imposition of access, parking, truck movements or future development beside Aotere Pā.
73. On this basis I do not consider that those measures establish that the proposal has incorporated mātauranga Māori into the design, construction and development of the built environment as contemplated by UFD-24, and is reliant on an on-going design conversation and process following granting of resource consent.
74. The section 42A report recommends conditions intended to provide this design process, and the role for Ngāti Tāwhirikura and Puketapu in that through a Kaitiaki Forum and the preparation and implementation of an Applied Cultural Expression Plan.
75. The applicant through their planning evidence does not support those conditions as drafted and refines down the design response opportunities to those matters described in the evidences of Mr Turner and Mr Siciliano.
76. On that basis I do not consider there can be adequate confidence that the design responses required by this local cultural context will be realised, notwithstanding the relocation of the Bunnings building to maintain a partial visual connection.
77. In the absence of appropriate locations and approaches for applied cultural expression, and that the proposal has not adequately responded to the Special

Purpose – Māori Purpose Zone interface, or future activities associated with Aotere Pā I consider that the proposal has the potential to result in adverse effects on identified SASM that are not acceptable.

78. Accordingly, I do not consider the proposal is consistent with the objectives and policies of the Plan, in particular TW-17, UFD-24, SASM-O1, SASM-O2, SASM-O3, SASM-P5, and SASM-P6. I do not consider that the proposal has adequately responded to the Special Purpose – Māori Purpose Zone interface, or future activities associated with Aotere Pā.

I. Workability of design related conditions post consent approval

79. The conditions recommended in the section 42A report would establish a Kaitiaki Forum and defer an Applied Cultural Expression Plan, landscape details and aspects of the design of the western facade. The requirement for on-going, resourced involvement by both hapū via the recommended Forum goes some way to providing for the kaitiaki role each hapū plays with the respective SASM. However, I do not consider the recommended conditions can address unresolved matters regarding the fundamental site layout, unless the conditions preserve the ability to change the layout and prescribe clear, enforceable cultural landscape and interface conditions.
80. I do not consider these resolve more fundamental design issues regarding building envelopes, access arrangements and traffic circulation as these relate to the Special Purpose – Māori Purpose Zone interface.

J. Conclusions and recommendations

81. For the reasons set out above, I do not consider the proposal in its present form demonstrates that the actual and potential adverse effects on Aotere Pā, Te Pou Tūtaki, the adjoining Special Purpose – Māori Purpose Zone land, and the wider cultural landscape planning context will be appropriately avoided, remedied or mitigated.
82. I do not consider that the application has demonstrated consistency with the relevant objectives and policies of the Part Operative New Plymouth District Plan 2025, nor with the combined direction of TW-13, TW-15, TW-16 and TW-17; UFD-24; GIZ-O5 and GIZ-P8; the relevant Special Purpose – Māori Purpose Zone objectives and policies; and SASM-O1, SASM-O2 and SASM-P2, P5 and P6.
83. My primary recommendation is that consent be declined.