

**BEFORE THE INDEPENDENT HEARING COMMISSIONER
OF NEW PLYMOUTH DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991 ("**RMA**")

AND

IN THE MATTER of an application to New Plymouth District Council by
Bunnings Limited for resource consent for
construction of a Bunnings warehouse with
associated parking, loading and access and
cancellation of a consent notice at 662 Devon Road,
New Plymouth - Applications LUC25/48839 &
SUB17/46785.02.

**STATEMENT OF EVIDENCE OF MATTHEW FORBES NORWELL ON BEHALF OF
BUNNINGS LIMITED**

(PLANNING)

14 SEPTEMBER 2026

**Russell
McLeagh**

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1. EXECUTIVE SUMMARY

- 1.1 My evidence is filed on behalf of Bunnings Limited ("**Bunnings**" or "**Applicant**") in support of its resource consent application to construct and operate a Bunnings Warehouse with associated parking, loading and access ("**Proposal**") at 662 Devon Road, Waiwhakaiho ("**Site**"). The Site is zoned General Industrial under the New Plymouth District Plan ("**NPDP**"). In my opinion, the Proposal represents an efficient and appropriate use of industrially zoned urban land and will generate positive employment and amenity effects.
- 1.2 The Proposal requires resource consent as a discretionary activity overall. Having reviewed the application documents, specialist reports, submissions and evidence, I consider that effects relating to character and amenity, transportation, earthworks, contamination, stormwater, flooding and retail distribution can be satisfactorily managed. These matters are not in contention between the New Plymouth District Council's ("**Council**") and the Applicant's specialists.
- 1.3 The principal matters remaining in contention concern the cultural landscape surrounding the Site, including Aotere Pā, Te Pou Tūtaki and the Mangaone Stream. Bunnings has engaged extensively with Ngāti Tāwhirikura Hapū and Puketapu Hapū over approximately three years. This engagement informed substantive design changes, including shifting the building east to maintain the visual relationship between the Pā and Te Pou Tūtaki, reducing works near the Pā and replacing the proposed stub road with an accessway. No stormwater from the Proposal will discharge directly to the Mangaone Stream.
- 1.4 Both hapū have submitted in opposition to the application. I acknowledge that their concerns are sincerely held and do not question the cultural values identified. Insofar as those concerns relate to the current Proposal, I consider that the Applicant has appropriately responded through design changes, mitigation measures and proposed conditions. The engagement process has materially influenced the Proposal and identified matters requiring continuing attention if consent is granted.
- 1.5 I consider that the Proposal accords with the relevant objectives and policies of the National Policy Statement on Urban Development ("**NPS-UD**") and the NPDP. I generally agree with the Council reporting officer's assessment and recommended conditions, subject to the amendments in **Appendix 1** to my evidence. Overall, I consider that the Proposal is appropriate for the Site and

that its adverse effects will be acceptable. Accordingly, subject to the amended conditions, I consider that resource consent should be granted.

2. INTRODUCTION

- 2.1 My full name is Matthew Forbes Norwell. I am a Director at Barker & Associates Limited, an independent, specialist planning consultancy based in Auckland. I hold the Degree of a Bachelor of Planning from the University of Auckland and I am a full member of the New Zealand Planning Institute. I have over 31 years' experience covering a wide range of land use planning matters on behalf of local authorities, government departments and private entities in New Zealand.
- 2.2 During that time, I have been involved with many aspects of resource management including preparation and lodgement of resource consent applications, submissions and presentation of evidence to local authorities in respect of proposed plans and plan changes.
- 2.3 I have been involved with the Bunnings application for resource consent to develop and operate a Bunnings Warehouse with associated parking, loading and access ("**Proposal**") at 662 Devon Road, Waiwhakaiho ("**Site**") since June 2023.
- 2.4 Through my involvement with the Proposal, I have provided planning advice to the Applicant's project team and have attended numerous meetings to discuss the Proposal. I reviewed and authorised the Assessment of Environmental Effects ("**AEE**") prepared by my colleagues Lisa Mattson and Pamela Santos.¹

Code of conduct

- 2.5 I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearing Commissioner. Except where I state that I am relying on the evidence of another person, this written 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 expressed in this evidence.

¹ Bunnings Warehouse 662 Devon Road, Waiwhakaiho, Assessment of Environmental Effects and Statutory Analysis dated 29 July 2025 prepared by Barker and Associates.

3. SCOPE OF EVIDENCE

- 3.1 My evidence relates to the resource consent application by Bunnings to develop its Site for a Bunnings Warehouse with associated parking, loading and access ("**Application**"). My evidence is presented on behalf of Bunnings and relates to planning matters associated with the Proposal.
- 3.2 My statement of evidence should be read in conjunction with the AEE prepared by B&A, dated 29 July 2025, and will:
- (a) describe the existing environment and the background of the Application;
 - (b) describe the regulatory framework that governs the assessment of the Application;
 - (c) respond to the submissions received where relevant to my planning assessment and identify how these matters are proposed to be addressed;
 - (d) respond to matters raised in the Council Officer's s42A Report where relevant to my planning assessment; and
 - (e) consider the recommended consent conditions.
- 3.3 I have read and considered the supporting documents, the Council Officer's S42A Report prepared by Mr Richard Watkins, the Council specialist reports, submissions received, and the evidence of the Applicant's expert witness Mr Georgeson and the corporate witnesses Mr Siciliano and Mr Turner. I visited the Site and surrounding area at the commencement of my involvement in the Application in 2023.

4. OVERVIEW OF THE APPLICATION

The Site and Surrounding Area

- 4.1 The Proposal involves the construction of a new Bunnings Warehouse and associated parking, loading, access, and site works at the Site. Further background to the Proposal is set out in Section 4.0 of the AEE.
- 4.2 The Site is located to the southeast of State Highway 3 / Devon Road within the suburb of Waiwhakaiho in New Plymouth as shown in **Figure 1**. It is bounded by the rail reserve and the Aotere Pā site to the south, Smart Road

to the west, Devon Road and retail and service outlets to the north, and Katere Road and the Mangaone Stream to the east.

- 4.3 The Site is irregularly-shaped with a total area of approximately 73,147m². In respect to topography, the southeast portion of the Site is a flat platform, falling steeply in the centre of the Site, to a larger flat platform adjoining Smart Road and Devon Road. The total level change across the Site is 6m.
- 4.4 The Site is currently vacant, with the previous Ravensdown buildings being demolished on the Site and remedial earthworks completed for previous contamination². The Site has been extensively earthworked by previous owners, Bluehaven, as authorised by the consents set out in Section 2.0 of the AEE. This entailed earthworks of approximately 104,100m³ over 167,000m³.
- 4.5 A further consent⁴ by Bluehaven included the subdivision of the overall landholding into four parcels including Lot 1 and 4 which form part of this application, Lot 3 which was gifted to Ngāti Tāwhirikura following the demolition and recontouring of Aotere Pā, and Lot 2 which has subsequently been acquired by NPDC for roading purposes.
- 4.6 During the previous earthworks undertaken on the Site the Aotere Pā was demolished and reconstructed by former owners of the Site.
- 4.7 Two vehicle crossings currently provide access to the Site, with one access point provided from Smart Road and a second access provided to Devon Road. The Devon Road vehicle access is shared with the adjacent retail and service outlets, with a right of way easement providing legal access for these outlets within the Site.

² The current status of the remediation is summarised in Appendix E of the Site Validation Report Prepared by HDGeo Revision 3 dated 1 December 2023.

³ Earthworks volumes authorised by NPDC consent number LUC17/47175.

⁴ NPDC consent number SUB17/46785 dated 12 April 2018.



Figure 1: Aerial Photo showing the Site (black dashed line) and immediate surrounds. Source: New Plymouth District Plan Maps, obtained June 2025.

- 4.8 The surrounding area is characterised by industrial land uses. The Site is adjacent to other industrial development on the outskirts of New Plymouth, alongside a variety of other land uses which can be primarily categorised as retail and service providers. These sites contain large-format retail stores such as Noel Leeming and Harvey Norman, service suppliers such as Hirepool and other building supply stores, service stations, and a courier depot on the land immediately adjacent to the site.
- 4.9 Land to the south-west of the Site includes Aotere Pā which is recorded as Waahi Taonga / Site of Significance to Māori. The Mangaone Stream runs along part of the eastern boundary of the Site, before travelling under Katere Road. This stream serves a predominantly rural catchment which then joins the Waiwhakaiho River and flows to the ocean. Te Pou Tutaki is located across State Highway 3 / Devon Road from the Site.
- 4.10 State Highway 3 / Devon Road is a state highway that connects New Plymouth with the west coast of Taranaki. The traffic environment of the roads in the vicinity of the Site is described in more detail in the Transport Assessment Report ("**TAR**") and the transport evidence of Mr Mark Georgeson.
- 4.11 The Site is zoned General Industrial under the New Plymouth District Plan ("**NPDP**" or "**District Plan**"). The most notable overlays relevant to my evidence is that the Site is within the extent of two mapped Sites and Areas of Significance to Māori ("**SASM**") (ID: 677– Aotere Pā and ID 673 – Te Pou

Tutaki). This overlay provides for rules relating to earthworks and buildings / structures within the 50m radius of the Pā and 200m of the Pou (by default in the General Industrial zone, as no specific "extent" is mapped).⁵

- 4.12 The balance of the overlays that apply to the Site include Entrance Corridor, Volcanic Hazard Area, Noise Control Boundary, and a stormwater flood overlay as listed in Section 1.0 of the AEE. There are no roading designations over the Site, particularly with regard to a connection from Smart Road to Katere Road. I will discuss the significance of this later in my evidence.

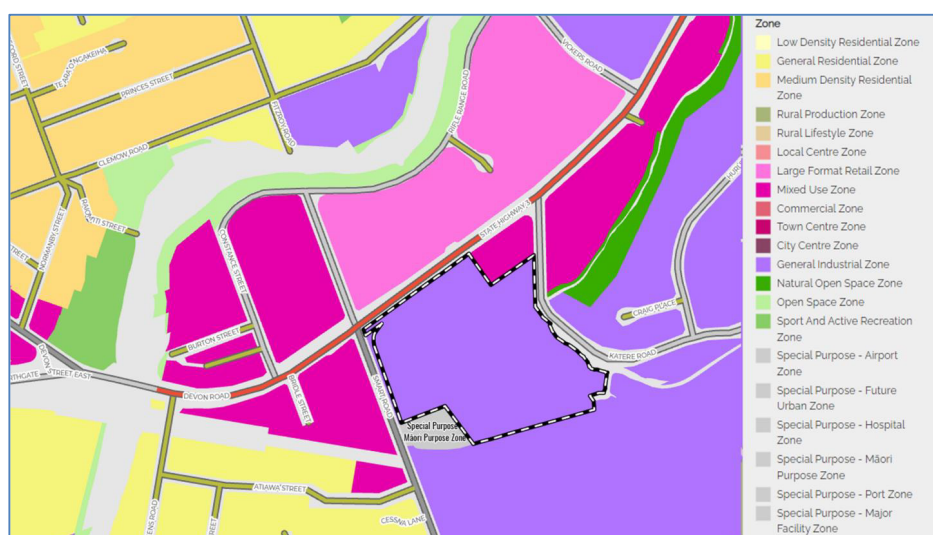


Figure 2: NPDP Zoning Map showing the Site (black dashed line) and surrounds.

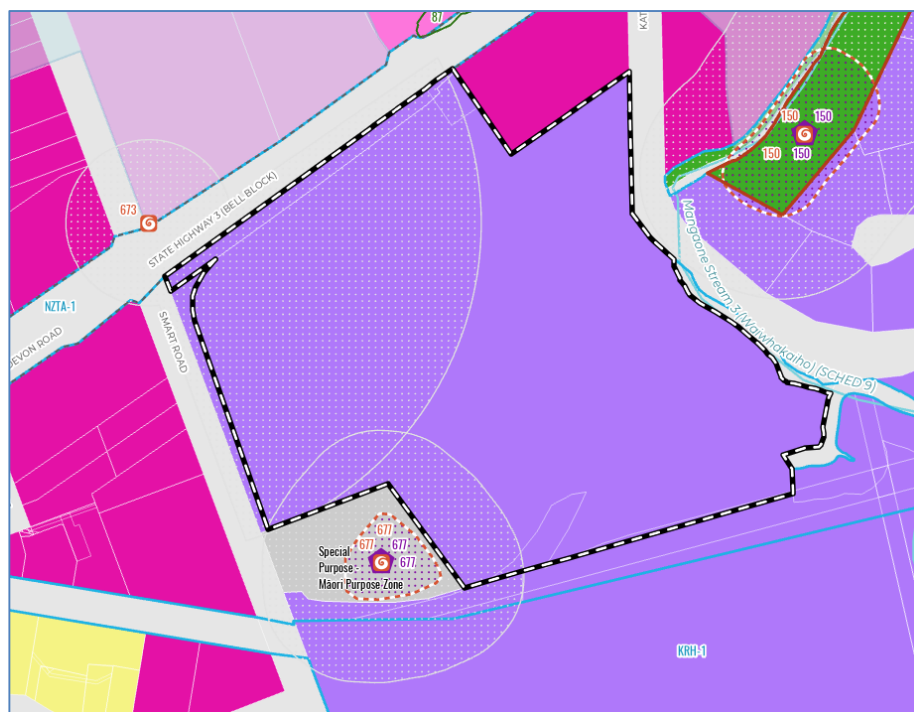


Figure 3: NPDP Zoning Map showing extent of SASM's in the vicinity of the Site.

The Proposal

- 4.13 The Proposal is set out in detail in Section 4.0 of the AEE and is shown in the Architectural Plans.⁶ The key elements of the Proposal are set out below:
- 4.14 Construction of a new building centrally located on the Site that will be 9.5m high with a floor area of approximately 13,280m² comprising the main warehouse, outdoor nursery, timber trade area, goods inwards area (internal) and trade supply area.
- 4.15 The building will be set back approximately 80m from the road frontage of Devon Road and the final form of the building will encompass a width of approximately 200m across the Site, from east to west. In addition, the building will be approximately 40m from the Smart Road frontage and will contain a width of approximately 58m visible from the road frontage.
- a. The Bunnings Warehouse will be open for trade and deliveries seven days per week generally between the hours of 6.30am and 9pm.
 - b. Vehicle access will be provided via Smart Road, Devon Road / State Highway 3, and Katere Road. The access arrangement provides for separation between the customer and service vehicle movements.

⁶ Refer to the updated set of Architectural Plans appended to the evidence of Messrs Turner and Siciliano at Appendix 1.

Two new vehicle crossings are proposed, with new two-way 9m wide vehicle crossings to Smart Road and Katere Road. It is proposed to re-use and re-form the existing 9m crossing to Devon Road and re-use and reduce the existing vehicle crossing to Smart Road.

- c. A total of 375 car parking spaces will be provided, comprising 337 standard spaces, eight accessible spaces, and 12 double-length trailer bays. Loading provision is to occur at the rear of the Bunnings Warehouse building that will be accessed through the service vehicle entry on Smart Road, internal circulation into the rear loading dock area, and exit through the shared entry to Katere Road.
- d. Landscaping will be provided within the Devon Road frontage, adjacent to the Smart Road and Katere Road vehicle crossings, and within the car parking area. The Devon Road frontage will include a landscape buffer approximately 12m in depth, comprising shrubs and ground cover planting. Additional specimen trees will be provided within the car park.
- e. Signage will include one free-standing pylon sign adjacent to the Devon Road frontage, together with wall-mounted building signage, Bunnings hammer logo stencils, and wayfinding signage on the building elevations. The freestanding sign will be double-sided and illuminated via downward facing floodlights. This sign will include the Bunnings identification and space for future tenancies.
- f. Earthworks of approximately 16,162m³ cut and 16,357m³ fill including topsoil strip and re-spread are required across an area of approximately 42,995m² to form the building platforms, suitable levels for driveways and carpark and to install new services.

- 4.16 The Proposal will connect to the existing reticulated network for stormwater, wastewater, water supply, power and telecommunications. In addition, stormwater soakage is proposed on the Site to meet the day-to-day stormwater disposal needs of the development. Treatment is proposed to be provided for runoff from hardstand surfaces prior to entering the soakage devices. No discharges are proposed to the Mangaone Stream as part of the Proposal.

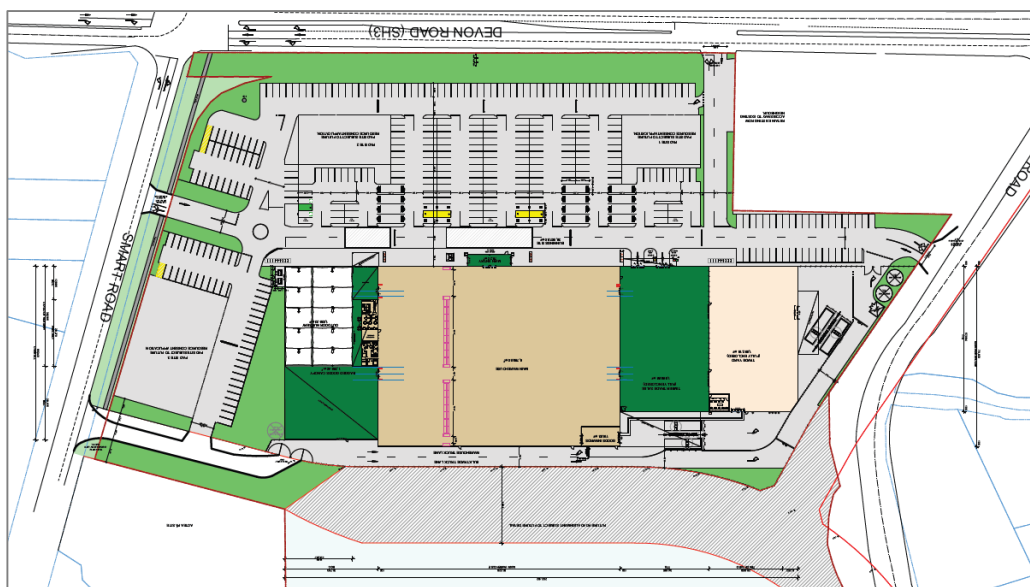


Figure 4: Proposed site layout.

- 4.17 As set out in the evidence of Messrs Turner and Siciliano, following review of submissions from Puketapu Hapū and Ngāti Tāwhirikura Hapū, the Site Plan has been updated to reduce the width of the internal road adjacent to the Aotere Pā in order to reduce the impact of the Proposal on the Pā site. The design rationale for the Site layout, including the progression of the design through three years of tangata whenua engagement, is described in the evidence of Messrs Turner and Siciliano for Bunnings.⁷
- 4.18 The S42A Report includes a suite of conditions proposed by the Council, should the Commissioner be minded to grant consent. I have reviewed those conditions and find them generally acceptable, subject to some minor changes relating to contamination, the Kaitiaki Forum, transportation and the stub road. I have included those changes (in track and with annotations) in the condition set included as **Appendix 1** to my evidence and elaborate on these changes later in my evidence.

Planning framework – Consents Required and Application Status

- 4.19 The requirements for resource consent under the NPDP have been identified in the AEE, and in the S42A Report. I concur with the requirements for consent identified in the S42A Report and to avoid repetition I do not list these in my evidence.

⁷

Statement of Evidence of Messrs Turner and Siciliano, dated 14 September 2026, at [7.9] – [7.39].

- 4.20 The Proposal requires resource consent as a restricted discretionary activity under the National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health ("**NES-CS**") for the disturbance of soil on a site identified as a 'piece of land' in the HAIL, associated with the previous Ravensdown activity and where remediation has not yet occurred (identified as the "Council Land Area" within the Site Validation report).⁸
- 4.21 The Proposal also requires cancellation of a consent notice⁹ under s221(3) as a discretionary activity. This consent notice is in relation to Lot 4, where the land was not permitted to be transferred to another party for a period of five years following the completion of the subdivision to allow for this land to be purchased by NZTA for road widening purposes.
- 4.22 The Proposal therefore will be assessed as a **discretionary** activity overall under the RMA.

5. SECTION 104(1)(A) ACTUAL AND POTENTIAL EFFECTS

- 5.1 The AEE¹⁰ provided an assessment of potential adverse effects on the environment based on the reasons for which consent is required which included:
- a. Character and amenity;
 - b. Transportation;
 - c. Infrastructure and servicing (including flooding);
 - d. Historic Heritage and Iwi Values; and
 - e. Earthworks.
- 5.2 Having reviewed the S42A Report, the effects of the Proposal relating to character and amenity, transportation, earthworks (silt and sediment control and contamination), stormwater and flooding, and retail distribution are not in contention. The Council's and the Applicant's specialists agree that these matters can be satisfactorily managed and / or addressed. I accept and adopt the conclusions of those experts and do not address those matters further in my evidence.

⁸ SVR Reference.

⁹ Consent Notice 11204972.3.

¹⁰ AEE, Section 6.4.

- 5.3 Later in my evidence, I address matters and effects raised by the submitters.

Positive effects

- 5.4 The Proposal will result in the use of existing industrially-zoned land within the urban environment of New Plymouth for a commercial purpose that is commensurate with the purpose and amenity of the zone. This is considered to be an efficient use of existing urban land.
- 5.5 In addition, the Proposal will have positive economic effects through the provision of employment for approximately 150 team members within the existing urban environment of New Plymouth, an increase of 75 team members in a location close to established residential and commercial areas, without affecting the centres hierarchy.
- 5.6 The Proposal will also provide improved visual amenity to the Site through the introduction of a new building and landscaping of a variety of native species to a currently vacant site. The commercial activity enabling relatively long opening hours each day of the week will enable passive surveillance of Devon and Smart Roads.

6. SECTION 104(1)(B) CONSIDERATIONS

- 6.1 As the Proposal is a discretionary activity, the relevant provisions of the RMA documents listed in section 104(1)(b) must be considered.

National Policy Statement on Urban Development

- 6.2 The NPS-UD sets the national-level direction for urban growth and to improve the responsiveness and competitiveness of land and development markets.
- 6.3 Of particular relevance to the Proposal:
- a. Objective (1) seeks well-functioning urban environments (defined in Policy (1)) that enable all people and communities to provide for their social, economic and cultural wellbeing, and for their health and safety, now and into the future.
 - b. According to Policy (1), well-functioning urban environments are those which, among other matters:
 - i. have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and

- ii. have good accessibility for all people between housing, jobs, community services... including by way of public or active transport.

- c. Objective (5) seeks that planning decisions relating to urban environments take into account the principles of Te Tiriti o Waitangi.

6.4 In my opinion, the Proposal will contribute to a well-functioning environment as directed by Objective (1) and as defined by Policy (1) and Objective (5) because:

- a. It involves the use of a site that is highly suited for business activity in terms of location and size that can accommodate a building suitable for a Bunnings Warehouse.
- b. The Proposal is located on an arterial road that is serviced by public transport making it accessible particularly for employees of the activity.

6.5 The Applicant has undertaken considerable engagement with tangata whenua over a period of three years in order to try to understand matters of importance in the local cultural environment and to provide for cultural wellbeing in the development. As set out in the evidence of Messrs Turner and Siciliano on behalf of the Applicant, the design outcomes of this engagement include:

- a. The Bunnings Warehouse building has been shifted to the east from its original position by approximately 25m to maintain a visual connection between the Pā and Te Pou Tutaki across the Site;
- b. A pou is included within the northwestern corner of the Site which corresponds with the existing Pou Tutaki at the corner of Devon and Smart Roads, with the intention that this be designed by Ngāti Tāwhirikura;
- c. The planting palette has been selected based on the plants available at the hapū nursery to allow for these to be provided by the hapū and to ensure the planting is appropriate for the district;
- d. A pedestrian link is provided within the Site, enabling safe access through the car parking area to the Pā where there is currently no safe public pedestrian path on the roadside adjoining the Site;
- e. Stormwater is proposed to be treated prior to being discharged to ground and will not discharge directly to the Mangaone Stream;

- f. Silt and sediment control measures from earthworks are proposed to avoid effects on the mauri of the Mangaone Stream;
- g. The connecting road stub from Smart Road requested by Council during the pre-application phase has been removed in response to submissions in order to reduce the amount of ground disturbance and paving near the toe of the Pā site, including the requirement for a retaining wall. I note there is no District Plan requirement for the road connection between Smart Road and Katere Road;
- h. The Applicant, at the request of tangata whenua, delayed lodgement of the Application for one year in order to continue korero regarding the design.

NPDP Objectives and Policies

- 6.6 The relevant objectives and policies of the NPDP to the Proposal have been subject to detailed assessment in Section 10.0 of the AEE and in Paragraphs 8.52-8.70 of the Section 42A report by Mr Watkins. I generally concur with the objective and policy assessment of Mr Watkins relating to the General Industrial Zone, SASM, Historic Heritage, Transport, Signs, Entrance Corridor, Earthworks, and Natural Hazards and Waterbodies and will not repeat those conclusions here to avoid repetition.
- 6.7 The following assessment relates to the objectives and policies as they relate to the Strategic Direction (Part 2) and further elaborate on SASM (Part 2) of the NPDP.

Strategic Direction

- 6.8 Part 2 of the NPDP sets out the Strategic Direction objectives for the District. Most notable to this application are those relating to Historical and Cultural,¹¹ Tangata Whenua,¹² and Urban Form and Development.¹³
- 6.9 The Strategic Historical and Cultural objectives seek to recognise and provide for the district's historic heritage as an important contributor to local identity, sense of place, and social and cultural wellbeing, while protecting the cultural, spiritual and historical values associated with that heritage - including sites and areas of significance to Māori - from inappropriate activities. They also emphasise the need to recognise and provide for tangata whenua

¹¹ HC-1 – HC-3.

¹² TW-13 – TW17.

¹³ UFD-18, UFD-19, UFD-21-27.

relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas, landscapes and other taonga of significance.

- 6.10 The Strategic Tangata Whenua objectives seek to enable tangata whenua to exercise kaitiakitanga and actively participate in resource management processes, supported by timely and meaningful engagement and consultation. They recognise tangata whenua as kaitiaki with unique expertise in mātauranga Māori and tikanga, and as the only people able to identify impacts on their relationships with their culture, traditions, ancestral lands, waterbodies, sites, areas, landscapes and other taonga of significance. The objectives also provide for tangata whenua to protect, develop and use ancestral land in ways consistent with their cultural traditions and social, cultural and economic aspirations, while recognising the important contribution these relationships make to the district's identity and sense of belonging.
- 6.11 The NPDP identifies a number of sites of significance to Māori and utilises methods such as rules relating to earthworks and buildings in proximity to those sites to ensure assessment of those activities in proximity to sites of significance to Māori.
- 6.12 The relevant Strategic Urban Form and Development objectives¹⁴ seek to ensure the district develops over time in a cohesive, compact and well-structured way that supports connected, liveable communities, economic growth, social and cultural wellbeing, and the efficient use or provision of infrastructure. They emphasise managing effects on the natural and cultural environment, recognising tangata whenua relationships with their culture, traditions, ancestral lands, waterbodies, sites, areas, landscapes and taonga, and accounting for natural hazards and climate change over the short, medium and long term.
- 6.13 The Strategic Urban Form and Development objectives¹⁵ also seek to support well-functioning, liveable and connected urban environments that provide for community needs while protecting the role of established centres. Sufficient industrial land is to be provided in appropriate locations, particularly near key transport routes and separated from sensitive activities to minimise conflict and manage effects.
- 6.14 The Proposal accords with the relevant Strategic Objectives as the activity is appropriate in this location taking into account the surrounding land uses, the

¹⁴ UFD18 and 19.

¹⁵ UFD21 – 27.

transport environment, size of the Site, and proximity to residential and commercial areas. The Proposal in this location will not detract from the role or function of the commercial centres as a large format trade supplier is not typically a town centre activity. There is sufficient servicing capacity, stormwater will be treated prior to disposal, and flood water will be managed.

- 6.15 The Applicant has undertaken three years of engagement with tangata whenua to meaningfully try to understand the cultural landscape that applies to and around the Site. The views expressed as part of this engagement have informed the design of the Site and have resulted in redesign to better reflect these in the Proposal. As noted above, I note that the Applicant has redesigned the building to reflect the feedback received as part of the engagement and to manage the potential adverse effects of the scale of the building on the cultural values identified and has offered cultural monitoring of earthworks to ensure any potential effects associated with these works are managed. Further opportunities for cultural expression have been identified and discussed as part of the consultation process, as mentioned in the corporate evidence of Messrs Turner and Siciliano¹⁶.

Sites and Areas of Significance to Māori (SASM) and Historic Heritage

- 6.16 Relative to the Strategic Tangata Whenua and Historical and Cultural objectives is the Sites and Areas of Significance to Māori¹⁷ and Historic Heritage.¹⁸ The NPDP seeks that these sites are recognised, protected and maintained, and that the relationship of tangata whenua with these sites of significance is recognised and protected.
- 6.17 The Proposal generally accords with the objectives and policies as they relate to SASM and Historic Heritage.¹⁹ The SASM policies seek to protect sites of significance to Māori, and activities in the vicinity are to be managed accordingly.²⁰
- 6.18 The Applicant has meaningfully engaged with tangata whenua over the course of the past three years to try to understand the cultural landscape and to take

¹⁶ Statement of Evidence of Messrs Turner and Siciliano, dated 14 September 2026, at [7.9] – [7.39].

¹⁷ SASM-O1 – SASM-O2 and SASM-P2, SASM-P4 – SASM- P6.

¹⁸ HH-O1-HH-O3 and HH-P1 to HH-P20.

¹⁹ It is noted that archaeological site P19/401 is listed as "destroyed" and therefore I will not expand upon the Historic Heritage objectives and policies insofar as they relate to remnants of a physical feature.

²⁰ SASM-P4, SASM-P5, SASM-P8, SASM-P9.

this into account in their development layout and design on this industrially zoned site.

- 6.19 The Proposal protects²¹ the Pā and Pou as the Proposal does not involve any works to the Pā or the Pou themselves as they sit outside the Site. Visual connectivity between the Pā and Pou will be maintained as no buildings or tall vegetation will block that line of sight.²² Vehicular access to the Pā will be maintained as it sits adjacent to a public road (Smart Road) and pedestrian connectivity is afforded through the Site as no footpath exists on Smart Road. Earthworks in the vicinity of the mapped extent of the Pā and Pou have been minimised as much as possible to provide the building platform and carparking and circulation areas and cultural monitoring is afforded by way of conditions. As discussed in the evidence of Messrs Turner and Siciliano, the Applicant has offered to remove the proposed stub road at the rear of the store to further minimise earthworks²³ and the extent of paved areas directly adjacent to the Pā, and to increase landscape planting in this location.²⁴

7. RESPONSE TO MATTERS RAISED IN SUBMISSIONS

- 7.1 Two submissions were received on the Bunnings Application from Puketapu Hapū and Ngāti Tāwhirikura Hapū. I address these below.

Submission by Ngāti Tāwhirikura Hapū

- 7.2 Engagement by the Applicant with Ngāti Tāwhirikura Hapū is set out in the evidence of Messrs Turner and Siciliano. In this submission, the Hapū requests that the application is declined, and does not request any specific conditions are included should the application be granted.
- 7.3 The submission makes reference to matters which do not form part of the Proposal and I clarify that a future expansion area is not provided for as part of the updated design.
- 7.4 In their submission, Ngāti Tāwhirikura have identified and listed five actual or potential adverse effects and I will address each of these in my evidence. I note some of these effects are related to the potential for additional future development which does not form part of this Proposal and they seek certainty

²¹ SASM-P2.

²² SASM-P2.1.

²³ Statement of Evidence of Messrs Turner and Siciliano, dated 14 September 2026, at [7.36] – [7.37].

²⁴ SASM-P5.

regarding that development to provide comment on the effects. In this regard, I note that this future development will be assessed on its merits through future resource consent applications at the time that any development is proposed. Further consultation will also be required for the detail of this development. In this regard, I address the matters raised in the submission as they relate to the Proposal.

- 7.5 In relation to the first point²⁵, the Proposal has been amended to ensure no buildings are located between the Pā and Pou Tūtaki, with works in this area limited to earthworks, car parking, and landscaping. A pou has also been provided for within the corner of the Site to provide an opportunity for Ngāti Tāwhirikura to reaffirm their connection and visibility in the area. Further, a physical connection will be provided through a pedestrian link within the western part of the Site. As previously referenced, opportunities identified for cultural expression are concentrated within this part of the Site.
- 7.6 In relation to the second point²⁶ and the feedback received through further consultation following the lodgement of the Proposal, the Applicant has revised the design of their access in this part of the Site as mentioned in the evidence of Messrs Turner and Siciliano.²⁷ In relation to this, there are no designations or annotations in the NPDP denoting this road. There is therefore no planning basis to construct the road and it was initially provided to reflect the intentions expressed by Council. I consider that on the basis of the hapū submissions that Council need to undertake further transport planning and hapū consultation in relation to this connection. It is not fundamental to the Bunnings Warehouse activity, and the evidence of Mr Georgeson²⁸ confirms that the revised design is appropriate to meet the operational needs of the activity.
- 7.7 In relation to the third and fourth points²⁹, the Proposal includes a building located towards the eastern boundary of the Site, with the bulk of the building located closer to this portion of the Site and away from the viewshaft identified by the Hapū. I further note that the location of the Bunnings Warehouse is at the lower portion of the Site and is of a scale which is appropriate given the Industrial zoning of the Site. As set out within my evidence, the Applicant has identified opportunities for cultural expression and enabled the presentation of narratives within the Site to enhance the visibility and connection between Te

²⁵ Bullet point 1 on page 4 of the submission by Ngāti Tāwhirikura.

²⁶ Bullet point 2 on page 4 of the submission by Ngāti Tāwhirikura.

²⁷ Statement of Evidence of Messrs Turner and Siciliano, dated 14 September 2026, at [7.34] – [7.37].

²⁸ Statement of Evidence of Mark Georgeson, dated 14 September 2026, at [6.7].

²⁹ Bullet points 3 and 4 on page 4 of the submission by Ngāti Tāwhirikura.

Pou Tūtaki and the Pā. These opportunities will continue to be developed through ongoing consultation between the hapū and the Applicant.

- 7.8 In relation to the final point,³⁰ the Proposal includes treatment of runoff from contaminant generating areas prior to this being discharged from the Site. The Proposal does not include the discharge of any stormwater from any impervious surfaces to the Mangaone Stream, and the existing contours of the Site provide a further physical barrier to this potentially occurring.
- 7.9 The Applicant has considered the submission of Ngāti Tawhirikura Hapū and has sought to ensure that the matters raised are appropriately recognised and addressed through the Project where relevant. The submission has assisted in providing a broader understanding of the cultural values, effects, and opportunities associated with the Proposal, which has informed the Applicant's approach to project development and mitigation measures.

Submission by Puketapu Hapū

- 7.10 Engagement by the Applicant with Puketapu Hapū is set out in the evidence of Messrs Turner and Siciliano. Puketapu Hapū has provided a submission on the application and seeks that it be declined as the Application does not provide sufficient certainty that adverse cultural and environmental effects will be appropriately avoided, remedied or mitigated.
- 7.11 Notwithstanding the request to decline the application, Puketapu Hapū set out five conditions that they seek be imposed should the Commissioner be minded to grant consent to the Proposal. These conditions relate to the matters raised in their submission. I address these as follows:
- a. Puketapu Hapū seeks a condition requiring recognition and protection of the cultural relationship between Aotere Pā and Te Pou Tūtaki. There are design methods that could achieve this outcome however for this condition to be enforceable it would need to be more specific to meet the requirements of s108 of the RMA. I note that no buildings or tall vegetation are proposed between the Pā and the Pou, and the Applicant has been actively working with Puketapu to ensure that the cultural and historical relationship between the Pā and the Pou remains visible and legible in the wider cultural landscape.
 - b. Viewshaft protection is achieved through the siting of the building to the east of the line of sight between the Pā and the Pou to maintain an

³⁰ Bullet point 5 on page 4 of the submission by Ngāti Tāwhirikura.

unobstructed view between the Pa and the Pou. Furthermore, landscape planting in that area is low to retain visibility. In the future, should any buildings be proposed between the Pā and the Pou, resource consent would be required as a discretionary activity under the NPDP³¹ with a requirement for tangata whenua consultation.

- c. The Proposal does not require relocation or removal of the Pou as a result of any roading modifications, particularly at the intersection of Devon Road and Smart Road. The transportation evidence of Mr Georgeson confirms that no modifications would be required to that intersection as a result of the Bunnings activity.³² This is further reflected in the approval of NZTA, which would require prohibition of the right-turn into the Site on Devon Road should queuing occur.
- d. The Applicant has engaged, and will continue to engage, with Puketapu Hapū regarding the Proposal and any future works on the Site should there be any.
- e. The Applicant has carefully considered the submission of Puketapu Hapū and has sought to ensure that the matters raised are appropriately addressed through the Project. The submission provides valuable insight into matters of cultural importance to the hapū and contributes to a broader understanding of the cultural effects and opportunities arising from the Proposal.

8. RESPONSE TO REPORTING OFFICER'S SECTION 42A REPORT

- 8.1 As indicated throughout my evidence, I generally agree with the assessment and conclusions made by Mr Watkins in relation to his conclusion on actual and potential effects³³ and the s104(1)(b) and (c) assessments³⁴ of the S42A Report.
- 8.2 For that reason, I have focussed the balance of my response to the S42A Report on the key matter of difference being the conditions of consent. To that end, I consider that the conditions as amended at **Appendix 1** equally achieve the outcomes of the objectives and policies of the NPDP and would not exacerbate adverse effects.

³¹ NPDP Rule SASM – R8.

³² Statement of Evidence of Mark Georgeson, dated 14 September 2026, at [6.9].

³³ New Plymouth District Council s42A Report, dated 7 September 2026, at [8.42].

³⁴ New Plymouth District Council s42A Report, dated 7 September 2026, at [8.71] and [8.72].

9. COMMENTS ON PROPOSED CONDITIONS

- 9.1 An amended version of the conditions appended to the S42A Report is attached to my evidence as **Appendix 1**. Overall I generally agree with the conditions and their wording, subject to some minor changes.
- 9.2 I note that the principle of the Kaitiaki Forum conditions is supported as it codifies the actions the Applicant has demonstrated over the past three years. However, I have proposed changes to the condition wording of conditions 4 and 16 to provide greater certainty to the Applicant (and all Forum members) about the process for the Kaitiaki Forum. This includes:
- a. adding the purpose for the Forum to the condition (which is common in other Kaitiaki Forum conditions I have seen);
 - b. adding the frequency and duration; and
 - c. adding topics canvassed during previous consultation that could form part of the cultural expression on the Site.
- 9.3 The requirements to formalise the Kaitiaki Forum through a Kaitiaki Collaboration Agreement between Bunnings and Puketapu Hapū, and to provide that agreement to the Council³⁵, would effectively introduce a requirement for third-party approval before the Applicant could give effect to the consent. I therefore consider that these requirements should be deleted. As amended, Condition 4 sets out the purpose and operation of the Forum, and a separate formal agreement is unnecessary. This approach is also consistent with the consultation undertaken over the past three years, which has proceeded without a formal agreement.
- 9.4 The conditions³⁶ relating to a requirement for cultural expression on the building facades is overly prescriptive and should be deleted. As explained in the corporate evidence³⁷, Bunnings has indicated throughout its engagement with Ngāti Tāwhirikura and Puketapu that opportunities for cultural expression will be explored through elements incorporated into the landscape plan. However, the façade treatment is an important part of Bunnings' identity and is not considered a suitable opportunity for cultural expression. Cultural

³⁵ New Plymouth District Council s42A Report, Appendix A, dated 7 September 2026, conditions 5 and 6.

³⁶ New Plymouth District Council s42A Report, Appendix A, dated 7 September 2026, conditions 7 and 16.

³⁷ Statement of Evidence of Messrs Turner and Siciliano, dated 14 September 2026, at [9.3].

expression throughout the development is encapsulated by proposed Condition 4(a)(iv) to be discussed through the Kaitiaki Forum. Overall, I consider that the modification of the Kaitiaki Forum conditions provides greater clarity and purpose for all parties, and the Proposal will continue to meet the outcomes set by the objectives and policies of the NPDP.

- 9.5 Further, in response to submissions, the stub road has been modified to an accessway and the three conditions³⁸ that relate to the stub road should be deleted as this no longer forms part of the Proposal.
- 9.6 Minor changes proposed to transport conditions 30, 35, 36 and 37 by Mr Georgeson are also included.
- 9.7 Additionally the reference to carparking numbers should be removed from Conditions 29 and 30 as there are no minimum carparking requirements in the NPDP.
- 9.8 Other small changes (such as typos, plan reference updates) are included in the appended conditions with annotations explaining each change.

10. CONCLUSION

- 10.1 Having regard to Part 2, the relevant statutory documents capture all relevant planning considerations, contain a coherent set of objectives and policies designed to achieve clear environmental outcomes and provide a clear framework for assessing relevant actual and potential effects of the Proposal.
- 10.2 On that basis there is no need to go beyond those provisions and enquire into Part 2 of the RMA however by way of concluding comments I consider that the Proposal involves an efficient and appropriate use of existing urban land generating adverse effects that are acceptable in this location.

³⁸ New Plymouth District Council s42A Report, Appendix A, dated 7 September 2026, conditions 47, 48, 49.

- 10.3 The Proposal is an appropriate development on the Site, and the design reflects the considerable efforts the Applicant has made towards engagement with tangata whenua while balancing outcomes anticipated by the General Industrial zone. Subject to the proffered conditions, resource consent should be granted for the Proposal.

Matthew Forbes Norwell

14 September 2026