
REPORT UNDER SECTION 42A OF THE RESOURCE MANAGEMENT ACT 1991.

Reference	LUC25/48839 & SUB17/46785.02
Applicant:	Bunnings Limited
Site Address:	662 Devon Road, New Plymouth
Legal Description:	Lot 1 DP 509004 (RT 775834) and Lot 4 DP 509004 (RT 837990).
Site Area:	7.1259ha + 0.1888ha for a total of 7.3147ha
Zoning:	General Industrial Zone under the Part Operative District Plan 2025
District Plan Overlays	▪ Volcanic Hazard Area, ▪ Site of Significance to Māori, ▪ Entrance Corridor, ▪ Noise Control Boundary, ▪ Waterbody ▪ Stormwater Flooding Area (Non District Plan layer). ▪ Rail Corridor Vibration Alert Area, Rail Corridor Noise Alert Area (information only)
Proposal	To construct a new Bunnings warehouse with a Gross Floor Area of 13,282.65m ² along with associated parking, loading and access areas and to cancel a consent notice.
Status:	Discretionary Activity
Application received:	29 July 2025
Limited notification:	25 th May 2026
Submissions closed:	23 rd June 2026

1. SCOPE/PURPOSE OF THIS REPORT.

- 1.1 The aim of the report is to assist the commissioner in deciding on the application for landuse consent to construct a new Bunnings warehouse and cancel a consent notice.

2. STATEMENT OF QUALIFICATIONS AND EXPERIENCE

- 2.1 My full name is Richard Griffiths Ian Watkins, Principal Planner of New Plymouth District Council (NPDC). I hold a Bachelor of Social Sciences (Resource and Environmental Planning) (Honours) from Waikato University, Palmerston North, and have more than 25 years' experience in the planning and resource management profession.
- 2.2 I am employed as a Principal Planner at New Plymouth District Council. In my present role, I am responsible for the mentoring and guidance of members of the Planning & Development team and consultants processing on behalf of the Council, peer review of planner reports on applications for

resource consent and associated decision making, oversee Section 223 and 224 subdivision certification, and am a member of the Panel considering requests for reconsideration of Development Contribution requirements. I also provide advice to other parts of the organisation on resource management matters including the District Planning & Growth team.

- 2.3 Prior to working at NPDC, I was employed at Porirua City Council from 2006 – 2019 in the Resource Consents team where I commenced as a Senior Planner, became a Principal Planner before being appointed as the Team Leader. As part of my employment I prepared the Section 149G reports to the Board of Inquiry on the Transmission Gully project on behalf of Porirua City Council and Upper Hutt City Council, and subsequently participated in the Regulatory Agencies group overseeing compliance with the Designation conditions and various related applications that arose as the project was being constructed.
- 2.4 Prior to this I was employed as a Senior Consents Planner at Hastings District Council in 2005 - 2006.
- 2.5 From 2002 – 2005 I was employed as a Senior Environmental Policy Analyst at Palmerston North City Council where I was responsible for the preparation of plan changes.
- 2.6 Prior to this I held 'junior' planning roles after graduating from university.

Code of Conduct

- 2.7 In preparing this report I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023.

3.0 SITE DESCRIPTION AND SURROUNDING ENVIRONMENT

- 3.1 Section 3 of the assessment of environmental effects supplied with the application accurately describes the proposal and I adopt this description.

Relevant Interests on the Record of Title

- 3.2 The subject site is held in two Record of Titles (RT). The applicant has volunteered a condition that the allotments in each of these RT's be amalgamated¹.

RT 775834

- 3.3 Lot 1 DP 509004 is a 7.1ha fee simple allotment. The details of the legal instruments that potentially may be of relevant for this report on this RT are:
- Interest 171538 declaring the adjoining portion of State Highway 3 to be a Limited Access Road. The applicant has engaged with NZTA which is addressed further later in this report.
 - Right of Way Easement 454797.4 adjacent to the Devon Road Access is in favour of Lot 1 DP 19961 (674 & 676 Devon Road).
 - Consent Notice 11204972.3 which has four conditions. The first three conditions relate to demolition work of buildings in proximity of the boundary shared with Lot 4 DP 509004. These works have been completed and therefore no further regard is required to be had to this. The fourth condition requires the owner of Lot 1 to also own Lot 4 DP 509004 and sell it to the Crown for roading purposes.
 - Interest 11204972.5 is an Encumbrance to Ravensdown Limited. The Encumbrance relates to land remediation and manufacturing or storage of bulk fertiliser. No bulk fertiliser activities are part of this proposal and the land has been remediated which will be addressed later in this report.
 - Interest 11929465.2 which is an appurtenant right of way over Area A identified on DP 555953 which is over Lot 2 DP 509004. There are limitations on the use of this right of way. The proposal does not involve the utilisation of this right of way and therefore no further regard is required to be had to this.

¹ Further Information response dated 27 November 2025.

3.4 Lot 4 DP 509004 is a 1888m² fee simple allotment. The details of the legal instruments that potentially may be of relevant for this report on this RT are:

- Interest 171538 declaring the adjoining portion of State Highway 3 to be a Limited Access Road. The applicant has engaged with NZTA which is addressed further later in this report.
- Right of Way Easement 454797.4 adjacent to the Devon Road Access is in favour of Lot 1 DP 19961 (674 & 676 Devon Road).
- Consent Notice 11204972.3 which has four conditions. The first three conditions relate to demolition work of buildings in proximity of the boundary shared with Lot 4 DP 509004. These works have been completed and therefore no further regard is required to be had to these. The fourth condition requires the owner of Lot 1 to also own Lot 4 DP 509004 and sell it to the Crown for roading purposes and reads as follows:

'Lot 4 will be held by the Registered Proprietor of Lot 1 pending being required by the Crown per their agent the New Zealand transport Agency (NZTA), or subsequent successor, for roading purposes. The Registered Proprietor of Lot 1 shall, when required by NZTA so to do, transfer to the Crown title to Lot 4 to vest for roading purposes, on a date no later than five (5) years from the date of deposit of the survey plan. The title to Lot 4 shall not transfer to any third party pending vesting to the Crown.'

- Interest 11204972.5 is an Encumbrance to Ravensdown Limited. The Encumbrance relates to land remediation and manufacturing or storage of bulk fertiliser. No bulk fertiliser activities are part of this proposal and the land has been remediated which will be addressed later in this report.

3.5 Under the RMA, other than Consent Notice 11204972.3, none of these interests restrict the proposal from proceeding

History

- **Previous Uses:** The site used to be utilised as part of the Ravensdown Fertiliser works. This has been fully disestablished including building removal apart from the entrance office located on the Devon Road frontage. Figure 1 displays the former presence of the facility.
- **Relevant resource or building consents:** Landuse resource consent (LUC17/47175) was issued to establish and operate a Commercial and Retail Complex Development and Reformation of Parapara-iti Pā development on 3 April 2020 commonly referred to as the 'Bluehaven development'. This included remediation of contaminated soils and earthworks. In regard to the contaminated site remediation most of the contaminated soil was removed from the site and a Site Validation Report² (SVR) provided. There are four pieces of land within the site, which still are still identified as containing contaminants. The remainder of the consent has not been given effect to which it is noted had a lapse date of 20 April 2025. No extension of time has been issued³.

3.6 I visited the site on 2 September 2026 and undertook an extensive walkover to assist with informing my report and to gain an understanding of the matters which have been raised in submissions. This included walking to Aotere/Paraora Pa and Te Pou Tutaki.

² Site Validation Report prepared by HGeo reference SVR Rev.3 dated 1 December 2023.

³ Section 125 of the Resource Management Act 1991.



Figure 1: Ravensdown facility 2001.

4.0 PROPOSAL

- 4.1 The application for land use resource consent for the construction of a new Bunnings warehouse with a Gross Floor Area of 13,282.65m² along with associated parking, loading and access. Key elements of the proposal are appropriately described in Section 4 of the assessment of environmental effects (a.e.e.) which I adopt for the purposes of this report. It is noted that Revision 2 of the assessment of environmental effects submitted on 27 November 2025 supersedes that submitted with the original application. Revision 2 of the a.e.e. is relied upon for the purposes of this report.
- 4.2 The applicant also seeks to cancel Consent Notice 11204972.3 on the subject sites. Details of this consent notice are in the Site Description section of this report.
- 4.3 As part of the earthworks, disturbance of a piece of land identified as being potentially contaminated is proposed.
- 4.4 There are four vehicle access points proposed. These are referred to as Accesses 1 – 4 in this report. These accesses are shown in Figure 2. I note that Access 4 is identified as an internal access rather than referring to the southern of the two proposed vehicle access points on Smart Road. I will include Access 5 to the rear of the building is off an internal driveway

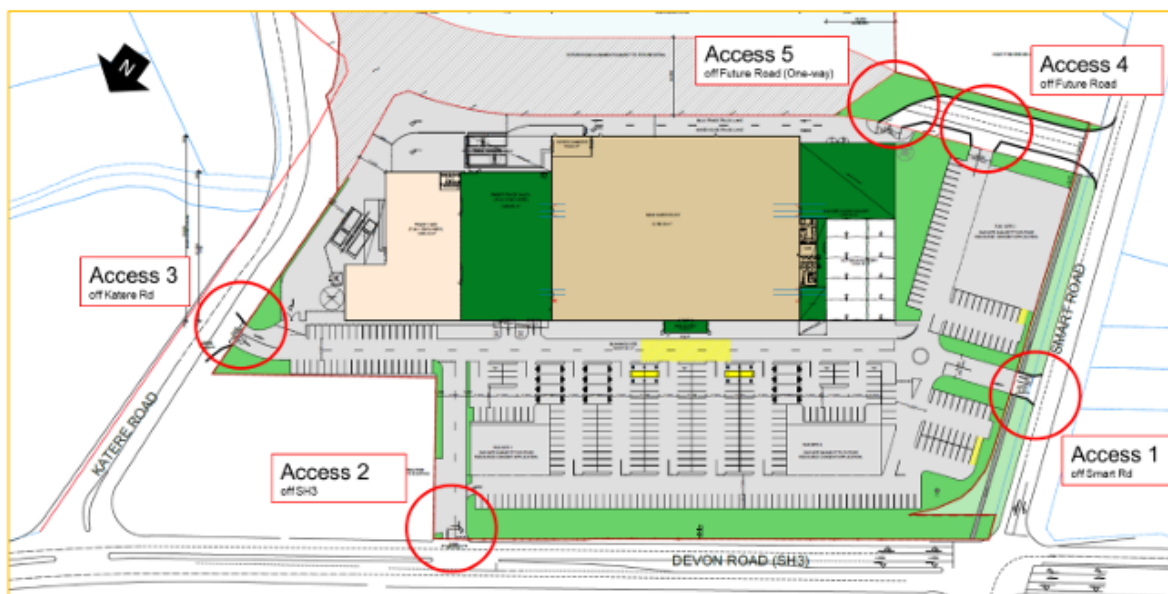


Figure 2: Site Layout

4.5 Since submission of the a.e.e, the applicant has agreed to additional conditions⁴ after discussions with NZTA which are:

- Vehicles utilising Access Point 2 will be restricted to entry and left hand exit only
- Upgrading of the vehicle crossing at Access 2 which fronts Devon Road;
- Undertake a traffic safety review of Access 2, twelve months after opening;
- Trimming of vegetation within Lot 4 to achieve sightlines prior to commencement of the activity; and
- Provide correspondence to Council that works in the State Highway have been suitably undertaken prior to commencement of the activity.

5.0 STATUTORY REASONS FOR THE APPLICATION

5.1 The application for landuse consent and to cancel the consent notice has been made pursuant to Sections 88 and 221(3) of the Act respectively. The reasons for why landuse consent is required along with the cancellation of consent notice are as follows:

Reasons for Consent

New Plymouth Part Operative District Plan (29 August 2025)

5.2 The Proposed District Plan became Part Operative on 29th August 2025. At this point of time, all rules under the Part Operative District Plan (PODP) have either legal effect (pursuant to s86B of the Act) or are operative (as defined in S43AA of the Act). All rules which are relevant to the consideration of this proposal are operative.

5.3 The site is located within the General Industrial Zone and is within and/or affected by the following overlays:

- Volcanic Hazard Area;
- Entrance Corridor
- Site of Significance to Māori Site ID 673: Te Pou Tutaki
- Archaeological Site and Site of Significance to Māori Site ID 677: Aotere/Pararoa Pa (site is within 50m of the extent of the mapped Site)
- Noise Control Boundary
- Waterbody – River: Mangaone Stream 3 (Schedule 9 waterbody)
- Stormwater Flooding Area which is a non-statutory layer.

⁴ Email dated 20 February 2026 from Lisa Matson.

5.4 The Roads adjoining the Site have the following hierarchy:

- State Highway 3(Devon Road) is a State Highway – Limited;
- Smart Road – Arterial
- Katere Road – Collector

5.5 It is noted that the Rail Corridor Vibration and Noise Alert Areas are located along the southern side of the site but there are no provisions in the PODP for these.

5.6 An assessment of this proposal against the rules in the Part Operative District Plan has been completed and has identified the following rules which are relevant to this proposal:

GIZ - General Industrial Zone	
Activities Rules	
Land Use Activities	
GIZ-R6 Commercial service activities	
Activity status: DIS	Discretionary Building improvement centres are included in the definition of commercial service activities.
Building Activities	
GIZ-R17 Building activities (including relocation of a building)	
Activity status where compliance not achieved: RDIS	Restricted Discretionary The Building is not associated with a permitted activity.
Effects Standards	
GIZ-S1 Maximum structure height	The significant majority of the building will have a maximum height of 9.5m. Two small portions above the entrance way will project above the parapet by approximately an additional 1m.
1. Buildings: 12m above ground level. 2. All other structures: 15m above ground level.	Complies
GIZ-S2 Height in relation to boundary	
No part of any building shall project beyond the height to boundary plane from points 3m above a site boundary where that boundary adjoins a site in the following zones: 1. Commercial and Mixed Use Zones; 2. Residential Zones; 3. Open Space and Recreation Zones; 4. Rural Zones; 5. Special Purpose Zone - Hospital; or the 6. Special Purpose Zone - Māori Purpose.	Complies The Building will comply with this standard in relation to the boundaries shared with sites zoned Special Purpose Zone - Māori Purpose and the Mixed Use Zone.

GIZ-S3 Minimum building and structure setbacks from a boundary	
1. From a road boundary: 5m.	Complies The Building will be set back more than 5m from all Road Boundaries.
2. From a side boundary: 8m where that boundary adjoins a site in the following zones: - Commercial and Mixed Use Zones; - Residential Zones; - Open Space and Recreation Zones; - Rural Zones; - Special Purpose Zone - Hospital; or the - Special Purpose Zone - Māori Purpose.	Complies The Building will be setback more than 8m from boundaries adjoining sites that are zoned Special Purpose Zone - Māori Purpose and Mixed Use Zone.
GIZ-S4 Landscaping requirements on a road boundary	
For all structures, carparking areas or yard areas that are visible from an adjoining road, the road boundary must be screened from the road with landscaping and planting that will, within two years after planting, reach a minimum height of 1m and, with the exception of vehicle crossings, be a minimum depth of 2m from the road boundary.	Does not comply The landscaping on the Katere Road frontage is proposed to be 1m in depth. All other 'frontage' planting will comply.
GIZ-S5 Landscaping requirements for the Oropuriri Specific Control Area	
In addition to GIZ-S4, for all structures, carparking areas or yard areas that are visible from the adjoining State Highway 3, the boundary adjoining State Highway 3 must be screened from the road by a: 20m landscaping and planting strip that will, within at least two years after planting, reach a minimum height of 1m and a minimum width of 20m from the road boundary; and - not contain any buildings or structures within the landscaping and planting strip.	Not Applicable
GIZ-S6 Landscaping or fencing requirements on a side boundary	
	Does not comply

The side boundary of a site that adjoins a site zoned as Commercial and Mixed Use, Residential, Open Space and Recreation, Rural or Māori Purpose must: 1. be planted or landscaped with planting that will, within two years of planting, reach a minimum height of 2m and a minimum depth of at least 2m from the side boundary; or 2. be fenced with a solid, close-boarded enclosed fence made with a minimum height of 1.2m above ground level and a maximum height of 2m above ground level.	No landscaping or fencing is proposed on parts of the boundary adjoining 674 Devon Road which is zoned Mixed use.
GIZ-S7 Outdoor storage screening requirements	
Any outdoor storage area visible from an adjoining property or road must be screened from the property or road by: 1. planting or landscaping that will, within two years of planting, reach a minimum height of 2m and a minimum depth of at least 2m from the site boundary; or 2. a solid, close-boarded enclosed fence made with a minimum height of 1.2m above ground level and a maximum height of 2m above ground level.	Complies The applicant has stated that this will comply.
GIZ-S8 Minimum permeable surface area	
At least 20% of the site shall be planted in grass, vegetation or landscaped with permeable materials.	Complies Although no figure has been provided by the applicant, I am satisfied that given the large area of undeveloped area of the allotment which is not proposed to be developed in the south-eastern corner that the proposal will comply.

TRAN - Transport	
Activities Rules	
TRAN-R1 Roads and vehicle access points	
All zones	
Activity status where compliance not achieved: RDIS	Restricted Discretionary The proposal does not meet Effects Standard TRAN-S2.

TRAN-R9 High trip generator activities	
Town Centre Zone Local Centre Zone Commercial Zone Mixed Use Zone Large Format Retail Zone Residential Zones General Industrial Zone Open Space and Recreation Zones Special Purpose Zones Rural Zones	
Activity status where compliance not achieved: RDIS	Restricted Discretionary
	Commercial Service Activity
Where:	
1. For new activities:	Complies
a. any of the activities listed in TRAN – Table 1 exceed the stated thresholds; and b. all Transport Effects Standards are complied with.	The total Gross Floor Area of the Building is 13,282.65m ² which exceeds the threshold of 1000m ² .
TRAN-R10 Vehicle access points onto a state highway	
All zones	
Activity status: RDIS	Discretionary
Where:	More than 60 vehicle movements will occur over the Access Point 2 onto Devon Road.
1. an activity requires a new vehicle access point or an alteration or increase in the use of an existing vehicle access point onto a state highway; 2. traffic generation in relation to a site is less than 60 vehicle movements per day; and 3. all Transport Effects Standards are complied with.	
Effects Standards	
Vehicle Access Points	
TRAN-S1 Design standards for vehicle access points onto a state highway that is not a limited access road	Not applicable Devon Road/State Highway 3 is a Limited Access Road.
TRAN-S2 Design standards for vehicle access points onto a local road, collector road or arterial road	
All zones	
All vehicle access points onto a local road, collector road or arterial road shall comply with:	
1. the design standards in TRAN - Table 4; and	Complies
	Of the three vehicle access points, two are not onto the State Highway and hence this provision applies to Accesses 1 & 3 which connect to Smart Road and Katere Drive respectively.

	Access 1 is onto Smart Road which is classified as an Arterial Road and has a posted legal speed limit of 50km/hr. The sight distance from Access 1 in both directions is in excess of 90m. It is noted that the applicant has identified this Access as being non-compliant due to the distance of the vehicle crossing to the intersection with Devon Road but I am satisfied this is not a non-compliance as the visibility meets the requirements of TRAN-Figure 2 and TRAN-Figure 3 relates to distance from intersections rather than sight distance. The minimum spacing requirement does not apply in this instance. Access 3 is onto Katere Road which is classified as a Collector Road and has a posted legal speed limit of 50km/hr. The sight distance from Access 3 in both directions is in excess of 90m. The minimum spacing requirement does not apply in this instance.
2. the design standards in TRAN - Figure 2 and TRAN - Figure 3.	Not Applicable
TRAN-S3 Vehicle access points	
All zones	
All new vehicle access points must comply with the standards set out in section 3 of Council's Land Development and Subdivision Infrastructure Standard Local Amendments.	Does not comply The wings on one or more of the Access Points including onto Katere Drive will be in excess of the width of 1000mm to accommodate truck manoeuvring.
TRAN-S4 Minimum distance between vehicle access points and transport corridor intersections	
All zones	
All vehicle access points shall comply with:	
1. the design standards in TRAN - Table 5; and	Complies Access 1 is required to have a minimum distance of 50m between it and any transport corridor intersection. Access 1 is 54m from the Devon Road intersection and approximately 200m to the Atiawa Street intersection which is the nearest to the south. Access 3 is required to have a minimum distance of 30m between it and any transport corridor intersection. Access 3 is approximately 90m from the Devon Road intersection and

	approximately 350m from the Hurlstone Drive to the south. This provision does not apply to State highways and hence Access 2 is not subject to this Effect Standard.
TRAN-S5 Maximum width of vehicle access points	
(3) All other zones	
9m	Complies All three vehicle access points will have a width of 9m.
TRAN-S6 Minimum sight distances at railway level crossings	
All zones	
- As set out in TRAN - Figure 4 and TRAN - Figure 5; and - No obstruction shall be located such that it fails to comply with the railway level crossing approach sight triangles determined in accordance with TRAN - Figure 4 and TRAN - Figure 5.	Not Applicable The railway line crosses Smart Road to the south of the site but this is grade separated and hence does not constitute a level crossing.
Parking	
TRAN-S7 Minimum number of on-site vehicle parking spaces for people with disabilities	
All activities shall provide parking that complies with the number of provided spaces in TRAN - Table 6.	Complies 337 standard car parks are being provided which means that seven disability car parks are required. Eight disability car parks are being provided.
TRAN-S8 Minimum number of on-site bicycle parking spaces	
All zones	
All activities shall provide parking that complies TRAN - Table 7, except where existing bicycle parking facilities are located within 50m of the site.	Complies 36 bicycle parks are being provided.
TRAN-S9 Requirements for on-site vehicle parking areas - location and siting	
	Not Applicable This provision does not apply to activities in the General Industrial Zone.
City Centre Zone Town Centre Zone Local Centre Zone	
All car parking areas, if provided, must: - be located at the rear of the site; and - not be located between the road boundary and the front building line, regardless of whether the site has more than one road boundary.	Not Applicable

This standard does not apply to: 1. Activities accessed from a state highway.	
TRAN-S10 Requirements for on-site vehicle parking spaces - dimensions	
Where the vehicle dimensions are for a car, the required parking space(s) and parking area must: 1. not include any space for on-site queuing, tracking curve, manoeuvring, loading space, standing space or vehicle access point; and 2. meet the requirements specified for loading and standing space TRAN-S17 for vehicles of dimensions equal to or larger than a service vehicle.	Complies No car parking spaces will include the features in item (1). The car parks will meet the construction and formation requirements of TRAN-S17 namely being formed to an all-weather standard, maximum gradient of 1:20 and access to them will be sealed.
TRAN-S11 Minimum vehicle parking space and manoeuvring dimensions	
All activities must comply with the minimum vehicle parking space and manoeuvring dimensions in TRAN - Figure 6 in TRAN-S12 and the following requirements: 1. the two-way aisle width for parking bays at 90 degrees must be the greater of 5.5m for circulation or the manoeuvring aisle widths stated in TRAN - Figure 6 in TRAN-S10; 2. the two-way aisle width for parallel parking bays must be at least 3m wider than for one-way aisles; 3. where a parking space is located at the end of a blind aisle, an additional 1m clearance must be provided to allow vehicles to exit the aisle without reversing; and 4. where any parking space has a side directly next to a wall, support column or other obstacle, an additional 300mm width must be provided.	Complies All car parks are 90° angle with a dimension of 2.6m x 5.5m. The Aisle Depth will be a minimum of 7.2m. No parallel parking bays are proposed (requirement 2). The additional 1m clearance behind the minimum Aisle Width of 5.4m will be provided within the proposed Aisle Depth (requirement 3). No parks are directly adjoining the items listed in requirement 4.
TRAN-S12 Requirements for on-site vehicle parking spaces - construction and formation	
(3) Commercial and Mixed Use Zones General Industrial Zone Open Space and Recreation Zones Airport Zone Hospital Zone Port Zone Major Facility Zone	
3. For sites with four or more on-site vehicle parking spaces, where the site is not adjacent to a residential zone: a. the area must be formed, to an all weather standard; and b. the gradient of the parking area must be a maximum of 1:20; and	Complies The car parks will meet the construction and formation requirements of TRAN-S17 namely being formed to an all-weather standard, maximum gradient of 1:20 and access to them will be sealed.

c. the area over which vehicles obtain access to the parking area must be sealed from the vehicle access point for 5m into the site.	
TRAN-S13 Requirements for on-site vehicle parking spaces - people with disabilities	
All zones	
Where vehicle parking space(s) for people with disabilities are required to be provided by TRAN-S7, the space(s) must be: 1. located on a level surface; and 2. clearly marked, designed and constructed in accordance with NZS 4121: 2001 Design for Access and Mobility - Buildings and Associated Facilities.	Does not comply The disability parks will be on a level surface. Manoeuvring from these spaces may be in the parking aisle and in the case of four of these, users will need to pass behind other parked cars. This may not meet the design requirements of NZS4121:2001.
TRAN-S14 Requirements for on-site bicycle parking spaces	
All zones	
Where bicycle parking space(s) are required to be provided by TRAN-S8, the space(s) must: 1. enable bicycles to be securely attached to an immovable object; 2. be located so as not to impede pedestrian movement; 3. be located as close as practicable to a building entrance or in a prominent location close to the entrance; and 4. include stands that support the bicycle frame and wheel.	Complies Bike hoops are to be provided in locations that will not impede pedestrian movement, are visually prominent being in the front norther side of the building and half of them are as close as practicable to the front main entrance.
Loading and Standing Spaces	-
TRAN-S15 Minimum number of on-site loading and standing spaces	
All zones	
1. One loading space must be provided per site; and 2. Where more than one service vehicle or bus will be on-site at any one time, one standing space must be provided per site for every service vehicle or bus on-site in addition to the loading space; Except: 1. no loading or standing space(s) is required where an activity in the Commercial and Mixed Use Zones involves a service vehicle or bus and where on-site vehicle access from a road boundary is obtained solely across a defined pedestrian frontage.	Complies 300m of service lane is to be provided.

2. no loading or standing space(s) is required for residential activities. 3. no loading or standing space(s) is required in relation to agriculture, pastoral / livestock farming, dairying and/or horticulture activities in the Rural Zones.	
TRAN-S16 Requirements for on-site loading and standing spaces - design	
All zones	
1. Vehicle loading spaces must be designed to accommodate the typical design vehicle for the site. 2. At a minimum, every loading space must be designed to accommodate a 90th percentile two-axle truck in accordance with TRAN - Figure 8 and where articulated trucks and trailers or buses are to be used, the loading space(s) must be designed to accommodate these vehicles. 3. A loading space must be of a useable shape and comply with the following dimensions: a. minimum width of 3.5m if adjacent to a kerb or 4.5m when adjacent to a wall; b. minimum depth of 8m; c. minimum height of 4.5m above ground or floor level. 4. The required loading space must not include any space used for on-site queuing, standing, parking or manoeuvring space, tracking curve, or vehicle access point; and 5. The required standing space must not include any space used for on-site queuing, loading, parking or manoeuvring space, tracking curve, or vehicle access point.	Complies The loading spaces will meet the minimum requirements.
TRAN-S17 Requirements for on-site loading and standing spaces - construction and formation	
(3) Commercial and Mixed Use Zones General Industrial Zone Open Space and Recreation Zones Airport Zone Hospital Zone Port Zone Major Facility Zone	
1. For sites with less than four loading or standing spaces on-site: a. the surface must be formed to an all weather standard, with a maximum gradient of 1:20; and b. the area over which vehicles obtain access to the parking area is sealed from the vehicle access point for 5m into the site; or	Complies The loading spaces will meet the construction and formation requirements namely being formed to an all-weather standard, maximum gradient of 1:20 and access to them will be sealed.

2. For sites with four or more loading or standing spaces on-site and where the site is adjacent to a residential zone: a. the area must be formed, sealed, marked and drained, with a maximum gradient of 1:20; or 3. For sites with four or more loading or standing spaces on-site and where the site is not adjacent to a residential zone: a. the area must be formed, to an all weather standard and; b. the maximum gradient of the parking area shall be 1:20; and c. the area over which vehicles obtain access to the parking area must be sealed from the vehicle access point for 5m into the site.	
Driveways and Right of Ways	
TRAN-S18 Requirements for driveways - design	
All zones	
1. Every parking, loading and standing space must have driveways and aisles for entry and exit of vehicles to and from the road, and for vehicle manoeuvring within the site. 2. Access and manoeuvring areas must accommodate the 85th percentile car tracking curves in TRAN - Figure 7 in TRAN-S10. 3. The required driveway must not include any space used for on-site parking, loading or standing space, or vehicle access point; 4. Where an activity or subdivision involves the creation of a vehicle access point, the formation of the vehicle access point must be compliant with TRAN-S4.	Does not comply Driveways and aisles are being provided to access all parking, loading and standing areas (1). These have been designed to accommodate a 85 percentile vehicle (2). The driveways are unencumbered (3). The wing walls for the Access Points including onto Katere Drive will be in excess of the width of 1000mm.
TRAN-S19 Requirements for driveways - construction and formation	
(2) Commercial and Mixed Use Zones General Industrial Zone Open Space and Recreation Zones Airport Zone Hospital Zone Port Zone Major Facility Zone	
All driveways must comply with the following standards: 1. Minimum width of the driveway: 3.5m; and 2. Maximum gradient of the driveway: 1:5; and 3. A passing bay(s) must be provided in compliance with Council's Land Development and Subdivision	Complies All driveways will have a minimum width of 7.2m and a gradient of less than 1:5 (1 & 2). The driveways are double width which means that they meet the passing bay requirement by default (3). All driveways in excess of 50m in length are able to turned out of (4).

Infrastructure Standard Local Amendments where the driveway length is 50m or longer and is spaced at no more than 50m intervals; and 4. A turning area(s) must be provided in compliance with TRAN-S22 where the driveway length is 50m or longer.	
TRAN-S20 Requirements for right of ways - construction and formation	
All Zones	
All right of ways shall comply with the standards in TRAN-Table 8 and shall be formed in accordance with part 3.3.16 of Council's Land Development and Subdivision Infrastructure Standard Local Amendments.	Complies Rights of Way A & B is 14m in width with a formed width of 7.2m and a gradient of less than 1:5. The width of Rights of Way A & B is 20m and is formed and sealed.
Manoeuvring Space	
TRAN-S21 Requirements for on-site manoeuvring space - provision	
All zones	
On-site manoeuvring spaces must be provided where: 1. a single vehicle access point serves four or more required parking spaces; 2. access to a site is obtained from a state highway, arterial road or collector road; or 3. a site has two tandem parking spaces which comply with TRAN-S13.	Complies On-site manoeuvring is being provided.
TRAN-S22 Requirements for on-site manoeuvring space - design	
All zones	
On-site manoeuvring spaces must comply with the following standards: 1. For vehicle(s) with dimensions that are less than a service vehicle, the required manoeuvring space must: a. not include any space used for on-site parking, queuing, loading or standing space, or vehicle access point; and b. meet the requirements of the relevant tracking curve specified in TRAN - Figure 7. 2. For vehicle(s) with dimensions that are equal or larger than a service vehicle, the required manoeuvring space must: a. not include any space used for on-site parking, queuing, loading or	Complies On-site manoeuvring is being provided that meets the requirements of this Effects Standard.

standing space, or vehicle access point; and b. meet the requirements of the relevant tracking curve specified in TRAN - Figure 9. This standard does not apply where: 1. The site has direct vehicle access to a service lane, right of way or driveway, which may be utilised instead of the required manoeuvring space.	
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Queuing Space

TRAN-S23 Requirements for on-site queuing space - provision and design

All zones

On-site queuing space must be provided when six or more, but 30 or less, parking, loading or standing spaces combined are provided on-site.

On-site queuing lengths, measured from the commencement of the driveway at the site boundary, must comply with the following:

1. 6m into the site if the largest vehicle to visit the site is a car; or
2. 8m into the site if the largest vehicle to visit the site is a medium service vehicle; or
3. when the largest vehicle to service the site is greater than a medium service vehicle, then this vehicle must be able to be accommodated within the site.

Not Applicable

Despite the Effects Standard not applying due to the number of car parks exceeding 30, the queuing spaces meet the prescribed dimensions.

SIGN - Signs

Activities Rules

SIGN-R4 Freestanding signs

Activity status: PER

Where:

1. other than where permitted by SIGN-R12, the sign is not for the purpose of third party advertising; and
2. the Sign Effects Standards are complied with.

Restricted Discretionary

The single freestanding sign for the activity will not meet all Signs Effects Standards

Effects Standards	
SIGN-S1 Requirements for signs erected on or adjacent to a road or railway All signs erected on or adjacent to a road or railway must not: 1. project over the road or be located within a transport corridor; 2. obstruct the line of sight of any corner, bend, intersection or vehicle or rail crossing; 3. obstruct, obscure or impair the view of any traffic or railway sign or signal; 4. physically obstruct or impede traffic, trains or pedestrians; 5. resemble or be likely to be confused with any traffic sign or signal; and 6. contain any flashing or revolving lights.	Complies The free standing sign will be constructed in a manner which meets all of these requirements.
SIGN-S3 Requirements for freestanding signs (excluding temporary signs) On sites adjoining an entrance corridor: 1. the sign must be a minimum of 2.5m above any footpath; 2. the sign must be setback at least 0.5m from the kerb of a road or road boundary; 3. maximum number of signs per site: one; 4. maximum sign face area: 5m²; and 5. maximum sign height above ground level: 5m.	Does not comply There is no footpath in Devon Road adjoining the Site (1). The freestanding sign will be set back 0.5m from the Road (2). The face area of the sign will be 35m² and will have maximum height of 12m (3 & 4 respectively).
SIGN-S4 Maximum signage area for signs attached to buildings (excluding signs on heritage buildings listed in Schedule 1 and temporary signs) Maximum signage area: 20% of the area of each road-fronting building façade, provided the signs are attached for their full width and length to the road-fronting façade(s) of the building, or painted directly onto the road-fronting façade(s) of the building.	Complies I am satisfied that each of the respective faces of the building which face Roads, will have signage covering less than 20% of the respective façade area.
SIGN-S10 Maximum signage area for signs attached to buildings (excluding signs on heritage buildings listed in Schedule 1 and temporary signs) All signs within 10 horizontal metres of a road boundary must comply with the minimum lettering sizes in SIGN - Table 9.	Complies This provision only applies to the free-standing sign as it is the sole sign within 10m of the Road boundary. The adjoining portion of Devon Road has a posted speed limit of 60Km/hr. The lettering will exceed 200mm in height.

NH - Natural Hazards	
Activities Rules	
NH-R10 Erection of buildings (excluding accessory buildings) and structures (including fences)	
Flood Plain Area Flood Detention Area/Spillway Stormwater Flooding Area	
Activity status: PER	Permitted
	No building work is to be undertaken within the Stormwater Flooding Area. It is noted that there are rules relating to earthworks within such areas.

SASM - Sites and Areas of Significance to Māori	
Activities Rules	
SASM-R8 Erection of a structure and associated earthworks within the extent of a scheduled site or area of significance to Māori, or within 50m of the extent of a mapped SASM	
Commercial and Mixed Use Zones Residential Zones	
Activity status: DIS	Discretionary
	The Building will be constructed within the extent of SASM 673 and within 50m of the extent of mapped SASM 677.
SASM-R14 Earthworks within the extent of a scheduled site or area of significance to Māori, or within 50m of the extent of a mapped SASM	
All zones	
Activity status: DIS	Discretionary
	Earthworks are to be taken within the extent of SASM673 and within 50m of the mapped extent of SASM 677.

Archaeological Sites	
Activities Rules	
HH-R21 Erection of a structure and associated earthworks within the extent of a scheduled archaeological site, or within 50m of the extent of a mapped archaeological site	
All Zones	
Activity status: DIS	The Building will be constructed within 50m of Archaeological Site 677.
HH-R27 Earthworks within the extent of a scheduled archaeological site, or within 50m of the extent of a mapped archaeological site	
All Zones	
Activity status: DIS	Earthworks will be undertaken within Archaeological Site 677.

WB - Waterbodies	
Activities Rules	
WB-R1 Erection of a building on a site containing or adjoining a natural waterbody	
(2) Commercial and Mixed Use Zones Open Space and Recreation Zones Residential Zones General Industrial Zone Special Purpose Zones	
Activity status: PER	Permitted
	The Building will be set back more than 10m from the Mangaone Stream 3.
WB-R4 Earthworks on a site containing or adjoining a natural waterbody	
All Zones	
Activity status: PER	Permitted
	The earthworks will not be undertaken within the 10m setback of the Mangaone Stream 3.

ECOR- Entrance Corridors	
Activities Rules	
ECOR-R6 building activities (excluding demolition or removal of a structure) on sites adjoining an entrance corridor	
Activity status: PER Where: 1. all Entrance Corridor Effects Standards are complied with.	Restricted Discretionary
	The single freestanding sign for the activity will not meet all Signs Effects Standards
Effects Standards	
ECOR-S1 Minimum setback from the road boundary for structures on sites adjoining an entrance corridor 3. General Industrial Zone: 20m.	Does not comply The Building will be setback approximately 80m from the Devon Road boundary. However the freestanding sign will be 0.5m off the Road Boundary.
	Complies 60% of the first 20m of the site fronting Devon Road is landscaped.
ECOR-S2 Minimum landscaped setback area on sites adjoining an entrance corridor 1. At least 60% of the setback area specified in ECOR-S1 shall be landscaped with trees and shrubs, with or without grass.	

EW- Earthworks	
Activities Rules	
EW-R10 Earthworks for building activities	
Activity status: PER Where: 1. the building activity is authorised by a building consent; 2. the earthworks are not for the purpose of constructing a driveway, right of way or accessway; 3. the total earthworks area does not exceed 150% of the area of the building activity; and 4. EW-S2, EW-S3, EW-S4 and EW-S5 are complied with.	Restricted Discretionary The earthworks will not meet Earthworks Effects Standard S2.
EW-R13 Earthworks not otherwise provide for in the table	
Activity status: PER Where: 1. in any 12 month period, the total volume of earthworks does not exceed 250m³ per site; and 2. all Earthworks Effects Standards are complied with.	Restricted Discretionary A total of 32,448m ³ of earthworks are proposed. The earthworks will not meet all Earthworks Effects Standards.

Effects Standards	
EW-S1 Instability of land Earthworks or land disturbance must not result in any instability of land or structures at or beyond the boundary of the site where the earthworks occur.	Complies I am satisfied that the location of the earthworks, and in particular the location of the 'deeper excavation' away from site boundaries will mean that this Effects standard will be complied with.
EW-S2 Maximum cut depth or fill height The cut depth or fill height (measured vertically) shall not exceed: 1. outside the Minimum building setback for the underlying zone: 1.5m; and 2. inside the minimum building setback for the underlying zone: 0.5m.	Does not comply The maximum depth of cut is 4.66m which does not comply with Item (1). The maximum height of fill will be 1.5m. The setback for the General Industrial Zone is 5m and 8m from Road and side Boundaries respectively in terms of how the provisions apply to this site. Up to 1.2m of fill and 1.4m of cut is proposed to occur within the 5m Road setback. Up to 1m of fill could be placed within 8m of 674 Devon Road and 2m of excavation undertaken adjacent to Aotere/Pararoa Pa.
EW-S3 Site re-instatement As soon as it is practicable, but no later than six months from the commencement of earthworks or land disturbance: 1. the earthworks area shall be stabilised, filled, recontoured and revegetated to achieve 80% ground cover in a manner consistent with the surrounding land; or 2. sealed, paved, metalled or built over.	Complies The applicant has stated they will comply.
EW-S4 Control of silt and sediment For the duration of earthworks or land disturbance, measures must be implemented to prevent silt or sediment from entering the stormwater system, waterbodies, overland flow paths, or roads. The measures must be installed prior to the commencement of earthworks or land disturbance and maintained until the site of the earthworks or land disturbance has been reinstated in accordance with EW-S3.	Complies The applicant has included an Erosion and Sediment Control Plan ⁵ which proposes measures which will achieve compliance with this standard.

⁵ Erosion and Sediment Control Plan prepared by BCD Group Ltd Job No 23-0336 Rev 1 dated 1 October 2025.

EW-S5 Requirements for discovery of sensitive material during earthworks or land disturbance Despite any other rule in this plan permitting earthworks or land disturbance, or any activity associated with earthworks or land disturbance, in the event of discovery of sensitive material during earthworks or land disturbance (which is not expressly provided for by any resource consent or other statutory authority), the owner of the site or the consent holder must take the following steps.	Complies The applicant has stated that they will comply with this Effects Standard should an accidental discovery be made.
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- 5.7 There are no rules pertaining to the Volcanic Hazard Area or Noise Control Boundary which apply to this proposal and therefore resource consent is not required in regard to these provisions.
- 5.8 Resource consent is required primarily due to the listing of the activity as a Discretionary Activity under Rule GIZ-R6. Resource consent is also required under the Transport, Signs, Site of Significance to Māori, Archaeological Sites, Entrance Corridor and Earthworks provisions. The activity status of the proposal under these 'other' chapters will either be Restricted Discretionary or Discretionary. In circumstances where there are differing activity status the most severe applies commonly referred to as the 'bundling approach'. Therefore the activity status of the proposal under the PODP is a **Discretionary Activity**.

National Environmental Standard for Assessment and Managing Contaminants in Soil to Protect Human Health (NES-CS)

- 5.9 Although the site has been mostly remediated, there are four areas of contaminated land which still constitute a piece of land under the NES-CS and are referred to as Ongoing Management Areas⁶. It is proposed to only disturb the Ongoing Management Area adjacent to Access 2. This piece of land is identified as containing lead and was not able to be remediated at time of preparation of the SVR due to the site office not being demolished at time of preparation of the SVR⁷. It is proposed that the works will be undertaken in accordance with the recommendations of the Contaminated Site Management Plan (CSMP)⁸. Restricted Discretionary Activity resource consent is required under Regulation 10 of the NES-CS:

10 Restricted discretionary activities

- (1) *This regulation applies to an activity described in any of regulation 5(2) to (6) on a piece of land described in regulation 5(7) or (8) that is not a permitted activity or a controlled activity.*
- (2) *The activity is a restricted discretionary activity while the following requirements are met:*
 - (a) *a detailed site investigation of the piece of land must exist:*
 - (b) *the report on the detailed site investigation must state that the soil contamination exceeds the applicable standard in regulation 7:*
 - (c) *the consent authority must have the report:*
 - (d) *conditions arising from the application of subclause (3), if there are any, must be complied with.*
- (3) *The matters over which discretion is restricted are as follows:*
 - (a) *the adequacy of the detailed site investigation, including—*
 - (i) *site sampling:*
 - (ii) *laboratory analysis:*
 - (iii) *risk assessment:*

⁶ Plan entitled Ex-Ravensdown Site Ongoing Management Areas daring No. HD1781-103 Rev.0 dated 23 May 2023 within the SVR.

⁷ SVR Appendix E – Management Plans

⁸ Ravensdown Contaminated Site Management Plan prepared by 4Sight dated March 2018 version 4.

- (b) the suitability of the piece of land for the proposed activity, given the amount and kind of soil contamination:*
- (c) the approach to the remediation or ongoing management of the piece of land, including—*
 - (i) the remediation or management methods to address the risk posed by the contaminants to human health:*
 - (ii) the timing of the remediation:*
 - (iii) the standard of the remediation on completion:*
 - (iv) the mitigation methods to address the risk posed by the contaminants to human health:*
 - (v) the mitigation measures for the piece of land, including the frequency and location of monitoring of specified contaminants:*
- (d) the adequacy of the site management plan or the site validation report or both, as applicable:*
- (e) the transport, disposal, and tracking of soil and other materials taken away in the course of the activity:*
- (f) the requirement for and conditions of a financial bond:*
- (g) the timing and nature of the review of the conditions in the resource consent:*
- (h) the duration of the resource consent.*

Cancellation of Consent Notice

5.10 The applicant has applied to cancel consent notice 11204972.3. Section 221(3) of the Resource Management Act treats cancellation of consent notices as Discretionary Activities:

- 3) *At any time after the deposit of the survey plan,—*
 - (a) the owner may apply to a territorial authority to vary or cancel any condition specified in a consent notice:*
 - (b) the territorial authority may review any condition specified in a consent notice and vary or cancel the condition.*
- (3A) Sections 88 to 121 and 127(4) to 132 apply, with all necessary modifications, in relation to an application made or review conducted under subsection (3).*

5.11 In regard to the subdivision resource consent SUB17/46785 that led to the imposition of the consent notice I note that this was processed on a non-notified basis. The written approval of NZTA was obtained for that application⁹.

Regional Council Consent

5.12 The applicant has applied to and received resource consent from the Taranaki Regional Council for a Discharge Permit to “discharge stormwater and contaminants” from the proposed earthworks. A copy of the resource consent decision is attached as Appendix E.

6.0 NOTIFICATION DECISION

6.1 A decision was made on 15 May 2026 that the landuse application was to be processed on a limited notified basis. The decision was made that the cancellation of the consent notice can be processed on a non-notified basis. It is noted that the written approval of the New Zealand Transport Agency (NZTA) was provided and hence any effects on them were disregarded in accordance with Sections 95D(e) and 95E(3)(a) of the Act. A copy of the ‘notification decision’ is attached as Appendix B to this report.

6.2 Notice of the application was served on the two persons who were identified as being affected.

7.0 SUBMISSIONS

⁹ Notification decision on resource consent SUB17/467875 dated 12 April 2018.

7.1 Two submissions were received both in opposition seeking that the application be declined. Details of the submitter and their respective position is outlined in Table 1 below:

Name	Position	Primary Relief Sought	Wish to be heard?	Conditions sought
Nga Kaitiaki o Puketapu Hapū	oppose	decline	yes	No
Ngāti Tāwhirikura Hapū	oppose	decline	yes	Yes

Table 1: Submissions received.

7.2 The reasons for the submission of Ngāti Tāwhirikura Hapū are:

- The interface between the proposal and Aotere Pā and how the cultural context is able to be incorporated into the development, the recognition and protection of views to and from sites and areas of significance to Māori and managing effects to protect the Mangaone Stream;
- Further severance of Aotere Pā with surrounding Sites and area of Significance to Maori (SASM) and other natural and physical resources;
- The effects of parking and manoeuvring areas on the values of the Aotere Pā;
- The effect of the development on the legibility on Aotere Pā and Te Pou Tūtaki;
- Lack of regard of the development to the cultural context of the area;
- Effects on the health, intrinsic values and life supporting capacity of the Mangaone Stream;
- Insufficient certainty that the adverse effects can be appropriately managed.

7.3 The reasons for the submission of Nga Kaitiaki o Puketapu Hapū are:

- Effects on Te Pou Tūtaki and its relationship with Aotere Pā;
- Effects on Te Pou Tūtaki from any roading upgrades;

7.4 If consent has been granted Nga Kaitiaki o Puketapu Hapū have requested the following conditions be included:

- Recognition and protection of the cultural relationship between Aotere Pā and Te Pou Tūtaki;
- The protection of viewshafts and lines of sight between Aotere Pā and Te Pou Tūtaki from obstruction by future buildings, structures, signage, earthworks, landscaping, lighting, or infrastructure;
- That any future transport planning, road widening, lane additions, traffic signal installation, intersection upgrades, or associated infrastructure works demonstrate that adverse effects on cultural values, cultural visibility, and the relationship between Aotere Pā and Te Pou Tūtaki have been avoided;
- That Te Pou Tūtaki shall not be relocated, removed, modified, or compromised as a consequence of traffic, roading, transportation, or infrastructure requirements associated with this development or future development; and
- Ongoing engagement with Puketapu Hapū regarding any future works that may affect Aotere Pā, Te Pou Tūtaki, the Mangaone Stream, or the wider cultural landscape.

8.0 ASSESSMENT OF EFFECTS - Section 104(1)(a)

Effects Disregarded.

Permitted Baseline

8.1 Section 104(2) of the Act provides that when determining the extent of the adverse effects of an activity or the effects on a person respectively, a Council 'may disregard an adverse effect if a rule or national environmental standard permits an activity with that effect'. This is referred to as the "permitted baseline."

8.2 As the activity is not permitted in this zone, I have not utilised the permitted baseline to disregard any effects. In regard to this it is noted that industrial activities are permitted in the General Industrial Zone

however the effect of the SASM and Archaeological overlays along with the Entrance Corridor provisions reduces what can be undertaken on this site as a permitted activity when compared to a similarly sized General Industrial zoned site which is not subject to such 'overlay' provisions.

- 8.3 Figure 3 below displays the extent of the SASM and Archaeological Sites and, in the case of Aotere Pa, the associated '50m' buffer:

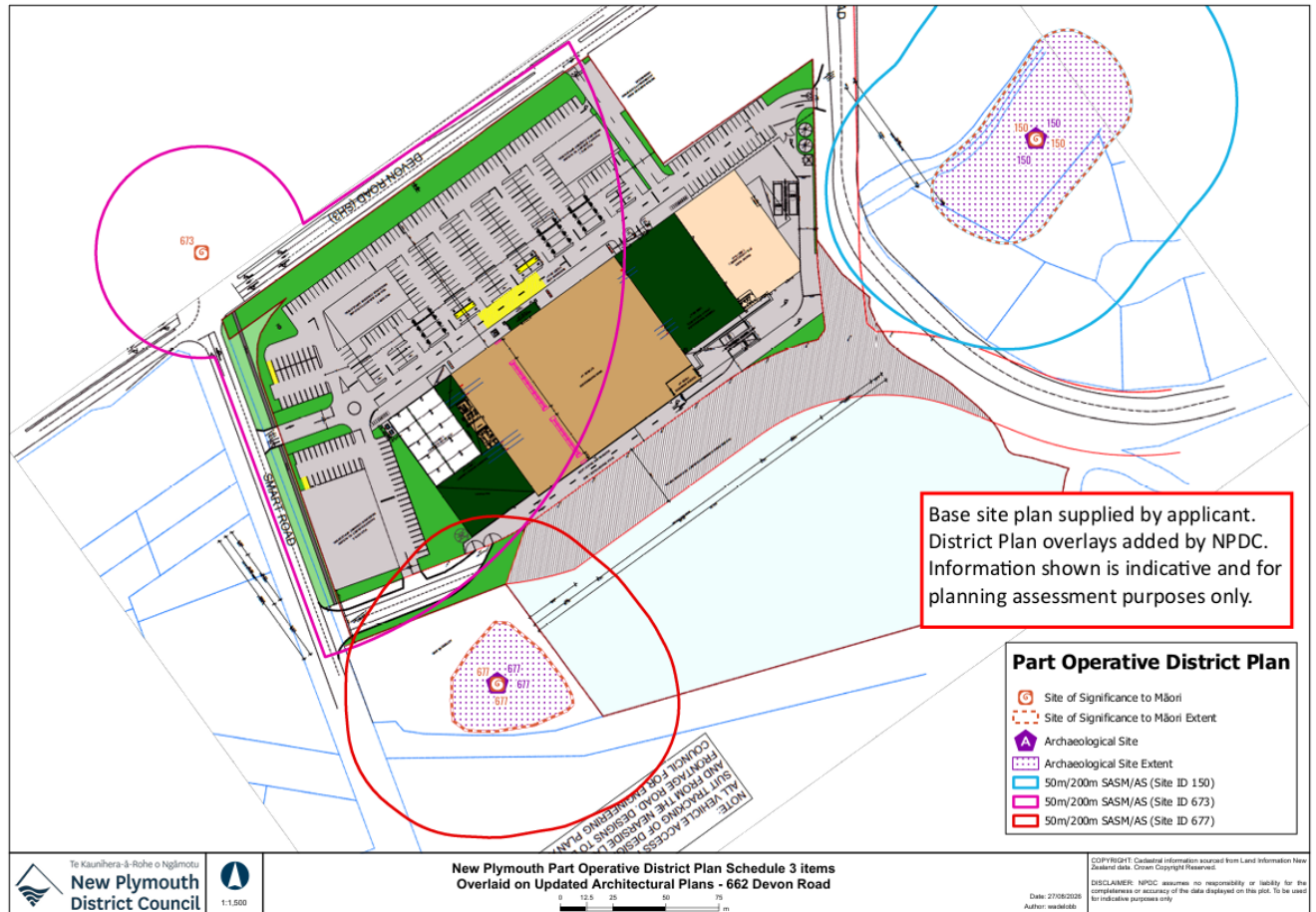


Figure 3: Site plan with SASM and Archaeological extents overlain

Trade Competition

- 8.4 Pursuant to Section 104(3)(a)(i), I have disregarded trade competition and the effects of trade competition.

Effects on persons

- 8.5 As mentioned in Section 6.1 of my report, the NZTA have provided affected persons approval. In accordance with Section 104(3)(ii), I have disregarded any effects on them. In saying this I note that does not mean I have disregarded the effects of the activity on the safe and efficient operation of the State Highway which NZTA are responsible for the operation of.
- 8.6 The assessment of adverse effects has been considered in the context of the relevant objectives and policies of the District Plan and the existing environment. Taking into account this and the effects that may or must be disregarded as aforementioned, the activity will have or is likely to have the following adverse effects on the environment:

Character and Amenity Effects

- 8.7 The proposal seeks to change the current undeveloped site with the construction of a large warehouse style building, signage and associated car park and manoeuvring areas. In considering the visual effects it

is noted that the PODP identifies that *“The purpose of the General Industrial Zone is to provide for a range of industrial activities, with provision for some activities that support industrial activities and activities that are compatible with the adverse effects generated by industrial activities (such as noise, odour, dust, fumes and smoke)¹⁰”*. The PODP also notes that *“Lower standards of amenity are characteristic of industrial zones and out-of-zone activities locating in industrial zones can lead to reverse sensitivity effects.¹¹”* The overview assist with informing the role, function and planned character¹² of the General Industrial Zone is. Also informing the visual effects assessment is the Entrance Corridor Objective ECOR-R1 which seeks that *“The main roads leading to and from the urban areas of New Plymouth, Waitara and Inglewood, and to and from the New Plymouth Airport are visually attractive, and provide a welcoming, pleasant arrival experience.”*.

- 8.8 The a.e.e includes an assessment of the character and amenity effects which concludes that “Overall, it is considered that the activities proposed, including the buildings and signage proposed will be in keeping with the intended character and amenity of the surrounding area such that any adverse effects will be less than minor.¹³” I have generally adopted this for the purposes of assessing the character and amenity effects. I agree with this statement based on the proposed building being well set back from Devon Road, combined with its front façade addressing this road, to create visual interest and the inclusion of landscaping around parking areas to assist with mitigating the visual effects of large paved areas. I note that there is an error in S6.4.1 of the a.e.e which refers to signage in this area being an uncommon feature in the wider area when it should have read common as is evidenced by the adjacent Waiwhakaiho large format retail area, Z service station, Palmers garden centre etc and other commercial activities.
- 8.9 In regard to the effect of the sign on the entrance corridor, I consider the effects of the sign to be acceptable given it has a relatively small footprint, has limited amount of wording and fits in with the context that the site is being utilised for.
- 8.10 I am therefore satisfied that the character and amenity effects are acceptable given the proposed mitigation measures. I do recommend that a condition be included that the final planting plan be submitted for approval as it is recommended later in this report that the input of mana whenua be sought to inform the final species of plants to be utilised. This is to ensure that the anticipated visual effects outcomes in the current Landscape Concept Plan¹⁴ are achieved.

Transportation Effects

- 8.11 The applicant has included a Transportation Assessment Report¹⁵ (TAR) assessing the traffic effects of the proposal. A review of the TAR was commissioned under S92(2) of the Act. This peer review was undertaken by Mr Andy Carr of Carriageway Consulting¹⁶.
- 8.12 In terms of the consent notice cancellation, it is considered that the relevant effects are limited to transport given the works required by the other three conditions have already been completed. There will be no effects on the environment associated with the three conditions of the consent notice relating to building removal work as this has all been completed. Therefore the consideration of the effects on the environment of this cancellation are addressed in this section of the report given the only remaining effect is traffic related.
- 8.13 The TAR concludes that the traffic effects will be suitably managed:

¹⁰ PODP, General Industrial Zone - Overview

¹¹ Ibid.

¹² Policy GIZ-P1 of the PODP.

¹³ Section 6.4.1 of a.e.e.

¹⁴ Appendix 5 of application for resource consent: Landscape Concept Plan within the Landscape package for resource consent prepared by Rough Milne Mitchell Landscape Architects dated 25 June 2025.

¹⁵ Bunnings Waiwhakaiho - Transportation Assessment Report prepared by Stantec Rev.3 dated 26 June 2025.

¹⁶ LUC25/48839 & SUB17/46787.02 662 Devon Road, New Plymouth: Bunnings (NZ) Limited Peer Review of Transport Assessment dated 30 March 2026

On the basis of analysis and assessment of the traffic and transportation matters associated with the proposed Bunnings activity, it is concluded that:

- *The design of the vehicle crossings and accesses are appropriate for the expected customer vehicles and heavy vehicles associated with the activity;*
- *The design of the carpark and internal driveways are suitable for the manoeuvring required within the site;*
- *The loading provisions are acceptable to accommodate the heavy vehicles servicing the site;*
- *The traffic generated can be accommodated by the surrounding network, giving a level of service at key intersections during the peak hours of the weekdays and weekends that matches the existing situation;*
- *The proposal satisfies the majority of the relevant, transport-related standards of the New Plymouth District Plan. In those cases where there is technical non-compliance with the standards, an assessment of the effect of these has been made and it is concluded that there will be no adverse effects arising from these non-compliances on the surrounding road network or transport network users. Accordingly, it is concluded that there are no transportation engineering reasons to preclude the proposed Bunnings development. A desired outcome would be that the Bunnings works can proceed in combination with Council's proposed link road, noting the Bunnings development does not rely on it and can proceed independently.*

8.14 Mr Carr's peer review concludes that whilst there are some matters of detail which have been identified, subject to the inclusion of conditions of resource consent, there are no transportation effects which are of a nature which will be more than minor:

On our review of the TAR:

- *We agree that "the design of the vehicle crossings and accesses are appropriate for the expected customer vehicles and heavy vehicles associated with the activity":*
 - *We have highlighted that at Access 3, queuing space is constrained in the event that a large vehicle exits the service area, and accordingly, we consider that this exit movement should not occur at the busiest times*
 - *We consider that Access 5 should be realigned when the future road to the south of the site is opened to be closer to 90 degrees, in order to slow entry speeds and to allow for trucks turning right into the site.*
 - *We also consider that when the proposed road to the south of the site is constructed, there will likely be a queuing space issue at Access 4. This can be overcome through removing the spaces or marking them for staff only.*
- *We agree that "the design of the carpark and internal driveways are suitable for the manoeuvring required within the site"*
 - *We recommend that the yellow hatched turning areas within blind aisles should be marked with 'no parking' or similar wording*
- *We agree that "the loading provisions are acceptable to accommodate the heavy vehicles servicing the site".*
 - *The gates to this area have the potential to create queuing vehicles on the future road to the south of the site, and so we recommend that the gates are managed (opened) to avoid this occurring when the road is constructed*
- *We do not agree that "the traffic generated can be accommodated by the surrounding network, giving a level of service at key intersections during the peak hours of the weekdays and weekends that matches the existing situation";*
 - *It is evident from the modelling that the level of service is not "matched" in all cases, with increases in delays on some movements, although we accept that overall, the intersection level of service does not change.*

- *The traffic generation rate used is lower than is typical for a trade supplier. Thus if another large format retailer was to occupy the site, the traffic generation may be larger than has been assessed, with greater effects arising at the Devon Road / Smart Road intersection.*
- *The distribution of traffic described in the TAR does not appear to align with the traffic volumes used in the modelling. We have carefully considered whether this Document Set ID: 9754574 Version: 1, Version Date: 02/04/2026 P. 13 / 13 materially affects the conclusions and in our view it does not. We therefore consider that the increase in traffic can be accommodated at the Devon Road / Smart Road intersection even using slightly different distributions, and acknowledging that delays and queue lengths will increase.*
- *We agree that “the proposal satisfies the majority of the relevant, transport-related standards of the New Plymouth District Plan. In those cases where there is technical non compliance with the standards, an assessment of the effect of these has been made and it is concluded that there will be no adverse effects arising from these non-compliances on the surrounding road network or transport network users”*
 - *The parking layout has a number of minor constraints, but we do not consider that these will give rise to adverse effects on the surrounding road network or will adversely and materially affect the operation of the car park.*

We also highlight:

- *No comment is made in the TAR in respect of possible road safety effects. While we do not consider that any existing issues would be exacerbated, the operation of Access 2 may require vehicles turning right into the site to cross two lanes of queuing traffic and rely on a ‘courtesy’ operation with drivers ‘waving through’ vehicles turning right. This type of arrangement can create adverse road safety outcomes and to that end we recommend that in respect of the assessment of this access and NZTA’s proposed condition:*
 - *The required observations of the access should be made in the weekday evening peak hour;*
 - *The observations should also include the number of times that a driver was able to undertake the right turn freely versus having to be ‘waved through’ by other drivers; and*
 - *If there are any changes made to the movements permitted at Access 2, then the effects at the Devon Road / Smart Road intersection should be evaluated.*
- *No allowance has been made for the remnants of the existing resource consent for the site which could still be constructed. The extent to which these should be taken into account within the analysis is not clear.*
- *The layout does not show any cycle parking and therefore a condition of consent is required in order to ensure that these are provided.*

Having reviewed the TAR, and in particular the matters identified regarding trip generation and distribution and consequential effects on the various intersections, we are of the opinion that we can agree with the conclusion that “there are no transportation engineering reasons to preclude the proposed Bunnings development”. However this conclusion is dependent on the implementation of conditions of consent in a number of areas, as set out above.¹⁷

- 8.15 The applicant has confirmed that they are willing to address the matters which have been raised by Mr Carr when the conditions of resource consent are prepared should it be determined that it can be granted¹⁸. I note that Mr Carr has reviewed that the delays at the Smart Road/Devon Road intersection associated with the increased vehicle movements will not be material¹⁹. Mr Carr has noted that the TAR does not address road safety effects of which the primary concern could be the operation of Access Point 2. Mr Carr has also commented that the site will meet its own parking needs and that there will not be

¹⁷ Section 9 of Peer review

¹⁸ Email dated 7 May 2026 from Lisa Matson.

¹⁹ Section 7 of peer review.

overflow parking²⁰. Conditions of consent to review²¹ the performance of this access point have been recommended by Mr Carr and NZTA which the applicant has agreed to.

- 8.16 Mr Carr posed a query as to whether the existing consent (LUC17/47175) is being fully or partially replaced by this proposal. I am satisfied that given the commercial activity component of LUC17/47175 has not been commenced in any form and that the resource consent had a five year lapse date, that no commercial activities can be established under that consent which may otherwise lead to cumulative traffic effects
- 8.17 It is noted that there will be construction effects associated with the establishment of the activity. The construction activity includes the undertaking of earthworks and building activity. Given the earthworks are close to a 'cut to fill' balance²², I am satisfied that there will be only limited movements associated with removing or importing earth to the site. The traffic effects associated with the construction of the activity will be consistent with those associated with a large building in the industrial area and can be suitably managed through a Construction Traffic Management Plan which the applicant has agreed to²³. I am therefore satisfied that traffic effects associated with the establishment of the activity will not be more than minor.
- 8.18 As stated earlier, the cancellation of the condition of consent notice is traffic related in regard to environmental effects. The effect of the consent notice should Lot 4 have been vested as Road in the Crown would have been to provide an opportunity for NZTA to utilise a wider corridor to construct road improvements at the intersection with Smart Road. It is noted that subsequent to the registration of the consent notice, NZTA did not seek for this land to be designated as part of the preparation of the then proposed District Plan. The cancellation of the consent notice will not result in any additional adverse effects over and above that which may already be occurring with the operation of this part of Devon Road. Therefore I am satisfied that the effects of the cancellation of the condition requiring the vested of Lot 4 in the Crown will not be more than minor.
- 8.19 In the submission of Ngāti Tāwhirikura Hapū, they have raised concern about the effect of a future road that may sever the relationship of Aotere Pa with its surrounds. This future road is identified and taken into account in the Section 4.4 of the TAR. Whilst the TAR displays that the activity does not preclude the establishment of a future road being constructed by the New Plymouth District Council, it is not proposed in this application to establish it as a Road. Whilst the TAR has identified that the applicant can work with the Council should it seek to proceed with establishing a Road from Smart Road, the actual establishment of a Road does not form part of the proposal. It is my consideration, that the effects of this proposal which are able to be considered are those associated with the proposed formation of a driveway which will be formed adjacent to Aotere Pa to serve the Truck Lanes and car park area containing 44 car parks adjacent to the outdoor nursery. The potential future 'conversion' of the driveway to a Road and extension of it through to Katere Drive is not a matter which I consider to be with the scope of the matters for consideration of this application. Such considerations would be for a separate future process should it ever be progressed.
- 8.20 However it is considered prudent to include conditions on the resource consent as recommended by Mr Carr that obligates the consent holder to undertake modifications to Access 5 and the adjacent parking arrangement should the future Road be constructed. It is however acknowledged that this is not strictly meeting the 'condition tests' under Section 108AA(1)(b) of the Act, given the Road is not proposed or identified in the PODP and I would not object to the removal of these if the applicant disagrees with their inclusion.

²⁰ Section 5 of peer review.

²¹ Section 128 of the RMA – Circumstances when consent conditions can be reviewed.

²² Indicative cut and fill volumes are 16,162m³ and 16357m³ respectively (Bulk earthworks Plan prepared by BCD Group Job No. 23-0336 Sheet C-200 Rev.4 dated 23-06-2005). .

²³ Email dated 7 May 2026 from Lisa Matson.

- 8.21 I note that there is no Designation or Notice of Requirement to secure this route as a Road. Also the PODP does not identify this route as an Indicative Road. In other words, there is no relevant document prepared under the RMA which this development needs to respond to in regard to potential future roading infrastructure. I do note that the purpose of Access Four is to provide entry only for trucks accessing Access Five at the rear of the building and for entry/exit to the car park. The car park will also serve a future activity on pad site 3 which would be the subject of a future resource consent. Whilst I acknowledge that there are elements of 'future proofing' in the design of this access adjoining Aotere Pa, and the efficiencies of only constructing a driveway once, given what the activity is which is the subject of this application being the Bunnings warehouse only, whether there is merit in reducing the width of the driveway to a width suitable for heavy vehicles and making it one way in direction to reduce the scale of this. The downside of this approach would be that should ever the Council seek to construct such a Road in the future that it could potentially compromise servicing of the activity by heavy vehicles which in its own right create adverse effects on the safe and efficient operation of the road network given the manner in which the activity is proposed to be laid out. At this stage, I do not recommend any change in the design of Access Four or the driveway but would be willing to recommend conditions should the possibility of reducing the scale of these be discussed at the Hearing.
- 8.22 In the submission of Puketapu Hapū, they have raised concerns about changes to the intersection of Devon Road and Smart Road on Te Pou Tūtaki. No such changes are proposed as part of the application nor have any been identified to be required in Mr Carr's review. Notably also, NZTA have not raised the need for any such intersection improvements to respond to this proposal. Therefore I am satisfied that the proposal will not result in any changes to this intersection which may otherwise adversely affect the values of Te Pou Tūtaki.
- 8.23 I have recommended conditions of resource consent to assist with managing the traffic effects which include incorporating the matters Mr Carr raised in his review. Based on the above, I am satisfied that the traffic effects of the proposal on the environment primarily being the safe and efficient operation of the adjoining Road network will be acceptable. As NZTA have agreed to the cancellation of the consent notice and there are no upgrades required to the intersection of Devon Road and Smart Road I also am satisfied that there the effects of the cancellation of the consent notice will be acceptable.

Earthworks effects including disturbance of contaminated ground

- 8.24 The disturbance of the contaminated soil will be occurring as part of the initial earthworks activity, it is considered appropriate to assess these two potential effects on the environment together. The applicant has provided both a Erosion and Sediment Control Plan²⁴ (ESCP) and CSMP.
- 8.25 The ESCP includes measures to manage silt and sediment control, dust, receipt of complaints and road maintenance. Once the construction activity is completed all exposed areas will be either covered by the building along with the sealed parking and manoeuvring areas or planted. Once the earthworks are completed, the only recognisable change in landform on what is a predominantly flat site will be the benched slope which will be approximately 4.7m high constructed at the rear of the building. The applicant has confirmed that this will be hydroseeded²⁵. I am satisfied that the effects of the earthworks have been proposed to be appropriately managed and the effects on the environment will be acceptable.
- 8.26 The CSMP has set out measures to ensure that any disturbance of the contaminated ground will be appropriately managed. This includes various environmental management procedures such as disposal of excavated material, dust management, sediment and stormwater control. I am satisfied that the management measures that are proposed are extensive and will ensure that any effects on the environment of the disturbance of the contaminated ground will be appropriately managed.

²⁴ Erosion and Sediment Control Plan prepared by BCD Group, Job No. 23-0336, Rev.1 dated 1 October 2025.

²⁵ Email dated 7 May 2026 from Lisa Matson.

8.27 The CSMP was prepared for remediation works which have been undertaken but several areas were not completed. This includes around the existing site office and land adjacent to Access 2. The area in the south-eastern corner of the site is not to be disturbed and is not considered that remediation of this area is required as part of this consent given it is not to be utilised. Conditions are recommended that a final CMP be submitted for certification and the works be supervised by a suitably qualified environmental practitioner who is required to prepare a Site Validation report after ground disturbance to confirm that they have been suitably remediated.



Figure 4: Ex-Ravensdown Site Ongoing Management Areas²⁶

8.28 Based on the above, I am satisfied that the effects on the environment of the earthworks and disturbance of contaminated soil will be acceptable.

Stormwater and Flooding Effects

8.29 Due to the presence of the Manganah Stream, parts of the site are subject to potential flooding. The proposal will result in approximately 3.8ha²⁷ of impervious area being established. The combination of impervious area and existing inundation has the potential to result in adverse flooding effects if not managed appropriately. The application includes a Civil Engineering Design Features Report²⁸ (CEDR) which addresses these issues.

8.30 The CEDR has identified that the collection and disposal of stormwater systems which are to be constructed on-site have been suitably sized for an Annual Exceedance Probability (AEP) 1% event. The Council's 3 Waters Planning Engineer is satisfied with this aspect of the CEDR²⁹.

²⁶ Appendix E of Site Validation Report prepared by HDGeo, project No.HD1781, reference SVR Rev3 dated 1 December 2023.

²⁷ Table 2 of Civil Engineering Design Features Report prepared by BCD Group Job No. 23-0336 Rev.7 dated 27 November 2025.

²⁸ Civil Engineering Design Features Report prepared by BCD Group Job No. 23-0336 Rev.7 dated 27 November 2025.

²⁹ Email dated 17 December 2025 from Lauren de Bude

8.31 The CEDR has outlined that *“In the event of flooding from the Mangaone Stream and overflow into the site, the eastern side of the yard has been designed to direct flows back onto Katere Road via the proposed access way. BCD suggests constructing a low-height masonry block wall (maximum 600mm) along the edge of the access way.”*³⁰ The CEDR goes on to clarify that the block wall is not required for the consent but would offer additional flood management benefits in an event exceeding a 1% AEP³¹. The Council’s 3 Waters Planning Engineer, Ms Lauren de Bude, is also satisfied with this aspect of the CEDR³².

8.32 Based on these considerations, I am satisfied that the effects on the environment of any possible increased flooding effects, or change to existing floodpaths, will be acceptable. Stormwater generated by the proposal will be appropriately managed within the site.

Retail distributional effects

8.33 The PODP provides for a wide range of activities to be *“...allowed and encouraged in the City Centre Zone so that the city can remain vibrant and viable in the future.”*³³ To assist with this, the PODP seeks to avoid activities such as the establishment of retail activities or business service activities in the General Industrial Zone to ensure the viability and vibrancy of the Commercial and Mixed use Zones is not compromised³⁴. Commercial services activities not included within the definition of retail activities. Therefore I am satisfied that any potential distributional effects associated with the proposal will be less than minor on the viability and vibrancy of the Commercial and Mixed Use Zones.

Cultural and Archaeological Effects

8.34 The activity has the potential to disturb archaeological items during construction and once constructed affect the values of the archaeological and cultural values of the area. These values are associated with the Aotere/Paraora Pa and Te Pou Tutaki. There are also potential effects on the values of tangata whenua associated with the earthworks³⁵. The applicant has noted that the area of proposed earthworks has been previously the subject of remedial works undertaken as part of the decommissioning of the Ravensdown activity.

8.35 The applicant is proposing accidental discovery conditions during earthworks³⁶. The applicant has also assessed the position and bulk of the building in relation to Aotere/Paraora Pa and commented:

A survey of the pā site has identified that this has a maximum height of 14m above ground level. It is considered that the height of these structures will not appear to be overly dominant when compared to the scale of the pā site. It is also noted that the site layout provides for a clear visual corridor from Devon Road, with the edge of the building aligned with the property boundary for the pā site. A separation of over 25m is provided between the pā and the building, with the space between being occupied by the proposed access point and indicated future road from Smart Road.

*The proposed development has been discussed with iwi and hapu at several hui throughout the design process, as described in section 2.3, and is ongoing. In addition, opportunities for cultural narratives to be represented on the site have been explored with iwi and hapu, with potential locations for these narratives presented at various hui and subject to further development at detailed design.*³⁷

³⁰ S7.1 of CEDR.

³¹ Ibid.

³² Email dated 17 December 2025 from Lauren de Bude

³³ PODP - Overview of the City Centre Zone

³⁴ PODP – GIZ-03 and PIZ-P3.

³⁵ PODP - EW-P3

³⁶ S6.4.4 of a.e.e

³⁷ Ibid.

- 8.36 The applicant has assessed the effects on historic heritage and iwi values to be less than minor³⁸. In my recommendation on notification I did not agree with the applicant's level of effects conclusion. I still hold that consideration now.
- 8.37 The main theme of both submissions on this application fall within the scope of cultural effects with the key concern being the effect of this proposal on Aotere/Paraora Pā and Te Pou Tūtaki and the relationship between these two features. I acknowledge that mana whenua are best placed to assess/comment on the effects of development on their values. As part of my site visit, I have visited both. Te Pou Tūtaki has a plaque outlining the significance of the Pou being that it was a boundary for the extent of settlement which is in Figure 5.



Figure 5: Plaque attached to Te Pou Tūtaki

- 8.34 Although appearing to be within the subject site physically due to the position of the security fencing which surrounds the former Ravensdwon site, Aotere/Paraora Pā is held in a separate Record of Title (Lot 3 DP 509004) and is owned by Ngāti Tāwhirikura hapū. Historically, the former Ravensdown Activity had a significant physical presence on the subject site as can be seen in Figure 1. The landform of Aotere/Paraora Pā is still present and visible from the Bunnings Site as can be seen in Figure 6:

³⁸ Ibid



Figure 6: Aotere/Paraora Pā viewed from Access Four.

- 8.35 Due to the site being presently vacant I observed that there is unobstructed visual connection between Aotere/Paraora Pā and Te Pou Tūtaki as can be seen in Figure 7. I also observed the intervening presence of Devon Road which is a four lane road and heavily trafficked. Also adjacent to Aotere/Paraora Pā is an existing driveway which can be seen in Figure 6. I do not disagree with the submission of Ngāti Tāwhirikura hapū the application site and surrounds have been and continue to be the subject of industrial activities along with others. In regard to the submission of Ngāti Tāwhirikura hapū I note they identify that the Ravensdown Fertiliser Plant was once in existence.



Figure 7: View from Aotere/Paraora Pā towards Te Pou Tūtaki

- 8.36 In the proposal, the applicant has noted that the portion of building located in proximity of Aotere/Paraora Pā is the nursery and bagged goods area which will have a height of 6.7m. The predominant higher portion of the building is to the east of the nursery. I consider that it is the nursery and bagged goods area along with parking and manoeuvring areas which will be located within the visual connection between Aotere/Paraora Pā and Te Pou Tūtaki. Within the applicants Landscape package³⁹ is a cross-section displaying the relative heights of Aotere/Paraora Pā and the Building which I have included as Figure 8:

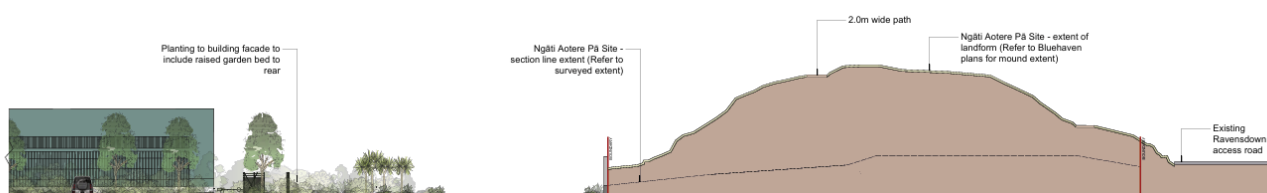


Figure 8: Landscape Section displaying relative heights of building and Aotere/Paraora Pā

- 8.37 From Figure 6 the nursery and bagged good area is shown to be approximately half the height of Aotere/Paraora Pā. I note that no free standing signage of any scale is proposed within the alignment between Aotere/Paraora Pā and Te Pou Tūtaki. I note also that the Landscape Concept Plan includes a

³⁹ Appendix 5 of application for resource consent: Landscape package for resource consent prepared by Rough Milne Mitchell Landscape Architects dated 25 June 2025.

note that tree placement will be undertaken in a manner to allow for views to the pa and the opportunity for a pou or similar to be erected in the north-western corner of the site⁴⁰.

- 8.38 Although acknowledging the matters which have been raised by the submitters, I consider that the activity has been designed in a manner which has recognised the presence of Aotere/Paraora Pā and Te Pou Tūtaki. I also note the historical use of this site in the form of the former Ravensdown Activity and the current General Industrial zoning of the Site. I have no reason to not consider that there was significant ground disturbance and landform alteration to enable the construction of what was a large scale industrial activity. The purpose of the General Industrial zoning is to provide for a range of industrial activities⁴¹. I also note that no works are proposed within the verified extent of Aotere/Paraora Pā. Te Pou Tūtaki has no verified extent and I note is identified as a monument/memorial⁴².
- 8.39 I consider that the activity has been designed in a manner which has had regard to the presence of Aotere/Paraora Pā and Te Pou Tūtaki. The general landform is being retained albeit the existing cut batter behind the building will be moved back to create the building platform and rear access. I consider that it would be appropriate that mana whenua have input into the final details of building façade treatment and landscaping to ensure matauranga maori is incorporated into the final design to recognise the cultural values held with this area. This would include the formation of a kaitiaki forum and having input into the final Landscape Plan and a façade treatment plan to be submitted to the Council for approval. I also recommend that cultural monitoring be undertaken during earthworks.
- 8.40 I have previously addressed the concerns which have been raised by the submitters in regard to potential intersection upgrades and a future road being established at the rear of the site. Given these are not proposed or required to manage effects of this proposal I do not consider that there will be any cultural effects in this regard.
- 8.41 For the above reasons and based on my current understanding of the values that mana whenua have in this area, I consider that the effects on the cultural values of can be managed subject to the imposition of conditions.

Conclusion on Actual and Potential Effects

- 8.42 I consider that the effects of the proposal on the environment are acceptable and can be appropriately managed through conditions of resource consent. In recommending this I recognise the concerns of mana whenua/the submitters but do not consider that any evidence has been provided at this stage to identify the effects are of such a significance that warrant potential refusal of consent or modification of the proposal.

ASSESSMENT AGAINST PLANNING DOCUMENTS - Section 104(1)(b)

The National Policy Statement – Natural Hazards 2025 (NPS-NH)

- 8.43 The National Policy Statement – Natural Hazards 2025 (NPS-NH) came into force on the 15th of January 2026. The NPS-NH applies to all activities managed under the Act which includes this proposal. This National Policy Statement applies to all environments and all zones. The policy statement addresses risks for the following hazards:

- flooding;
- landslips;

⁴⁰ Appendix 5 of application for resource consent: Landscape Concept Plan within the Landscape package for resource consent prepared by Rough Milne Mitchell Landscape Architects dated 25 June 2025.

⁴¹ PODP – Overview of the General Industrial Zone

⁴² PODP – Part 4: Schedule 3 Schedule of Archaeological Sites or Sites and Areas of Significance to Māori

- coastal erosion;
- coastal inundation;
- active faults;
- liquefaction; and
- tsunami.

8.44 In the case of this site, the only potential form of hazard which is relevant to the consideration of this proposal is flooding. The NPS-NH has the overall objective is to ensure *“Natural hazard risk to people and property associated with subdivision use and development is managed using a risk-based proportionate approach”*. This overall objective is supported by the following policies:

Policy 1: When considering natural hazard risk associated with subdivision, use or development, the risk level must be assessed using the risk matrix

Policy 2: Natural hazard risk associated with subdivision, use and development must be managed using an approach that is proportionate to the level of natural hazard risk.

8.45 In assessing Policies 1 and 2 I have considered the comments from Ms de Bude who has confirmed she was satisfied with the responses provided by BCD to address potential inundation issues. I am satisfied that the proposal has been appropriately managed to minimise the risk of flooding on the activity and adjacent properties and hence the proposal is consistent with the objective of the NPS-NH.

Taranaki Regional Policy Statement 2010.

8.46 The Regional Policy Statement (RPS) includes range of Objectives and Policies which address the development of urban environments. This includes:

HZC Objective 1

To avoid, remedy, or mitigate adverse environmental effects arising from the storage, use, transportation and disposal of hazardous substances in the Taranaki region, including adverse environmental effects arising from existing contaminated sites.

HZC Policy 4

All known and potentially contaminated sites in the Taranaki region will be identified and managed in a manner that:

- (a) avoids or mitigates potential adverse environmental effects;*
- (b) mitigates or remedies actual adverse environmental effect; and*
- (c) avoids or mitigates potential adverse effects on human health. Priority action Priority action Priority action Priority action*

HZC Policy 5

Priority of management action will be determined by:

- (a) the type of contaminants;*
- (b) the degree of contamination;*
- (c) the availability and practicality of appropriate technology for management including recognition of technical and financial constraints;*
- (d) existing and likely future uses of the site;*
- (e) surrounding land uses;*
- (f) national standards, guidelines, or both; and*
- (g) the potential for adverse environmental and public health effects including the potential for offsite or downstream effects.*

- 8.47 As previously addressed, I am satisfied that the effects of disturbance of the remaining contaminated soil can be appropriately managed.

HIS Objective 1

To protect the historic heritage values in the Taranaki region from inappropriate subdivision, use and development, and where practical enhance those values.

HIS Policy 2

Historic heritage will be protected from inappropriate subdivision, use and development, and the maintenance, conservation and restoration of historic heritage sites, places and values will be encouraged as far as possible.

- 8.48 I addressed the effects of the proposal on Aotere/Paraora Pā and Te Pou Tūtaki. I do not consider the effects of the development are of such a level as to be 'inappropriate' given the history of the site, General Industrial zoning and the layout of the proposal. Conditions are recommended that include the involvement of mana whenua to provide the opportunity to incorporate their values in the final form of the development.

AMY Objective 1

To recognise the positive contributions of appropriate use and development in terms of providing for the maintenance and enhancement of amenity values in the Taranaki region, while avoiding, remedying or mitigating the adverse effects of inappropriate use and development on amenity values.

AMY Policy 1

The adverse effects of resource use and development on rural and urban amenity values will be avoided, remedied or mitigated and any positive effects on amenity values promoted. Any positive effects of appropriate use and development will be fully considered and balanced against adverse effects.

- 8.49 I consider that the development of this site will contribute to the amenity values of the Waiwhakaiho area by developing what is presently a vacant large industrial site in a manner that will contribute to a vibrant entrance to New Plymouth. Setting the building back from Devon Road, combined with providing planting mitigation of the large parking manoeuvring areas will manage the effects in a manner that will be an improvement of what might otherwise occur on amenity values if the land was developed for an industrial activity(ies) as the zoning provides for.

HAZ Objective 1

To avoid or mitigate natural hazards within the Taranaki region by minimising the net costs or risks of natural hazards to people, property and the environment of the region.

HAZ Policy 2

New subdivision, use and development should be so located and designed that the need for hazard protection works is avoided.

- 8.50 These provisions seek similar outcomes to the NPS-NH which I addressed earlier. For the same reasons as I consider when assessing the proposal against the NPS-NH, I consider the proposal is consistent with these provisions also.

SUD Objective 1

To promote sustainable urban development in the Taranaki region.

SUD Policy 1

To promote sustainable development in urban areas by:

- (a) *encouraging high quality urban design, including the maintenance and enhancement of amenity values;*
- (b) *promoting choices in housing, work place and recreation opportunities;*
- (c) *promoting energy efficiency in urban forms, site layout and building design;*
- (d) *providing for regionally significant infrastructure;*
- (e) *integrating the maintenance, upgrading or provision of infrastructure with land use;*
- (f) *integrating transport networks, connections and modes to enable the sustainable and efficient movement of people, goods and services, encouraging travel choice and low-impact forms of travel including opportunities for walking, cycling and public transport;*
- (g) *promoting the maintenance, enhancement or protection of land, air and water resources within urban areas or affected by urban activities;*
- (h) *protecting indigenous biodiversity and historic heritage; and*
- (i) *avoiding or mitigating natural and other hazards.*

8.51 These provisions seek to promote sustainable urban development rather than require such. Irrespective I am satisfied that the proposal will be developed in the urban environment in a sustainable manner. As addressed earlier the amenity values will be improved with the development of the site in the manner proposed, the activity has been designed to manage all stormwater on-site and avoid discharges into the adjoining Mangaone Stream and regard has been had to Aotere/Paraora Pā and Te Pou Tūtaki. The risk from the flooding hazard has been avoided. Therefore I am satisfied that the proposal will result in sustainable development of the urban area.

Part Operative District Plan 2025.

8.52 Relevant Objectives and Policies of the PODP are outlined below.

<i>General industrial Zone</i>	
Objectives	
<i>GIZ-O2</i>	<i>The role and function of the General Industrial Zone is not compromised by non-industrial or incompatible activities or built form.</i>
<i>GIZ-O4</i>	<i>The General Industrial Zone provides a safe and functional working environment with a reasonable level of amenity.</i>
Policies	
<i>GIZ-P2</i>	<i>Manage activities that are potentially compatible with the role, function and planned character of the General Industrial Zone, and ensure it is appropriate to establish such activities in the General Industrial Zone having regard to whether:</i> <i>1. the purpose of the activity supports or provides services to industrial activities and results in the efficient use of industrial land;</i> <i>2. the activity has a functional need or operational need to establish in the zone;</i> <i>3. the activity will limit or constrain the establishment of activities that are permitted in the zone;</i> <i>4. the activity will result in any conflict or potential reverse sensitivity effects with existing industrial activities; and</i> <i>5. the activity has the potential to undermine the viability of the City Centre or a town or local centre.</i> <i>Potentially compatible activities include:</i> <i>1. commercial service activities;</i> <i>2. agricultural, pastoral and horticultural activities;</i> <i>3. rural industry activities; and</i> <i>4. emergency service facilities.</i>

<i>GIZ-P4</i>	<i>Ensure the role, function and level of amenity appropriate to the General Industrial Zone by controlling the effects of:</i> 1. <i>bulk, scale and location of structures;</i> 2. <i>outdoor storage;</i> 3. <i>proximity to waterbodies;</i> 4. <i>traffic and parking;</i> 5. <i>infrastructure and stormwater; and</i> 6. <i>noise and light.</i>
<i>GIZ-P5</i>	<i>Require any effects generated by activities to be of a type, scale and level that is appropriate for the General Industrial Zone, including by:</i> 1. <i>ensuring built form is of a scale that is compatible with the role and function of the zone;</i> 2. <i>managing noise and light emissions to an acceptable level; and</i> 3. <i>controlling the size, location, design and type of signage.</i>
<i>GIZ-P6</i>	<i>Require that activities maintain on-site and streetscape amenity by:</i> 1. <i>retaining, where practicable, existing trees, vegetation and established landscaping;</i> 2. <i>providing landscaping along road and site boundaries;</i> 3. <i>screening any outdoor storage;</i> 4. <i>providing riparian planting along waterbodies; and</i> 5. <i>minimising hard standing areas where appropriate.</i>
<i>GIZ-P7</i>	<i>Ensure adequate permeable surfaces within sites to avoid or mitigate any potential adverse effects on water quality, stormwater quantity and amenity values.</i>

- 8.53 These provisions seek that the General Industrial Zone is able to operate for its intended purposes with a 'reasonable level of amenity'. This is in recognition that the zoning is intended to enable industrial activities to be undertaken and in recognition of this a lower level of amenity is to be achieved when compared to other zonings.
- 8.54 I am satisfied that the proposal will be compatible with industrial activities and not compromise their ability to operate. I am also satisfied that the activity will not undermine the viability of commercial areas.
- 8.55 The proposed building meets all 'bulk and location' Effects Standards and is therefore compatible with the role and function of the zone. Sufficient on-site parking is being provided to meet the needs of the activity and the transport network can accommodate the demands of the activity. I consider the free-standing sign is appropriately designed and sited in a manner that is consistent with other adjacent activities. The activity will have minimal outdoor storage. All stormwater is to be managed on-site with systems designed to accommodate a 1% AEP event and no direct discharge to either the adjacent waterbody or off-site. Landscaping is proposed along roadside frontages and within the car park areas.
- 8.56 For the above reasons I consider that the activity has been designed, and will operate, in a manner that is consistent with the General industrial Zone Objectives and Policies.

<i>Sites and Areas of Significance to Māori</i>
Objectives
<i>SASM-O1 Sites and areas of significance to Māori are recognised, protected and maintained.</i>
<i>SASM-O2 The relationship of tangata whenua with sites and areas of significance to Māori is recognised and protected.</i>
Policies
<i>SASM-P2 Protect sites and areas of significance to Māori by:</i> 1. <i>Ensuring sites and areas of significance to Māori are not modified, destroyed, removed or visually encroached upon by inappropriate activities; and</i>

	2. requiring activities on, or in proximity to sites and areas of significance to Māori, to maintain the site or area's cultural, spiritual and historical values of importance to tangata whenua.
SASM-P4	Manage activities that occur on, or in proximity to sites and areas of significance to Māori that have the potential to compromise cultural, spiritual and heritage values, interests or associations of importance to tangata whenua, including: 1. maintenance and repair or upgrading of existing network utility structures; 2. erection of, additions to and relocation of structures; 3. earthworks; and 4. subdivision of land containing sites and areas of significance to Māori.
SASM-P5	Ensure the adverse effects of activities on sites and areas of significance to Māori are managed by: 1. avoiding locating activities within sites and areas of significance to Māori, unless there is a functional need to do so and no practicable alternative location; and 2. avoiding significant adverse effects on the site or area's cultural, spiritual and historical values; and 3. for other adverse effects: a. where adverse effects cannot be avoided, they are minimised; and b. where adverse effects cannot be minimised, they are remedied; and c. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, the activity itself is avoided.
SASM-P6	When considering the appropriateness of an activity on, in proximity to, or affecting sites and areas of significance to Māori, have regard to: 1. the particular cultural, spiritual and historical values, interests or associations of importance to tangata whenua that are associated with the site which may be affected; 2. the extent to which the activity may compromise tangata whenua's relationship with their ancestral lands, water, sites, wāhi tapu, and other taonga, and the ability to protect, maintain or enhance sites of significance to Māori; 3. tangata whenua's responsibilities as kaitiaki and mana whenua; 4. any opportunities for tangata whenua's relationship with the site or area to be maintained or strengthened on an ongoing or long term basis, including practical mechanisms for mana whenua to access, use and maintain the site; 5. the outcomes of any consultation with tangata whenua, including any expert cultural advice provided, in particular with respect to mitigation measures and the incorporation of mātauranga Māori into the design, development or operation of activities that may affect the site; 6. whether the modification or destruction of a site: a. is required to allow for a significant public benefit that could not otherwise be achieved and the significant public benefit outweighs the retention of the site or area of significance to Māori or parts of the site or area of significance to Māori; or b. is required to enable mana whenua to realise cultural, spiritual, historical or economic benefits; or c. is necessary to prevent serious threat to property, people or services; and 7. where the site is also an archaeological site, the relevant objectives and policies in the Historic Heritage Chapter.

8.57 These provisions seek that appropriate regard is had to SASM and the relationship of tangata whenua is recognised and protected. I consider that the activity has been designed in a manner that seeks to maintain the values associated with the SASM including recognition of the visual connection between Aotere/Paraora Pā and Te Pou Tūtaki.

8.58 The activity avoids being located on Aotere/Paraora Pā. Although the activity is within the extent of Te Pou Tūtaki, this extent has not been verified and based on my understanding of the values of Te Pou Tūtaki

being a 'marker' for where development of Ngamotu should not progress beyond, I am not aware that the activity is on Te Pou Tūtaki and hence development on it is also avoided. As previously commented no Road intersection upgrade works are required which may affect the location of Te Pou Tūtaki. Although I acknowledge that there will be effects on SASM from redevelopment of this site, I am not aware that they are of such a level as to be 'significant' which would otherwise mean Policy SASM-P5 seeks that they are to be avoided. I consider that the proposal has sought to minimise effects and conditions are recommended that to incorporate the input of mana whenua to manage the effects of the proposal to further minimise them.

- 8.59 Based on my current understanding of the values that mana whenua have with Aotere/Paraora Pā and Te Pou Tūtaki and my understanding of the effects of the proposal, I am satisfied that the proposal is not inconsistent with these provisions.

<i>Historic Heritage</i>	
Objectives	
<i>HH-O1 is recognised, protected and maintained.</i>	
Policies	
<i>HH-P13</i>	<i>Protect archaeological sites by:</i> <i>1. Ensuring archaeological sites are not modified, destroyed, removed or visually encroached upon by inappropriate activities; and</i> <i>2. requiring activities on or in proximity to archaeological sites to maintain the sites' historic heritage values.</i>
<i>HH-P15</i>	<i>Manage activities that occur on or in proximity to an archaeological site, including:</i> <i>1. maintenance and repair or upgrading of existing network utility structures;</i> <i>2. erection of, additions to and relocation of structures;</i> <i>3. earthworks; and</i> <i>4. subdivision of land containing archaeological sites.</i>
<i>HH-P17</i>	<i>Ensure the adverse effects of activities on archaeological sites are managed by:</i> <i>1. avoiding locating activities within archaeological sites, unless there is a functional need to do so and no practicable alternative location; and</i> <i>2. avoiding significant adverse effects on the site's cultural and historic heritage values; and</i> <i>3. for other adverse effects:</i> <i>a. where adverse effects cannot be avoided, they are minimised; and</i> <i>b. where adverse effects cannot be minimised, they are remedied; and</i> <i>c. where more than minor residual adverse effects cannot be avoided, minimised, or remedied, the activity itself is avoided.</i>
<i>HH-P18</i>	<i>When considering the appropriateness of an activity on, in proximity to, or affecting archaeological sites and scheduled pre-1900 buildings, or on land where there is reasonable cause to suspect an archaeological site may exist, have regard to:</i> <i>1. the particular cultural and historic heritage values present and their setting;</i> <i>2. the reduction or loss of historic heritage values, including the ability to interpret the place and its relationship with other heritage features/items or archaeological sites;</i> <i>3. the site's sensitivity to change or capacity to accommodate change without compromising the historic heritage values of the archaeological site and surrounds;</i> <i>4. any opportunities to enhance historic heritage;</i> <i>5. any assessments or advice from a suitably qualified and experienced heritage expert or archaeological expert;</i> <i>6. the outcomes of consultation with Heritage New Zealand Pouhere Taonga;</i> <i>7. whether the modification or destruction of a site:</i>

- a. is required to allow for significant public benefit that could not otherwise be achieved and the significant public benefit outweighs the retention of the archaeological site or parts of the archaeological site; or
- b. is necessary to prevent serious threat to property, people or services; and
- 8. where the site is also a site or area of significance to Māori, the relevant objectives and policies in the Sites and Areas of Significance to Māori Chapter.

8.60 For the same reasons as discussed in the previous section on the SASM objectives and policies, I am satisfied that the proposal is consistent with these provisions which seek to recognise, protect and maintain historic heritage.

<i>Transport</i>
Objectives
<i>TRAN-02 The transport network is safe, efficient and effective in moving people and goods within and beyond the district.</i>
<i>TRAN-03 Activities generate a type or level of traffic that is compatible with the local road transport network they obtain access to and from.</i>
Policies
<i>TRAN-P2 Allow the following activities provided they maintain the safety, efficiency and effectiveness of the transport network:</i> 1. roads and vehicle access points; 2. building activities and trees within the New Plymouth Airport Flight Path Surface 2 area; 3. electric vehicle charging stations; and 4. operation, maintenance and repair or construction of the transport network.
<i>TRAN-P3 Manage activities that occur on or in close proximity to the transport network, including:</i> 1. erection of structures on or adjacent to an indicative road transport network; 2. erection of structures on or adjacent to a railway corridor; 3. high trip generator activities; 4. vehicle access points onto a state highway; and 5. vehicle access points over a railway level crossing.
<i>TRAN-P10 Encourage buildings and new developments to:</i> 1. provide free, secure and covered parking for bicycles and end-of-trip facilities such as secure lockers, showers and changing facilities; and 2. allocate parking for mobility devices, scooters, motorcycles, hybrid vehicles and car share or car pool vehicles and to provide charging points for electric vehicles.
<i>TRAN-P12 Require that activities provide for the safe and efficient movement of vehicles on-site, onto and along the road transport network by:</i> 1. providing appropriately designed and located vehicle access points, on-site parking including bicycle parking, loading and standing spaces, driveways, manoeuvring space and queuing space to reduce disruption to traffic flow, driver distraction and road congestion; 2. ensuring that the location, orientation, design and illumination of signs avoid road or footpath user obstruction, distraction or confusion; and 3. providing stock truck effluent receiving facilities to avoid or minimise spillage onto roads.
<i>TRAN-P13 Ensure that activities do not constrain or compromise the safe and efficient operation of the road transport network by:</i> 1. minimising potential conflict between vehicles, pedestrians and cyclists; 2. managing the width of vehicle access points so that on-street parking is not reduced; and 3. managing adverse cumulative effects.

<i>TRAN-P15</i>	<i>Encourage car parks that provide for general public or staff use to be designed to provide clearly marked, connected, convenient, safe, accessible pedestrian pathways, with provision for shelter where possible.</i>
<i>TRAN-P16</i>	<i>Ensure the type and level of traffic using the road transport network is appropriate by:</i> <i>1. minimising the ability for heavy vehicles to directly access and utilise local roads;</i> <i>2. requiring high trip generator activities to locate on state highway, arterial and collector roads; or</i> <i>3. avoiding, remedying or mitigating adverse amenity, character, safety and cumulative effects.</i>
<i>TRAN-P17</i>	<i>Require high trip generator activities which propose to access and utilise the district's roads to be assessed in an Integrated Transport Assessment commensurate to the scale of the activity prepared by a suitably qualified traffic specialist that demonstrates how any adverse effects on the road transport network will be avoided, remedied or mitigated, and assesses:</i> <i>1. the road's capacity and the likely effect of the proposed activity on the road, its ongoing maintenance and its users;</i> <i>2. whether opportunities for alternative access or routes exist;</i> <i>3. appropriate traffic management and travel planning mechanisms;</i> <i>4. provision for pedestrians, cyclists, public transport users, freight and motorists;</i> <i>5. whether it is appropriate to stage the activity or undertake improvements to the road transport network;</i> <i>6. cumulative effects;</i> <i>7. linkages to existing and proposed walking and cycle routes;</i> <i>8. integration with existing and proposed public transport;</i> <i>9. any positive transport effects; and</i> <i>10.any safety effects of high traffic generating activities.</i>

8.61 The Transport provisions seek that the network is operated in a safe and efficient manner including that the traffic generation associated with activities is compatible with the roads which serve them. Subject to the inclusion of conditions for the vehicle access points, particularly those specifically imposed for Access 2, the safety and efficiency of the network will be maintained. An appropriate level of on-site parking will be provided for cars and provision made for bicycles. These areas will all be formed and marked.

8.62 All three Roads fronting the site, given their status, are appropriate to receive traffic from this high trip generating activity. The TAR submitted has generally addressed how adverse effects on the road transport will be managed for which it is recommended that no changes to it are required.

8.63 For the above reasons I am satisfied that the activity will be consistent with the Transport provisions.

<i>Signs</i>
Objectives
<i>SIGN-01</i> <i>Signs contribute to the social, cultural and economic wellbeing of the community by:</i> <i>1. supporting the needs of commercial, rural, industrial, infrastructure, major healthcare and community activities;</i> <i>2. maintaining or enhancing the visual amenity values and character of the surrounding area; and</i> <i>3. ensuring public and transport safety.</i>

Policies
<i>SIGN-P5 Ensure signs are of a type, scale and design that is appropriate for each sign's location, having regard to both positive and adverse effects of signs on:</i> <i>1. the predominant or planned character and amenity values of the zone, especially the effect on surrounding properties and public places;</i> <i>2. scheduled features and non-scheduled features;</i> <i>3. the appearance of buildings and the architectural features of those buildings;</i> <i>4. the purpose of the sign and if it has a functional need in the location;</i> <i>5. whether the sign would add vibrancy and enliven a location;</i> <i>6. the cumulative effects caused by sign proliferation;</i> <i>7. the safe and efficient operation of transport networks and the safety of all road and footpath users; and</i> <i>8. the ability to offset any adverse effects.</i>

- 8.64 The signage associated with the activity will support with identification of the activity and raising awareness in the community. I consider that the signage on both the building and the free standing sign will maintain the established commercial amenity of the area and will contribute towards the enlivenment of this site by establishing an activity on what is presently a vacant site. I satisfied that the signage will not causing any adverse effects on the safe and efficient operation of the transport network. The sign is located outside of the extent of the SASM's. I am therefore satisfied that the signage associated with this activity will contribute to the wellbeing of the community.

<i>Entrance Corridor</i>
Objectives
<i>ECOR-01 The main roads leading to and from the urban areas of New Plymouth, Waitara and Inglewood, and to and from the New Plymouth Airport are visually attractive, and provide a welcoming, pleasant arrival experience.</i>
Policies
<i>ECOR-P5 Ensure activities within or on sites adjoining entrance corridors maintain the visual amenity, attractiveness and the quality of the arrival experience of entrance corridors having regard to:</i> <i>1. the location, form, bulk, scale and orientation of structures on the site, including whether structures are sufficiently set back from boundaries;</i> <i>2. whether structures complement and integrate with the surrounding topography and landscape;</i> <i>3. the type, scale, location, design and direction of signage and its visibility within the entrance corridor;</i> <i>4. the maintenance or enhancement of views of notable/landmark built features and natural features, including Taranaki Maunga;</i> <i>5. the cultural (including tangata whenua) values of the entrance corridor, where relevant and whether these will be compromised;</i> <i>6. the functional needs and operational needs of network utilities;</i> <i>7. whether visually prominent trees, planting or landscaping that contribute to the amenity of the area will be retained; and</i> <i>8. the extent to which planting and landscaping mitigates adverse effects on visual amenity and the quality of the arrival experience along the entrance corridor.</i>

- 8.65 These provisions seek that activities on sites fronting roads such as Devon Road are designed in a manner that contribute towards the arrival experience when entering New Plymouth. The current frontage along Devon Road is vacant land with an absence of vegetation. The building is well set back from the entrance way which is to have a landscaping strip planting established along the Devon Road frontage which will

improve the appearance of the site. Views of Taranaki Maunga will still be possible between gaps in required planting, over the building due to its setback, and over the car park areas to the west of the building. For these reasons I am satisfied that the proposal will improve the visual amenity, attractiveness and quality of arrival experience into New Plymouth through activation of this presently vacant site.

<i>Earthworks</i>	
Objectives	
<i>EW-01</i>	<i>Earthworks and associated retaining structures necessary for the construction, maintenance or operation of activities are enabled, provided that adverse environmental effects are avoided, remedied or mitigated.</i>
Policies	
<i>EW-P2</i>	<i>Manage earthworks that have the potential to:</i> <i>1. create new or exacerbate existing natural hazards, particularly flood events, or cause adverse impacts on natural coastal processes;</i> <i>2. result in adverse effects on:</i> <i>a. the stability of land or structures;</i> <i>b. visual amenity and character;</i> <i>c. waterbodies and scheduled features;</i> <i>d. the health and safety of people and communities;</i> <i>e. indigenous biodiversity;</i> <i>f. the operation of network utilities; or</i> <i>3. result in adverse construction noise, vibration, odour, dust, lighting and traffic effects</i>
<i>EW-P3</i>	<i>When any earthworks are undertaken on land where there is reasonable cause to suspect that an archaeological site or a site of significance to Māori exists on that land:</i> <i>1. have regard to:</i> <i>a. the extent to which the earthworks or land disturbance may compromise the particular cultural, spiritual or historical values of importance to tangata whenua associated with the site and, if so, the outcomes of any consultation with tangata whenua, including any expert cultural advice provided with respect to:</i> <i>i. opportunities to incorporate mātauranga Māori into the overall scale, form and extent of the earthworks or land disturbance;</i> <i>ii. opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened;</i> <i>iii. options to avoid, remedy or mitigate adverse effects; and</i> <i>b. the outcomes of any consultation with Heritage New Zealand Pouhere Taonga.</i> <i>2. in all cases, require appropriate steps to be followed in the event that sensitive material is discovered during earthworks and land disturbance.</i>
<i>EW-P4</i>	<i>Ensure that earthworks are of a type, scale and form that is appropriate for the location having regard to the effects of the activity, and:</i> <i>1. the impact on existing natural landforms and features and indigenous vegetation;</i> <i>2. changes in natural landform that will lead to instability, erosion and scarring;</i> <i>3. impacts on natural drainage patterns and secondary flow paths;</i> <i>4. compatibility of the earthworks and the design and materials for any retaining structures with the visual amenity and character of the surrounding area;</i> <i>5. the extent to which the activity mitigates any adverse visual effects associated with any exposed cut faces or retaining structures, including through screening, landscaping and planting; and</i> <i>6. the impact of the movement of dust and sediment beyond the area of development.</i>
<i>EW-P6</i>	<i>Ensure that earthworks and any associated structures are designed where practicable to reflect natural landforms, and where appropriate, landscaped to reduce and soften their visual impact having regard to the character and visual amenity of the surrounding area.</i>

- 8.66 These provisions seek that earthworks are undertaken in a manner that which ensures their potential adverse effects are suitably managed. The applicant has prepared a Erosion and Sediment Control Plan and conditions are recommended to manage the effects of the earthworks.
- 8.67 I note that the submitters have not raised any concerns in regard to the undertaking of the earthworks and conditions have been recommended to provide for cultural monitoring of the earthworks and accidental discovery protocol. The general flat landform will be retained.
- 8.68 I therefore consider that the earthworks will be undertaken in a manner that will ensure any potential adverse environmental effects are appropriately managed.

<i>Natural Hazards</i>	
Objectives	
<i>NH-01</i>	<i>The risks associated with natural hazards and their impact on people, property and the environment are recognised and avoided or mitigated, including the likely long-term effects of climate change.</i>
<i>NH-02</i>	<i>Activities do not create new or exacerbate existing natural hazards.</i>
<i>NH-03</i>	<i>Activities are designed and located to minimise exposure to risk of damage from natural hazards.</i>
Policies	
<i>NH-P3</i>	<i>Manage the activities that can occur in identified natural hazard areas, or areas which have potential to be affected by a natural hazard, including:</i> <i>1. building activities;</i> <i>2. earthworks;</i> <i>3. subdivision; and</i> <i>4. network utilities.</i>
<i>NH-P5</i>	<i>Require activities locating in identified natural hazard areas, or areas which have potential to be affected by a natural hazard, to demonstrate any risks to people, property and the environment will be minimised to an acceptable level, having regard to the effects of the activity, and:</i> <i>1. the extent to which the activity will increase the risk of the hazard or the risk of damage to existing activities on the site or on adjacent sites, including increased flood depths and velocities;</i> <i>2. the increasing risk of natural hazards from climate change;</i> <i>3. the cumulative effects of multiple activities on the risks associated with natural hazards;</i> <i>4. the impact on the functioning of any relevant natural system;</i> <i>5. the permanency of the activity and whether any building or structure can be relocated outside of the hazard area.</i> <i>6. whether the activity will intensify the use of the area or the number of people that are likely to occupy the site, thereby potentially increasing the level of exposure to life-safety risk;</i> <i>7. whether any methods can be adopted to avoid or mitigate the effects of the hazard through building or site design;</i> <i>8. ensuring new development is located and designed to mitigate the potential for natural hazards, and does not accelerate or worsen any material damage to that land, or displace to other land or structures, resulting from erosion, subsidence, debris flow, surface water flooding;</i> <i>9. the ability to monitor the hazard on an ongoing basis; and</i> <i>10. the operational need or functional need for the activity to be located within the hazard area and whether any practicable and operationally feasible alternatives are available to avoid the activity occurring in the hazard area.</i>

- 8.69 The applicant has displayed that any flood risk from the Mangaone Stream is low and the risk of it overtopping will be away from the activity. Stormwater runoff generated by the activity will be contained within the site. Therefore I consider that the risk from existing and new natural hazards will be suitably managed and the exposure to risk minimised.

<i>Waterbodies</i>	
Objectives	
<i>WB-01</i>	<i>Waterbodies with natural character and ecology, recreation, cultural, spiritual and heritage values, and their margins are protected from inappropriate activities.</i>
<i>WB-3</i>	<i>The adverse effects of activities on the values of waterbodies are avoided, remedied or mitigated.</i>
Policies	
<i>WB-P2</i>	<i>Protect the natural character, ecological, recreational, cultural, spiritual, heritage or amenity values of waterbodies by:</i> <i>1. managing the potential adverse effects of subdivision on the values of waterbodies;</i> <i>2. requiring buildings and earthworks to be set back from natural waterbodies to avoid, remedy or mitigate potential adverse effects on their values; and</i> <i>3. maintaining and enhancing public access to rivers and lakes with recreation, scenic, cultural or amenity values through the creation of esplanade reserves or esplanade strips at the time of subdivision.</i>
<i>WB-P7</i>	<i>Consider the incorporation of mātauranga Māori into the design, development and operation of activities on sites adjoining waterbodies which have cultural, spiritual or historic values of importance to tangata whenua and provide opportunities for tangata whenua to exercise their customary responsibilities in respect of waterbodies.</i>

- 8.70 The Mangaone Stream is located adjacent to the south-eastern corner of the site. The building is setback approximately 30m and the earthworks 15m from the Mangaone Stream and appropriate erosion and sediment controls will be in place during earthworks to protect water quality. This portion of the stream is in a heavily modified state and I consider that the activity will not adversely affect its values.

Objectives and Policies Conclusion

- 8.71 I consider that the proposal is consistent with the objectives and policies of the PODP.

OTHER MATTERS - s104(1)(c)

Tai Whenua, Tai Tangata, Tai A, the Environmental Management Plan of Te Atiawa Iwi.

- 8.72 Tai Whenua, Tai Tangata, Tai A is the environmental management plan for Te Atiawa iwi. Although the effects on Te Atiawa are considered to be less than minor, Tai Whenua, Tai Tangata, Tai A includes reference to Ngā Hapū Te Atiawa which includes the two submitters throughout. Section 6.7 of Tai Whenua, Tai Tangata, Tai A focusses on sites of significance to māori (SSM). General Objective TTHE1.1 seeks that the relationship of Ngā Hapū Te Atiawa with SSM be recognised and protected along with Objective TTHE1.2 seeking that SSM be protected for current and future generations. The relationship of Ngāti Tāwhirikura Hapū and Puketapu Hapū has been recognised in the application and conditions of resource consent are recommended to recognise the relationship of the activity with the SSM's. No works are proposed on Aotere Pa or will the position of the Pou be affected (General Objective TTHE2.1). The proposal will not affect access to the SSM's which are already accessible (Objective TTHE3.1).

9.0 Section 106A of the RMA

- 9.1 Section 106 of the RMA considers those matters where Council may refuse to grant a landuse consent, or grant a landuse consent subject to conditions, if it considers that there is a significant risk from natural hazards.
- 9.2 As previously addressed in the Section 104 analysis, the effects on existing flooding patterns will not be adversely affected. Therefore I am satisfied that the proposal will not result in change in the risk from natural hazards either on the site or other land.
- 9.3 Therefore I am satisfied that there are no reasons under Section 106A that resource consent should be refused.

10.0 PART 2 OF THE RMA

- 10.1 I am satisfied in this case that the provisions of the Part Operative District Plan have been competently and coherently, and hence properly, prepared in accordance with Part II of the Act. Therefore, as per the Court of Appeal decision in R J Davidson Family Trust vs Marlborough District Council (CA97/2017) I feel assured in taking the view that there is no need to refer to Part II because doing so would not add anything to the evaluative exercise of the proposal undertaken earlier in this report.

11.0 RECOMMENDATION

For the reasons outlined in this report and having had regard to s104(1)(a)-(c), I recommend that the applications for resource consent to construct a Bunnings warehouse and to cancel consent notice 11204972.3 be **granted** subject to the imposition of conditions on the landuse consent included in Appendix A to this report



Report and recommendation by: Richard Watkins
PRINCIPAL PLANNER

Date: 7th September 2026

List of Appendices

Appendix A - Recommended Conditions of Resource Consent

Appendix B – Notification Decision

Appendix C – Peer review of Transportation Assessment

Appendix D – Development Engineer conditions and comment from 3 Waters Planning Engineer

Appendix E – Discharge Permit resource consent issued by Taranaki Regional Council

Appendix A – Recommended Conditions of Resource Consent

General Accordance

1. The use and development of the land must be as described within the application LUC25/48839 and be generally in accordance with the following plans except as amended by the conditions below:
 - a. Assessment of Environmental Effects and Statutory Analysis dated 29 July 2025 submitted to New Plymouth District Council on 27 November 2005
 - b. Plans entitled:
 - i. 'Proposed Site Plan' Drawing No: SP0_10 Rev. D dated 19 November 2025,
 - ii. Proposed Elevation Signage: Drawing No: ES0_01 Rev.C dated 28 May 2025;
 - iii. Proposed Elevation Signage: Drawing No: ES0_02 Rev.E dated 19 November 2025;
 - iv. 'Bunnings New Plymouth' Sheet No C-000 Rev.7, C-100 Rev.6 & C210 Rev.5 dated 24 June 2025, C001 Rev.1 dated 20 February 2024, C150 Rev.5, C200 Rev.4 & C-610 Rev.3 dated 23 June 2025, and C-800 Rev.1 prepared by BCD Group
 - c. Civil Engineer Design Features report prepared by BCD Group Job No: 23-0336 Rev.7 dated 27 November 2025.
 - d. Landscape Package for Resource Consent – Bunnings New Plymouth dated 25 June 2025 and Landscape Design Statement dated 23 April 2023 prepared by Rough Milne Mitchell Landscape Architects
 - e. Ravensdown Contaminated Site Management Plan prepared by 4SightConsulting version 4 dated March 2018 and Site Validation Report prepared by HDGeo, project No.HD1781, reference SVR Rev3 dated 1 December 2023.
 - f. Erosion and sediment Control Plan prepared by BCD Group Job No: 23-0336 Rev.1 dated 1 October 2025.

Prior to commencement of works

2. The Consent Holder shall arrange and attend a pre-start meeting with the New Plymouth District Council Monitoring Department, Ngāti Tāwhirikura and Puketapu Hapū at least 5 working days prior to the commencement of activities associated with this consent. The preferred means of contact is by email to PlanningConsents.Monitoring@npdc.govt.nz The pre-start meeting shall address:
 - a. Construction Traffic Management;
 - b. Erosion and sediment control measures;
 - c. Contaminated soil disturbance;
 - d. Accidental Discovery Protocol; and
 - e. Cultural Monitoring
3. Pursuant to Section 36 of the Resource Management Act 1991 the Consent Holder must pay the actual and reasonable costs incurred by the New Plymouth District Council when monitoring the conditions of this consent.
4. Prior to the commencement of any site works, or the preparation of any management plans the Consent Holder must take all reasonable endeavours, and act in good faith, to convene and resource a Kaitiaki Forum.

5. The function and purpose of the Kaitiaki Forum must be formally agreed by the Consent Holder and Puketapu Hapū. This must be formally documented in a Forum Collaboration Agreement ('Agreement'). This Agreement must include (but not be limited to):
 - a) The entities to be represented on the Forum are the Consent Holder, Ngāti Tāwhirikura hapū and Puketapu Hapū;
 - b) The entities that form the quorum;
 - c) The number of representatives and the representatives from the entities on the Forum;
 - d) The construction timetable, and the frequency the Forum meets relative to that timetable;
 - e) The duration of the Forum;
 - f) A dispute resolution clause;
 - g) Any role for New Plymouth District Council and/or Taranaki Regional Council staff in relation to the role and function of the Forum; and
 - h) Anything further the participating entities deem appropriate to consider.
6. Prior to the commencement of works a copy of the Forum Collaboration Agreement must be provided to the New Plymouth District Council Monitoring Department.
7. The Consent Holder must engage with the Kaitiaki Forum:
 - a) To gain cultural understanding and input into the content of:
 - i. The Planting Plan required by Condition 15
 - ii. The Building Façade Treatment Plan required by Condition 16.
 - b. To develop an Applied Cultural Expression Plan which must include but not be limited to;
 - i. The overall purpose of Applied Cultural Expression Plan.
 - ii. The locations and on-going maintenance of any installations of Toi Māori.
 - iii. The location and maintenance schedule of sign and story boards.
 - c. To contribute to the induction process of all persons working on the site, control and provide oversight of all earthworks undertaken within the development; and
 - d. To implement necessary tikanga māori including a pre-start blessing and cultural monitoring of the earthworks within the application site. Ngāti Tāwhirikura hapū and Puketapu Hapū must be engaged no less than ten (10) working days prior to any earthworks commencing.
8. No less than 20 working days prior to the commencement of works, the consent holder must submit a Construction Traffic Management Plan (CTMP), for certification by the New Plymouth District Council Monitoring Supervisor or nominee. The CTMP must identify how it will manage construction traffic to:
 - a. Protect public safety.
 - b. Minimise delays to road users.
 - c. Minimise disruption to property access; and
 - d. Inform the public about the potential impacts on the road network.
9. The CTMP must include, but not be limited to, the following:
 - a. Details of traffic management activities and sequencing.
 - b. Methods for managing effects from construction relating traffic movements including but not limited to noise and vibration.
 - c. Provisions to ensure that, as far as practicable, road users will not be held up by construction activities for an unreasonable period of time (such time period to be specified).
 - d. The proposed route through the city for any trucks associated with the removal of earthworks and any traffic management measures.
 - e. Details on how construction traffic would be managed for the duration of the works noting that no construction vehicles shall be parked on and adjacent street for the duration of the works.
 - f. Details of how construction noise for all adjoining properties must be managed in line with the relevant standards outlined under NZS6803:1999
 - g. The management and mitigation measures prescribed in the CTMP must be implemented for the duration of the construction works.

10. Prior to the commencement of earthworks, the consent holder must forward the Erosion and Sediment Control Plan as approved by the Taranaki Regional Council to the New Plymouth District Council Monitoring Department.
11. Prior to the commencement of earthworks, the consent holder must install all silt and sediment control measures in accordance with the Erosion and Sediment Control Plan forwarded in accordance with Condition 10.
12. No less than 20 working days prior to the commencement of earthworks, the consent holder must provide a Contamination Management Plan (CMP) to the Council for certification by the New Plymouth District Council Monitoring Supervisor. The objective of the CMP is to demonstrate how the consent holder will monitor and manage contaminated soil within the site, including detailed site management methods and techniques and how compliance with the consent conditions will be achieved. The CMP must include, but is not limited to, the following:
 - a. Remediation of the On-Going Management Areas adjacent to Access 2 identified in the Site Validation Report prepared by HDGeo;
 - b. Sampling that will be undertaken within the site;
 - c. The erosion and sediment controls that will manage stormwater and contaminant runoff from the site; and
 - d. An unexpected discovery protocol; and remediation measures that will occur for any contaminated soil discovered which exceeds the soil quality objectives outlined in table 3 of the Site Validation Report prepared by HDGeo, project No.HD1781, reference SVR Rev3 dated 1 December 2023.
13. The CMP must be prepared by a suitably qualified and experienced person (SQEP) and certified by the Council that it meets the requirements of this condition.
14. Prior to commencement of ground disturbance, the consent holder shall provide evidence to the New Plymouth District Council Monitoring Department that a suitably qualified and experienced environmental practitioner has been appointed to monitor all ground disturbance works. The consent holder shall include the contact details of the practitioner appointed in accordance with this condition.
15. No less than 20 working days prior to commencement of construction, the Consent Holder shall provide a finalised Landscape Plan in general accordance with the recommendations of the *Landscape Package for Resource Consent – Bunnings New Plymouth dated 25 June 2025 and Landscape Design Statement dated 23 April 2023 prepared by Rough Milne Mitchell Landscape Architects* for approval by the Council's Monitoring & Enforcement Officer. The Landscaping Plan shall include the following:
 - a. A summary of the outcomes of the Kaitiaki Forum on the content of the Landscape Plan.
 - b. Plant species, numbers, size, spacing, layout and grade;
 - c. Height at installation
 - d. Location of landscaping
 - e. Confirmation in the form of a plan that the planting along Devon Road will achieve a minimum sight distance of 151m from Access 2 for traffic safety purposes.
 - f. Height expected to grow to and within what time frame
 - g. Methods of ground preparation, fertilising, mulching, spraying;
 - h. Timing of planting;
 - i. Maintenance and weed management.
16. No less than 20 working days prior to commencement of construction, the Consent Holder shall provide a Building Facade Treatment Plan for certification to the New Plymouth District Council Monitoring Supervisor or nominee. The Building Façade Treatment Plan Plan shall include the following:

- a. A summary of the outcomes of the Kaitiaki Forum on the content of the Building Façade Treatment Plan.
- b. Details of how the treatment of the western end of the building and main entrance provide for, and incorporate cultural expression to recognise the presence of Aotere/Paraora Pā and Te Pou Tūtaki.

During Construction

17. If the consent holder discovers archaeological evidence, or suspected archaeological evidence, they must without delay notify:
 - a. Ngāti Tāwhirikura and Puketapu Hapū and ; and
 - b. Heritage New Zealand Pouhere Taonga (HNZPT); and
 - c. New Plymouth District Council Monitoring Officer; and
 - d. New Zealand Police in the case of skeletal remains; and
 stop work within the immediate vicinity of the discovery to allow a site inspection by HNZPT and their advisors, who shall determine whether the discovery is likely to be extensive and if a thorough site investigation is required. Site work shall only recommence following consultation with the New Plymouth District Council, HNZPT, Ngāti Tāwhirikura and Puketapu Hapū, and in the case of skeletal remains, the New Zealand Police, provided that any relevant statutory permissions have been obtained.
18. Land disturbed by earthworks, must be wetted as required to ensure that dust nuisance is maintained within the site.
19. The consent holder must install a stabilised vehicle entrance to prevent the tracking of earth worked materials onto the surrounding road network. If contaminant material is tracked onto the road, the consent holder must clean and repair the road back to its original condition. In doing this, the consent holder must ensure that no materials are washed or swept into any stormwater drains or natural drainage systems.
20. Prior to construction of any services or the building, the consent holder must undertake remediation of the contamination identified in the vicinity of the existing office buildings and trees adjacent to Devon Road in the Site Validation Report prepared by HDGeo. Earthworks and remediation works must be undertaken in accordance with the Contamination Management Plan certified in accordance with Condition 12.
21. Prior to commencement of the construction of the Bunnings warehouse and no later than one month of completion of groundworks whichever occurs first, the consent holder must supply a Site Validation Report for the approval of the Development Control Lead. The Site Validation report shall confirm that all contaminated soil within the site has been remediated to a level appropriate for commercial activities. The Site Validation report shall be prepared by the Suitably Qualified Environmental Practitioner appointed in accordance with Condition 14. The Site Validation report must be prepared generally in accordance with the MfE Contaminated Land Management Guideline No.1.
22. The existing collapsed Stormwater pipe work on site that has collapsed shall be removed and reinstated with appropriate engineered fill.
23. At completion of the earthworks and prior to undertaking any building works, a Geotechnical Completion Report must be submitted to the Council's Monitoring Officer prepared by a suitably qualified Geo Professional in accordance with Section 2.6.1 of the of the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).
24. The Geotechnical Completion Report must include (but not be limited to) the assessment of the stability of slopes, earth fills, cut and fill batters associated with the earthworks. This report shall be provided

along with the Schedule 2A Statement which relates to matters in Chapter 2 of the Land Development & Subdivision Infrastructure Standard.

Completion of Construction

25. Within six months of completion of earthworks activities, all exposed areas must be re-grassed/hydroseeded.

Advice Note:

Earthworked areas which have subsequently been the subject of mitigation or covered by impermeable surfaces will not be treated as an exposed area.

Prior to Opening and Operational Matters

26. Prior to opening of the Bunnings Warehouse, the stormwater soakage system must be installed in accordance with the approved plan entitled '*Bunnings New Plymouth*' Sheet No C-150 Rev.5 dated 23 June 2025 and operational. The stormwater system shall be constructed to manage stormwater for a 1% Annual Exceedance Probability event based on RCP 8.5 climate change scenario.
27. Prior to opening of the Bunnings Warehouse, all planting in the Landscape Plan approved in accordance with Condition 15 must be installed.
28. All planting in the Landscape Plan approved in accordance with Condition 15 must be maintained to the satisfaction of Council in perpetuity. If any of the landscaping dies and/or becomes diseased, the dead and/or diseased landscaping must be replaced in the same or similar location within the next planting season (generally between May and October) by a same or similar species of landscaping.
29. Prior to opening of the Bunnings Warehouse, a minimum of 345 parking spaces car parks must be provided on site in accordance with the approved plan entitled '*Bunnings New Plymouth*' Sheet No C-100 Rev.6 dated 24 June 2025.
30. Of the minimum 345 parking spaces required, at least eight of these parking spaces must for people with disabilities. The location of the parking spaces for persons with disabilities must meet the Accessible Route requirements of Standard NZS4121:2001.
31. Prior to opening of the Bunnings Warehouse, 36 bicycle spaces must be provided on site.
32. Prior to opening of the Bunnings Warehouse, all parking, manoeuvring, loading and access must be constructed to an all-weather standard and marked in accordance with the approved plan entitled '*Bunnings New Plymouth*' Sheet No C-100 Rev.6 dated 24 June 2025.
33. Prior to opening of the Bunnings Warehouse, all turning areas located at the end of 'blind aisles' must be marked as 'no parking' or similar.
34. During the operation of the Bunnings Warehouse, the required car parking and bicycle spaces must be retained on the site.
35. B-train truck movements from the loading area exiting the site via Access 3 must occur during low-customer periods.
36. Prior to opening of the Bunnings Warehouse, the consent holder must construct three new heavy industrial vehicle crossings at Access 1, 3 and Smart Road (adjacent to Access 4) as identified on Figure 4-1 of the *Transportation Assessment Report*, ref: 310205066.100.0108 dated June 2025 prepared by Stantec in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).

37. Prior to opening of the Bunnings Warehouse, the vehicle crossing onto Devon Road shall be upgraded to a heavy industrial vehicle crossing standard in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).and to the satisfaction of the New Zealand Transport Agency Network Manager.
38. Prior to opening of the Bunnings Warehouse, the consent holder must remove the existing vehicle crossings off Smart and Devon Roads that are no longer required and reinstate the kerb, channel and footpath and grass berm in accordance with the New Plymouth District Council Land Development and Subdivision Infrastructure Standard (Local Amendments Version 3).
39. Within three (3) months of completion of the remedial works and prior to construction of any new dwellings, the consent holder must provide a site validation report (SVR) to the Council's Monitoring Officer showing that the identified contamination has been successfully remediated in accordance with the RAP. The site validation report must be prepared by a suitably qualified and experienced practitioner in accordance with the current edition of the Ministry for Environment Contaminated Land Management Guidelines No.1 – Reporting on Contaminated Sites in New Zealand. The SVR must include as a minimum, but not be limited to:
- Proposed validation samples identified in the RAP
 - Photographs of the work as detailed in the RAP
 - Details of TCLP analysis undertaken
 - Disposal receipts
40. Prior to opening of the Bunings Warehouse to the public, the consent holder must supply to the New Plymouth District Council Monitoring Department, the Record of Title to confirm that Lots 1 & 4 DP 509004 are held in one Record of Title.
41. Prior to the commencement of the activity, the Consent Holder must ensure that the vehicle access (Access 2) to State Highway 3 operates as entry and left-out only. This shall be achieved through appropriate line marking and the installation of a 'No Right Turn' sign at the exit, to the satisfaction of New Zealand Transport Agency (NZTA). Confirmation of the installation of the required line marking and signage must be provided to NZTA and New Plymouth District Council Monitoring Department prior to operation. The entry and left-out only restriction must be retained for the duration of the operation of the activity, unless otherwise approved in writing by NZTA.
42. Prior to the commencement of the activity, the consent holder must prune all vegetation within Lot 4 DP 509004 adjoining State Highway 3 to ensure sightlines at Access 2 meet the required sight distances set out in the Transportation Assessment Report prepared by Stantec dated 26 June 2025. All vegetation within this area must be maintained by the Consent Holder for the duration of the operation of the activity to ensure ongoing compliance with the required sight distances.
43. Prior to giving effect to the activity the consent holder must provide to New Plymouth District Council Monitoring Department, correspondence from the New Zealand Transport Agency confirming that works in the State Highway, including the upgrade of the vehicle crossing and associated line markings, have been constructed to New Zealand Transport Agency standards.
44. The consent holder must undertake a traffic safety review of the operation of the vehicle crossing (Access 2) to Devon Road (SH3). The review must be undertaken by a suitably qualified traffic engineer 12 months following the public opening of Bunnings. The review is to assess (but not limited to) any increase in vehicle crashes at the access and observations of any excessive queuing, specifically in relation to the right-turn-in movement. The results must be reported to New Plymouth District Council and New Zealand Transport Agency within 15 working days of completing the review. If the review concludes that there are traffic safety issues at the access arising from the operation of the Bunnings

activity, further mitigation measures to address the safety issues identified must be recommended for consideration by New Plymouth District Council and NZTA and agreed for implementation by the consent holder. The review must include observations of the safety and efficiency of the use of Access 2:

- a. in the weekday evening peak hour including the number of times a driver was able to undertake the right hand turn freely versus having to be 'waved through' by other drivers;
- b. if there are changes made to the movements permitted at Access 2, then an evaluation on the safe and efficient operation of the Devon Road/Smart Road intersection must be evaluated.

45. Pursuant to section 128 to 131 of the Resource Management Act 1991, the New Plymouth District Council may review Conditions 42 & 43 of this consent after 12 months from opening of the Bunnings Warehouse, and receipt of the review submitted in accordance with Condition 43, and then every 5 years thereafter. The Council will serve notice on the Consent Holder of its intention to review any or all of the conditions of this consent for any of the following purposes:

- a. To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent (in particular the potential adverse environmental effects in relation to traffic effects), and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
- b. To address any adverse effects on the environment which have arisen as a result of the exercise of this consent that were not anticipated at the time of granting this consent, including addressing any issues arising out of complaints.

46. The Council will undertake the review in consultation with the consent holder and the consent holder must pay the actual and reasonable costs of the review pursuant to section 36 of the Resource Management Act 1991.

47. Should a Road be constructed along the rear of the Site linking Smart Road and Katere Drive, the consent holder must re-align Access 5 to meet the Road at 90 degrees.

48. Should a Road be constructed along the rear of the Site linking Smart Road and Katere Drive, the consent holder must ensure that no truck deliveries to Access 5 occur whilst the gates are closed.

49. Should a Road be constructed along the rear of the Site linking Smart Road and Katere Drive, the car parking facing the garden centre between the internal roundabout and new Road must be 'staff-only'. Signage to this effect must be installed by the consent holder prior to the operation of the new Road.

Advice Notes

- a) A Development Contribution for off-site services of \$545,276.70 excluding GST is payable by the consent holder and will be invoiced separately. In accordance with Section 208 of the Local Government Act 2002, the Council may prevent commitment of the resource consent under the Resource Management Act 1991.
- b) This consent lapses on 5 years from commencement unless the consent is given effect to before that date; or unless an application is made before the expiry of that date for the Council to grant an extension of time for establishment of the use. An application for an extension of time will be subject to the provisions of section 125 of the Resource Management Act 1991.