

Councillors
WANGANUI DISTRICT COUNCIL

**STATEMENT OF EVIDENCE TO THE HEARING OF SUBMISSIONS TO PROPOSED
PLAN CHANGE 21 – CENTRAL CITY AND RIVERFRONT - TO THE WANGANUI
DISTRICT COUNCIL DISTRICT PLAN**

1.0 INTRODUCTION

1.1 My name is Lisa Anne Thomas. I hold a Science Degree in Geology, and Ecology and Biodiversity, and a Masters of Resource & Environmental Planning. I am a member of the NZ Planning Institute (Graduate). I have over four years planning experience. I am a Consultant Planner and have been commissioned by the Wanganui District Council ('the Council') to prepare this report on Proposed Plan Change 21 to the Wanganui District Plan.

1.2 This report has been prepared in accordance with Clause 10 of Schedule 1 of the Resource Management Act 1991. This report includes my decisions on the provisions and matters raised in submissions, and the reasons for accepting or rejecting the submissions.

1.1 In this report I have provided:

- A brief outline of Proposed Plan Change 21;
- An outline of the statutory matters the Committee must consider when making its decision on this plan change;
- An assessment of the effects of the proposed Plan Change; and
- A table that summarises the key issues raised in submissions and further submissions, and reasons for accepting or rejecting submissions.
- Recommendations to the Committee on proposed amendments to Proposed Plan Change 21.

2.0 PLAN CHANGE PURPOSE

2.1 The purpose of Proposed Plan Change 21 is to amend the parts of the existing District Plan that relate to the Wanganui Central City and Riverfront Area, to reflect the changes that have occurred since the operative plan was prepared.

3.0 BACKGROUND

3.1 The RMA requires each part of the District Plan to be reviewed not later than 10 years after the Plan becomes operative. The Operative Plan was made operative on 27 February 2004. In accordance with Section 73(3) of the Resource Management Act

1991, the Wanganui District Council is undertaking a review of the District Plan in 7 phases, with Proposed Plan Change 21 being Phase 1.

- 3.2 Proposed Plan Change 21 proposes changes to the central city and riverfront areas. The central city and riverfront were selected as Phase 1 of the Review due to their importance to the District community, as identified through the “Shaping Wanganui” consultation in 2010.
- 3.3 This plan change proposes to amend the existing Central Commercial Zone, and creates new zones: Central Edge Commercial Zone, Arts and Commerce Zone, and Riverfront Zone. The plan change introduces objectives, policies and rules relating to these new zones.
- 3.4 Several strategic documents are being developed in conjunction with this Plan Change, that have informed aspects of it, including the Riverfront Development Plan and the Wanganui Urban Transportation Study (WUTS). This Plan Change proposes to alter the hierarchy of Taupo Quay, to reflect the policy direction in the WUTS.
- 3.5 Proposed Plan Change 21 recognises that the riverfront is currently underutilised as a public place. The plan change introduces a new Riverfront Zone, with objectives, policies and rules that require new developments and activities to reflect the importance of the Whanganui River and to provide for greater pedestrian access to and along the Riverfront. Policy P90 sets out those characteristics that are desirable in the Riverfront Zone, with the Rules for the Riverfront Zone controlling development to ensure these characteristics are maintained and enhanced over time. Council is then able to develop the Riverfront in line with the Riverfront Development Plan, which sits outside of the District Plan.
- 3.6 The s32 Analysis identified the following key issues with the Central City and Riverfront that are to be addressed through Phase 1 of the District Plan Review (Proposed Plan Change 21):
 1. Adverse effects of development in the Central City Area, namely:
 - a. The need to maintain a compact central commercial area.
 - b. The need to improve visual and physical connections between significant landmarks and heritage, including the Whanganui River, Queens Park/Pukenamu, Cooks Gardens/Papatuhou, and Moutoa Gardens/Pakaitore.
 2. Underutilised public space in the Central City Area
 - a. Roads have traditionally been developed for the movement of vehicles. Good urban design can help to enable road reserve to be used as a multi-modal, active public space.
 - b. The Riverfront is underutilised as a public space and presents a significant opportunity for development.
 3. Loss of Central City Characteristics
 - a. Wanganui is made up of a number of different areas with their own specific character that defines them such as the form and layout of buildings, activities and streets. The loss of these characteristics could mean the loss of the qualities that make these places successful.

4. Improving Connectivity in the Central City Area
 - a. A cohesive central city area requires clear connections between places.
5. Identification of Hazardous Substances
 - a. Action is required to improve the information base regarding hazards in the District; to increase community knowledge and awareness of risks; and to establish an area of risk the community is prepared to accept to guide future development.
6. Reduction of Hazardous Substances
 - a. To reduce hazard potential the location, design and operation of new hazardous facilities in environmentally sensitive areas and areas with high concentrations of population needs to be addressed.
 - b. The protection of existing developments in high risk areas needs to be addressed.
 - c. Actions between the Manawatu-Wanganui Regional Council and Wanganui District Council need to be co-ordinated with regard to the provisions of the Regional Policy Statement.
7. Identification and Recognition of Natural Hazard Potential
 - a. The Wanganui District is affected by a number of natural hazards, with major areas of concern including:
 - i. The Whanganui River
 - ii. Erosion in the hill country
 - iii. Hillside instability
 - iv. Coastal erosion
 - v. River bank erosion
 - vi. Tsunami
 - vii. Fault lines and liquefaction risk.
 - viii. Sand dune inundation.
 - ix. Loss of land due to sea level rise.
8. Reduction of Natural Hazard Potential
 - a. Addressing the location and operation of new land use activities in areas affected by natural hazards.
 - b. Protecting existing developments in high risk areas.
 - c. Co-ordinating actions between the Manawatu-Wanganui Regional Council and Wanganui District Council, particularly in regards to flooding and accelerated soil erosion and land instability.
9. Development That Does Not Take Into Account the Four Wellbeings
 - a. Development needs to take into account social, economic, environmental and cultural wellbeings. In particular, Proposed Plan Change 21 introduces objectives and policies to improve the overall safety of the central city area, including urban design and Crime Prevention Through Environmental Design (CPTED) principles.
10. District Plan Monitoring
 - a. The District Plan needs to ensure that the objectives and policies, designed to achieve sustainable management area successfully achieving this. The

RMA requires local authorities to monitor the efficiency and effectiveness of policies, rules and methods of District Plans, and to take appropriate action if it is necessary.

- 3.7 The s32 Report introduces the new Objectives that are being incorporated into the Wanganui District Plan through Proposed Plan Change 21, and the reasons why these objectives are being introduced.
- 3.8 The consultation undertaken as part of Phase 1 of the District Plan review identified the types of activities that the community believe should occur in the Central City. The proposed policy framework for Proposed Plan Change 21 identifies the different characteristics that make up individual areas of the central city. The identification of characteristics was preferred as an approach over the identification of activities that are permitted in each zone. The identification of characteristics will maintain and enhance the diversity that exists, and is considered a more effective method for informing decision making than an activity based approach.

4.0 STATUTORY PROCESS

“Shaping Wanganui” Consultation

- 4.1 The Wanganui District Plan Review project has been named the “Shaping Wanganui” Project. Prior to preparing Draft Plan Change 21, the Wanganui District Council undertook public consultation to establish the community’s vision for the Riverfront and Central City areas. The first round of public consultation was from February to May 2010. Feedback was gathered from stakeholder meetings, workshops, focus group meetings, public meetings, emails, questionnaires, feedback website, letters and conversations. Stakeholder groups included:
 - Riverfront area owners and occupiers;
 - Central City owners and occupiers;
 - Outer Commercial owners and occupiers;
 - Probus Matarawa;
 - Community Groups Forum;
 - Rotary North;
 - WDC Youth Committee;
 - Safer Wanganui;
 - Mainstreet Wanganui;
 - Wanganui architects;
 - Surveyors;
 - Planners; and
 - Engineers.
- 4.2 A public workshop on the Riverfront area was held at the War Memorial Conference and Convention Centre on Thursday 18 March 2010 from 5:30pm – 7:30pm. A public workshop on the Central City area was held at the War Memorial Conference and Convention Centre on Wednesday 24 March 2010 from 5:30pm – 7:30pm.
- 4.3 Public meetings were held at Wanganui East School and in the Faith City Church Auditorium on Monday 10 May 2010 from 7pm – 8:30pm. Public meetings were also held on Thursday 13 May 2010 at Castlecliff School and Gonville School from 7pm – 8:30pm.

- 4.4 This consultation identified that the existing policy framework, particularly for the Riverfront and parts of the Old Town, do not reflect the community's vision for those areas. This initial consultation informed the preparation of Draft Plan Change 21.
- 4.5 Crime Prevention Through Environmental Design (CPTED) training was held on 14 and 15 June, and was attended by Council staff and other interested parties. The training was facilitated by Dr Frank Stoks, the leading CPTED practitioner responsible for the creation of the CPTED assessment tool. An assessment of the Riverfront area both in the day time and after dark was undertaken and the CPTED principles applied to the area. This CPTED assessment has informed the development of the Riverfront area to ensure the area is a welcoming and safe place to use.

Preparation and consultation on the Draft Plan Change 21

- 4.6 Section 73 (1A) of the Resource Management Act (the Act) enables a district plan to be changed by a territorial authority in the manner set out in the First Schedule.
- 4.7 Pursuant to Clause 3, First Schedule of the Act, the Council has consulted with relevant statutory agencies, tangata whenua and other parties during the preparation of Draft Plan Change 21. Consultation on Draft Plan Change 21 was undertaken in October and November 2010.
- 4.8 Public Meetings were held on Monday 18 October 2010 at the Wanganui East School Hall and Gonville School Hall (from 7pm – 8:30pm); and on Tuesday 19 October 2010 at the Faith Academy (Springvale) Lounge and Castlecliff School Hall from 7pm – 8:30pm.
- 4.9 A Councillor workshop was run on 6 December 2010 to discuss the Draft Central City Riverfront Plan Change, as well as the Riverfront Development Plan that was developed by Kobus Mentz of Urbanism+ in conjunction with the Draft Plan Change. This Riverfront Development Plan establishes the vision for the Riverfront area. The draft Plan Change was amended as a result of feedback gathered from this second round of consultation, and the Councillor workshop.

Notification of Proposed Plan Change 21

- 4.10 Proposed Plan Change 21 was publically notified in accordance with Clause 5 of the 1st Schedule of the Resource Management Act 1991 on Thursday 23 June 2011, with the period for submissions closing on Thursday 21 July 2011. A copy of the public notice is included as Appendix 2.
- 4.11 A total of 26 submissions were received in relation to Proposed Plan Change 21 at the close of submissions. Refer to Appendix Four for the list of submitters.
- 4.12 A late submission was received by Kritzo Venter on Friday 22 July. Two submissions were received from Andrew and Lynda Deighton. The first submission was received within the submissions period, while the second submission was received as a late submission on 27 July 2011. A late submission was also received from the New Zealand Historic Places Trust, dated 26 July 2011. Copies of all submissions received are included in Appendix 3.

- 4.13 It is recommended that these late submissions be accepted by the Hearings Committee.
- 4.14 All submissions received were summarised and the decisions requested by submitters was publicly notified in accordance with Clause 7 of the First Schedule of the Act. Notification of the summary of submissions allowed the community to make further submissions in support or opposition to the submissions received. Copies of all the submissions received and a summary of the decisions requested by submitters were made available on Council's website, and copies were made available for public inspection from:
- (1) The Customer Services Counter, Municipal Building, 101 Guyton Street
 - (2) The Wanganui District Library, Queens Park
 - (3) Gonville Cafe Library
- 4.15 The further submission process closed on 25 August 2011. Three further submissions were received on Proposed Plan Change 21. A copy of these further submissions is included as Appendix 4 to this report. Where further submissions make reference to an original submission, they have been summarised under the relevant submission in the Summary of Submissions and Officers Comments Table in Appendix 1.

5.0 PART II - PURPOSE AND PRINCIPLES OF THE RESOURCE MANAGEMENT ACT 1991

Sustainable Management

- 5.1 Sustainable management is defined in the Resource Management Act 1991 as meaning *"managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while –*
- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
 - (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment."*
- 5.2 In accordance with Section 5 of the Resource Management Act, Proposed Plan Change 21 has been developed with a focus on providing for the Community's social, economic, and cultural wellbeing, and for their health and safety.
- 5.3 Objective O20 of Proposed Plan Change 21 is:
- "To ensure that development and activities in the central city area contribute to the social, cultural and economic wellbeing of the Wanganui Community."*
- 5.4 The purpose of Proposed Plan Change 21 is to amend the parts of the existing District Plan that relate to the Wanganui Central City and Riverfront Area, to reflect the changes that have occurred since the operative plan was prepared. The central city area provides for the social, cultural and economic wellbeing of the community, by both being a place of commerce and of social interactions. Proposed Plan Change 21

has therefore been developed to manage those activities that adversely affect the amenity of the Central City and Riverfront areas that could reduce the amenity of these areas, and therefore adversely affect the economic and social sustainability of the area.

- 5.5 By incorporating urban design and CPTED principles, the proposed amendments to the District Plan will help to make the Central City and Riverfront areas more attractive, and safer to be in, thereby providing for the Community's social and cultural wellbeing, and for their health and safety as per s5 of the RMA 1991.
- 5.6 This Proposed Plan Change recognises that the central city and riverfront is made up of a number of distinctive areas, each with their own special character that defines them. The new zones introduced to the District Plan through this proposed Plan Change include policies and rules to govern the form and layout of buildings and streets, and public spaces, to ensure that future development and activities maintains and enhances those characteristics and qualities that make these areas successful.
- 5.7 Proposed Plan Change 21 recognises that the Riverfront is currently underutilised as a public place. The Plan Change therefore includes Objectives and Policies that aim to strengthen visual and physical connections between the Whanganui River and the Central City. For instance, Proposed Plan Change 21 introduces four view shafts that are to be protected from future development.
- 5.8 The actual effect of these changes to the District Plan was discussed in the Proposed Plan Change and is further discussed in Section 6 of this Report.
- 5.9 Section 6 of the Resource Management Act 1991 requires all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, to recognise and provide for matters of national importance, including:
 - (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.*
 - (e) *The relationship of Maori and their cultural and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
 - (f) *the protection of historic heritage from inappropriate subdivision, use and development.*
- 5.10 Proposed Plan Change 21 is considered to be consistent with Section 6 of the RMA 1991 as it introduces Objectives, Policies and Rules that require future development and activities to provide good visual and physical connections to the River; enhances connections between sites of importance to iwi and the rest of the community, including Moutoa Gardens/ Pakaitore; and gives recognition to heritage sites and buildings and natural and cultural heritage features, as follows:
 - (1) Objective O24 requires future development and activities in the central city area to

“ensure that development and activities in the central city area reflect the importance of the Whanganui River to Wanganui.”
 - (2) Policy P90 is to define a Riverfront Zone with the following characteristics:

- a. *Visual and physical connections with the Whanganui River;*
- b. *Riverbank shared pathway connection;*
- c. *Connects to Moutoa Gardens/Pakaitore, Queens Park/Pukenamu, and the central city;...*
- g. *The presence of heritage sites and buildings*
- h. *Natural and cultural heritage features.*

5.11 Proposed Plan Change 21 recognises the importance of historic heritage as a key characteristic of the Riverfront Zone, Central Commercial Zone, and Arts and Commerce Zone. In addition, the Old Town overlay zone will be retained. A more in-depth review of the Heritage provisions of the District Plan is being undertaken as Phase 6 of the District Plan Review.

5.12 Under Section 7 of the Act, the Committee must also “have particular regard to” matters including:

- (b) The efficient use and development of natural and physical resources:*
- (c) The maintenance and enhancement of amenity values:*
- (f) Maintenance and enhancement of the quality of the environment:*

5.13 Proposed Plan Change 21 proposes to alter the hierarchy of Taupo Quay from an arterial road to a local road with a Central City Street overlay. These changes will encourage motorists, especially heavy traffic to utilise other routes to the centre of town or across town. These changes fit with Council’s strategic approach to make the Riverfront more pedestrian and cycling friendly. In my opinion, these changes reflect the intention of Council for this road to have a reduced strategic value, and therefore is considered to be an efficient use and development of a physical resource.

5.14 Proposed Plan Change 21 is considered to be consistent with s7 of the Act as the Policies for each of the zones, P85 (Central Commercial Zone), P86 (Central Edge Commercial Zone), P89 (Arts and Commerce Zone), and P90 (Riverfront Zone), identify those characteristics that contribute to the amenity of the area. The rules for the zones have been developed so as to ensure that future development and activities maintain these characteristics.

5.15 Policy P93 requires all new developments to incorporate urban design principles, resulting in the creation of high-quality, attractive places.

5.16 With regards to Section 8, no specific concerns relating to Treaty issues have been raised during consultation or through submissions on the Proposed Plan Change.

Horizons Regional Council – Regional Policy Statement

5.17 Section 75(2) of the Act requires that a district plan must not be inconsistent with the regional policy statement or any regional plan. Horizons Regional Council’s Operative Regional Policy Statement and Proposed One Plan are considered to be relevant to this Proposed Plan Change in that they include requirements around the avoidance and mitigation of flood risk.

Section 62 of the Resource Management Act 1991 states that the Regional Policy Statement must identify the following:

- ... (ha) For the region or any part of the region, which local authority shall have responsibility within its own area for developing objectives,*

policies, and rules relating to the control of the use of land for -

- i. The avoidance or mitigation of natural hazards:*
- ii. The prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances -*

and may state particular responsibilities for particular hazards or hazardous substances or group of hazards or hazardous substances; but if no responsibilities for a hazard or hazardous substance are identified in the policy statement, the regional council shall retain primary responsibility for the hazard or hazardous substance;...¹

5.18 Proposed Plan Change 21 includes the following Objective and Policy in relation to flood hazards:

Objective O30:

To ensure that development of the Wanganui Riverfront recognizes and mitigates against the potential flood hazard from the Whanganui River.

Policy P103:

Utilise alternative flood hazard mitigation techniques within the riverfront area.

5.19 An assessment of how the provisions in Proposed Plan Change 21 compare with the Objectives and Policies of the Operative Regional Policy Statement and the Proposed One Plan are considered in Table 1 below.

¹ Section 62 1(i) of the Resource Management Act 1991 was amended by the Resource Management Amendment Act 1993 by inserting “(ha)” after “(h)”.

Table 1

Regional Policy Statement (operative)		Proposed Plan Change 21
Objective	Policy	Evaluation
<p>Objective 24: To avoid or mitigate the adverse effects of natural hazards upon human life, infrastructure and property, and the natural environment.</p>	<p>Policy 24.3 To ensure that activities and development of areas at risk from natural hazards minimise risks to human life, infrastructure and property, and the natural environment. In areas of high risk to people and communities, hazard avoidance is to be advocated. Where costs of hazard avoidance outweigh its benefits local authorities are to promote hazard mitigation. This includes education, planning, response and recovery procedures.</p>	<p>Proposed Plan Change 21 advocates hazard mitigation over hazard avoidance. Conventional flood avoidance structures such as stop banks or walls, or raising ground levels above the flood hazard would be inappropriate in the Wanganui riverfront development area. These methods would result in the loss of the visual and physical connections between the central city area and the Whanganui River. As there are significant buildings and activities established in the riverfront area, and the area has been identified for future development, conventional techniques alone would not be feasible. For these reasons, alternative techniques including resilient building design that either protects buildings from inundation or allows quick recovery following inundation are preferred.</p>
Proposed One Plan		Proposed Plan Change 21
Objective	Policy	Evaluation
<p>Objective 10-1: Effects[^] of natural hazard[^] events The adverse effects[^] of natural hazard[^] events on people, property, infrastructure[^] and the wellbeing of communities are avoided or mitigated.</p>	<p>Policy 10-1: Responsibilities for natural hazard[^] management In accordance with s62(1)(i) RMA, local authority[^] responsibilities for natural hazard[^] management in the Region are as follows: ...(c) Territorial Authorities[^] must be responsible for:</p> <ul style="list-style-type: none"> (i) developing objectives, policies and methods (including rules[^]) for the control of the use of land[^] to avoid or mitigate natural hazards[^] in all areas and for all activities except those areas and activities described in (b)(ii) above, and (ii) identifying floodways* (as shown in Schedule I1) and other areas known to be inundated by a 0.5% annual exceedance probability (AEP) flood event on planning maps in district plans[^], and controlling land[^] use activities in these areas in accordance with Policies 10-2 and 10-4. <p>Policy 10-2: Development in areas prone to flooding (a) The Regional Council and Territorial Authorities[^] must not allow the establishment</p>	<p>The Objectives and Policies of the Proposed One Plan specify that flood hazard avoidance must be preferred to flood hazard mitigation. The District Plan Maps mark the extent of a 0.5% AEP flood event, as required by the Proposed One Plan. This floodway area includes the Riverfront Zone, part of the Arts and Commerce Zone, Central Commercial Zone and Outer Commercial Zone.</p> <p>Given the importance of the Central Business area to the wellbeing of Wanganui, and given the predictability of the Whanganui River flood hazard, it is not considered appropriate for development within these zones to be avoided. Proposed Plan Change 21</p>

	<p><i>of any new structure[^] or activity, or any increase in the scale of any existing structure[^] or activity, within a floodway* mapped in Schedule I unless:</i></p> <ul style="list-style-type: none"> <i>(i) there is a functional necessity to locate the structure[^] or activity within such an area, and</i> <i>(ii) the structure[^] or activity is designed so that the adverse effects[^] of a 0.5% annual exceedance probability (AEP) (1 in 200 year) flood event on it are avoided or mitigated, and</i> <i>(iii) the structure[^] or activity is designed so that adverse effects[^] on the environment[^], including the functioning of the floodway, arising from the structure[^] or activity during a flood event are avoided or mitigated, in which case the structure[^] or activity may be allowed...</i> <p><i>(c) Flood hazard avoidance* must be preferred to flood hazard mitigation.</i></p> <p><i>(d) When making decisions under Policies 10-2(a) to (c) regarding the appropriateness of any proposed flood hazard avoidance* or mitigation measures, the Regional Council and Territorial Authorities[^] must:</i></p> <ul style="list-style-type: none"> <i>(i) ensure that in a 0.2% AEP (1 in 500 year) flood event the inundation of occupied structures[^] and access from occupied structures[^] must be no greater than 0.5 m above finished ground level with a maximum water velocity of 1.0 m/s, or some other combination of water depth and velocity that can be shown to result in no greater risk to human life, infrastructure[^] or property*,</i> <i>(ii) ensure that any more than minor adverse effects[^] on the effectiveness of existing flood hazard avoidance* or mitigation measures, including works and structures[^] within River and Drainage Schemes, natural landforms that protect against inundation, and overland stormwater flow paths, are avoided,</i> <i>(iii) ensure that adverse effects on existing structures[^] and activities are avoided or mitigated,</i> <i>(iv) have regard to the likelihood and consequences of the proposed flood hazard avoidance* or mitigation measures failing,</i> <i>(v) have regard to the consequential effects[^] of meeting the requirements of (d)(i), including but not limited to landscape and natural character, urban design, and the displacement of floodwaters onto adjoining properties*, and</i> <i>(vi) have regard to the proposed ownership of, and responsibility for maintenance of, the flood hazard avoidance* and mitigation measures including the appropriateness and certainty of the maintenance regime.</i> 	<p>therefore promotes the use of alternative flood hazard mitigation techniques, such as resilient building design, over the flood hazard avoidance measures promoted through the Proposed One Plan.</p> <p>The Wanganui District Council appealed the Natural Hazard provisions in the Proposed One Plan. An agreed settlement was reached during mediation, but has since been repealed. The appeal is therefore yet to be resolved.</p>
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6.0 THE SUBMISSIONS

- 6.1 The submission form did not request submitters to specify if they were in support, neutral or opposed to Proposed Plan change 21. However, an assessment has been made as to whether the submitter is generally in support, neutral or opposed to the provisions of Proposed Plan Change 21, and is included as Appendix 5. Based on this assessment, of those received during the submissions period, 17 submitters were generally opposed to Proposed Plan Change 21, and 9 were neutral.
- 6.2 Of the late submissions received, one was generally opposed and two were neutral.
- 6.3 Submitters have raised number of issues with many covering similar points. The central issues which relate to submissions are summarised as follows:
- Proposed Plan Change 21 is unnecessary
 - Change to the hierarchy of Taupo Quay
 - Boundaries of zones
 - Design of streets
 - Building setback requirements in the Central Edge Commercial Zone
 - The list of key characteristics for zones does not match existing built form
 - Heritage provisions including the Old Town Heritage Overlay and earthquake risk
 - Maximum building height in the Riverfront Zone
 - New car parking requirements
 - List of permitted activities incorrect
 - Increased noise levels
 - Lack of recognition of UCOL's activities
 - Confusion about the relationship between the Riverfront Zone and the Riverfront Zone – Outline Plan.
 - Maintenance of buildings
 - Flood requirements in the Arts and Commerce Zone
 - View shafts
 - Notification of new developments in the Riverfront Zone
 - District Plan Map colour for the Central Edge Commercial Zone
- 6.4 A summary of the key submission points and Officer recommendations is included in Appendix 1 of this report.
- 6.5 Further submissions were received from:
- G. Young, Regional Facilities Manager of UCOL;
 - A. Neill, General Manager –Central Region, on behalf of The New Zealand Historic Places Trust; and
 - T. Kale on behalf of the Wanganui Potters Society.
- 6.6 All of the Further Submissions were received within the statutory timeframe (by Thursday 25 August 2011).
- 6.7 A summary of the further submission points raised and the decision sought has been included under the summary of the submission to which they relate, within the Summary of Submissions and Officers Comments Table in Appendix 1.

7.0 ASSESSMENT OF EFFECTS WITH REGARD TO THE SUBMISSIONS

7.1 The issues associated with the submissions, including environmental effects associated with the Proposed Plan Change, are summarised in Table 2 below. This table groups the submissions according to the key issues. The decisions on submissions, and justification for recommended changes to each of these submissions are included within the Summary of Submissions and Officers Comments Table in Appendix 1 (refer to the relevant submission numbers for each of the key issues).

Table 2: Summary of Key Issues from Submissions

Issue	Key submission points	Submission Numbers
Proposed Plan Change 21 is unnecessary	<ul style="list-style-type: none"> • Includes things that are of no interest or use to some of us. • Objects to any changes and should have been contacted. • There should be a single Central Commercial Zone with policies to allow planners to engage with developers through discussion, not resource consent applications. • Existing zoning (in relation to the Central Edge Commercial Zone) is sufficient and will not preclude protection and enhancement of the central city area amenity values as sought by the plan change. • Every citizen has a right to do what he/she wants with their property. 	<p>S1</p> <p>S8</p> <p>S17</p> <p>S11, S13</p> <p>S24</p>
Taupo Quay roadway narrowing and proposed changes to the function and form of Taupo Quay	<ul style="list-style-type: none"> • Considered to be an important arterial route through the city, therefore arterial status and current function of Taupo Quay should be retained. • Narrowing this route would result in congestion on alternative routes. Need to allow normal domestic and light commercial vehicles to pass through. • Taupo Quay as a pedestrian precinct is not justified, as pedestrians do not exist except on Saturday. • Pedestrian crossing or road closure between the Whanganui River and Moutoa gardens will lead to the loss of a major and essential link. • Agrees with discouraging traffic from Somme Parade. 	<p>S2, S22</p> <p>S5, S7, S16</p> <p>S2, S5, S16</p> <p>S27</p> <p>S17</p>
Boundaries of zones are incorrect	<ul style="list-style-type: none"> • Wicksteed Street is better suited to the Central Commercial Zone. • Changing zoning of Wicksteed Street to Central Edge Commercial Zone is unnecessary and discriminatory against the long established commercial activity in the area. • St Hill St provides the most practical and established zone boundary position between the Central Commercial Area and the Outer Commercial Area. 	<p>S3, S6</p> <p>S3</p> <p>S15</p>

Issue	Key submission points	Submission Numbers
	<ul style="list-style-type: none"> The area from 5A Putiki Drive south should be residential and clear of all commercial activity except the section used by Totalspan Ltd. 	S18
Design of Streets	<ul style="list-style-type: none"> The Guyton Group have an alternative view of how Guyton Street should be developed. 	S4
Building setback requirements in the Central Edge Commercial Zone	<ul style="list-style-type: none"> These requirements reduce the ability to build extensively on a site. Will alter the form of future development from the established environment, will disadvantage landowners and reduce potential for site development. Opposed to R228 as it relates to 26 St Hill St and the Central Edge Commercial Zone as penalises the useable land size for commercial sites and retail activities. 	S6 S11, S13 S20
The list of key characteristics does not match existing built form	<ul style="list-style-type: none"> There are inconsistencies in the definitions of the zones and their characteristics. The list of key characteristics for the Central Commercial and Arts and Commerce zone includes “Buildings built to a high standard, up to the street frontage, reflecting the historic rhythm and with no gaps between them.” There are existing “gaps” through the Central Commercial and Arts and Commerce zones. 	S25
Old Town heritage overlay; heritage provisions and earthquake proofing	<ul style="list-style-type: none"> Old town heritage overlay zone too restrictive. Often more economic to build new buildings than do earthquake strengthening. If a building must be retained and earthquake proofed, true and genuine features should be all that is taken into consideration. Not enough reference made to original Wanganui Borough – section sizes and orientation contribute to the character of the central part of Wanganui. Central Edge Commercial Zone does not mention heritage. Before PC21 is seriously considered the implications of the Christchurch earthquake should be taken into account. Proposed Plan Change 21 has little regard to heritage issues. The protection of heritage should be an issue and be included as a new objective within zones that provide for the identification and protection of heritage as a key characteristic of the area. 	S9 S9 S25, S28 S25 S6 S28 S28

Issue	Key submission points	Submission Numbers
	<ul style="list-style-type: none"> • Policy P85 does not identify individual heritage places that should be formally recognised. • Protection of heritage should be provided for by incentives, not non-complying status for demolition. • Any development within the historic zone (pre-1900 settlement) should require an archaeological assessment. • Maintenance of buildings should be provided for in a non-regulatory way. 	<p>S28</p> <p>S28</p> <p>S28</p> <p>S28</p>
Maximum building height in the Riverfront Zone	<ul style="list-style-type: none"> • Existing buildings in the Riverfront Zone are at least 10m high. • Riverfront Plan allows for construction of buildings 2.5 storeys high – does not maintain visual and physical connections between the central city area and the Whanganui River. 	<p>S10</p> <p>S26</p>
Opposed to new parking requirements	<ul style="list-style-type: none"> • Taupo Quay building owners disagree with restrictions on parking/housing vehicles on their properties as it is a breach of existing use rights. • Wish to retain existing access and parking at the river/Moutoa Quay end of their buildings. • Do not want the development of the Riverfront to be at the expense of property owners. • R218 limits the establishment of car parking for residential activities. • The requirement to provide parking in the Central Edge Commercial Zone will result in multiple disruptions to a tidy and continuous street frontage. • Confusion over Rule R221(e) as the Riverfront Plan makes some provision for parking. • Great concern about parking arrangements (R218, R224, R231, R240). 	<p>S10</p> <p>S10</p> <p>S10</p> <p>S21</p> <p>S6</p> <p>S26</p> <p>S26</p>
List of Permitted Activities incorrect	<ul style="list-style-type: none"> • Visitor accommodation should be permitted within the Riverfront Zone. • Central Commercial and Central Edge should permit professional and administrative offices. • Production and sale of artistic works should be allowed anywhere in the commercial zones. • Buildings within the Riverfront Zone should not be partly or wholly residential (R221). • Rules R235 (Permitted Activities) and Rule R238) within the Arts and Commerce Zone should not only provide for buildings up to a gross floor size of 	<p>S10</p> <p>S25</p> <p>S17</p> <p>S26</p> <p>S23B</p>

Issue	Key submission points	Submission Numbers
	200m ² .	
Increased noise levels	<ul style="list-style-type: none"> • Opposed to raising the noise level. • Council gave resource consents for apartments in Victoria Avenue – so noise level should stay as it is, unless Council is willing to soundproof and double glaze the windows. • Raising the noise level does not make a more vibrant area. • Increased sound emissions are not conducive to residential/apartment living. 	S12, S23A S12 S12 S23A
Lack of recognition to UCOL in the policies and introduction to the “Arts and Commerce Zone” in the list of important characteristics.	<ul style="list-style-type: none"> • Seeks explicit reference to be made to UCOL’s educational activities in Policy P89 and the introduction to the Arts and Commerce Zone, and the list of Important Characteristics in the Arts and Commerce zone. 	S14
Maintenance of Buildings	<ul style="list-style-type: none"> • Opposed to Rules R243c, R243d, R221f and R221g. • These rules are too subjective and ambiguous. 	S14 S14
Flood requirements in the Arts and Commerce Zone	<ul style="list-style-type: none"> • Confusion as to whether the flood level extent lines apply to the Arts and Commerce Zone. 	S14
Relationship between the Riverfront Zone and the Riverfront Zone – Outline Plan unclear	<ul style="list-style-type: none"> • Need explanatory statement making the nature and extent of the relationship between the Riverfront Zone and the Riverfront Zone Outline Plan clear. 	S14
View shafts	<ul style="list-style-type: none"> • There are more view shafts that require protection. These view shafts should not be obstructed with signage or buildings. 	S25
Notification of development in the Riverfront	<ul style="list-style-type: none"> • Any development of the Riverfront area should be publically notified. • The Infrastructure Unit of Council wishes to be consulted on any future design or development of buildings on the Waterfront. 	S26 S19
District Plan Map colour for the Central Edge Commercial Zone	<ul style="list-style-type: none"> • The colour on the maps identifying the proposed Central Edge Commercial Zone is the same as that identifying the Coastal Residential Zone. This will lead to confusion. 	S21

7.2 Refer to Appendix 1 for a summary of the submissions and the Officer recommendations for submissions made.

8.0 FIXING MINOR MISTAKES

8.1 Clause 16(2) of the 1st Schedule of the Resource Management Act 1991 allows a local authority to make an amendment to a proposed policy statement or plan to correct minor errors, where such a correction is of minor effect.

8.2 Rule R47 (Parking, Loading and Access) of the Outer Commercial Zone states:

Rule R47 Parking Loading and Access

1. *Parking*

All activities shall comply with the parking standards in General Rule - Transportation (Rule R23)

Reason

To avoid street congestion and provide for large scale vehicle dependent commercial activities.*

2. *Loading and Access*

Every commercial activity shall provide one loading bay* which complies with the loading bay* standards in General Rule - Transportation (Rule R23)*

Reason

To ensure traffic flow is not impeded by stationary service vehicles.

**refer to definitions*

8.3 The reference to General Rule – Transportation (Rule R23) is incorrect. The correct reference for General Rule – Transportation is Rule R24. It is therefore recommended that Rule R47 (Parking, Loading and Access) be corrected as follows (corrections underlined):

Rule R47 Parking Loading and Access

1. *Parking*

All activities shall comply with the parking standards in General Rule - Transportation ~~(Rule R23)~~ (Rule R24).

Reason

To avoid street congestion and provide for large scale vehicle dependent commercial activities.*

2. *Loading and Access*

Every commercial activity shall provide one loading bay* which complies with the loading bay* standards in General Rule - Transportation ~~(Rule R23)~~ (Rule R24).*

Reason

To ensure traffic flow is not impeded by stationary service vehicles.

**refer to definitions*

8.4 This error was introduced to the Wanganui District Plan by Proposed Plan Change 20, during the reformatting of the District Plan to allow it to be accessed online as an electronic interactive document. On this basis, the effects of correcting this error are considered to be less than minor. This correction is therefore able to be made as part of Proposed Plan Change 21 in accordance with Clause 16(2) of the 1st Schedule of the Resource Management Act 1991.

9.0 CONCLUSION

9.1 Proposed Plan Change 21 is the first phase of a rolling review of the Wanganui District Council's District Plan. This Plan Change focuses on the Central City and Riverfront, and introduces three new zones to the Wanganui District Plan, being:

- The Central Edge Commercial Zone
- The Riverfront Zone
- The Arts and Commerce Zone.

The plan change introduces objectives, policies and rules relating to these new zones.

9.2 Proposed Plan Change 21 also proposes to change the hierarchy of Taupo Quay from a Secondary Arterial to a Local Road with a Central City Street overlay. This change is to reflect the policy direction developed through the Wanganui Urban Transportation Strategy (WUTS).

9.3 The Proposed Plan Changes are a result of an extensive consultation process which identified that the operative District Plan does not reflect the vision that the community have for the Wanganui Central City.

9.4 A number of changes have been recommended to Proposed Plan Change 21 as a result of submissions. The reasons for recommended changes are included within the Summary of Submissions and Officers Recommendations Table in Appendix 1. A tracked changes version of recommended changes to the District Plan is included as Appendix 6 to this report.

9.5 In accordance with Clause 16(2) of the 1st Schedule of the Resource Management Act, it is recommended that Rule R47 (Parking Loading and Access) be corrected to refer to Rule R24 General Rule – Transportation. Appendix 6 includes a tracked changes version of Rule R47, showing the recommended changes.

9.6 The Section 32 was completed as part of Proposed Plan Change 21 and contains a comprehensive analysis of options.

9.7 Proposed Plan Change 21 is considered to be necessary to achieve the type of Central City that the Wanganui Community wants. The proposed changes have been assessed as being consistent with the purpose of the Resource Management Act 1991, particularly in promoting the sustainable management of natural and physical resources; and providing for the social, economic and cultural wellbeing of the community, and for their health and safety, without significant adverse effects.

10.0 RECOMMENDATION

10.1 For the reasons set out below, it is recommended that:

1. Pursuant to Clause 10 of the Part One of the First Schedule of the Resource Management Act 1991, Proposed Plan Change 21 to the Wanganui District Council's District Plan is adopted in the form shown in Appendix 6.
2. The submissions to the Proposed Plan Change 21 be accepted or rejected in accordance with the recommended decisions in the Summary of Submissions and Officers Comments Table in Appendix 1.

11.0 REASONS FOR DECISION

- 11.1 Proposed Plan Change 21 promotes sustainable management of natural and physical resources by enabling people to provide for their health and safety / community wellbeing, without compromising the needs of future generations or without significant adverse effects.
- 11.2 After a consideration of the alternatives, the Wanganui District Council is satisfied that the changes to be introduced by Proposed Plan Change 21 are necessary to achieve the desired outcomes for the Central City and Riverfront in accordance with the purpose of the Resource Management Act 1991, and is the most appropriate means of exercising Council's functions as well as meeting the objectives of the Plan, having had regard to efficiency and effectiveness.
- 11.3 Matters raised in the submissions and further submissions have been assessed in a comprehensive manner. The proposed Plan provisions, as amended by submissions, will avoid, remedy or mitigate any potential adverse effects associated with future development of the Central City and Riverfront areas.
- 11.4 The specific requests of the submitters have been considered and some recommended changes have been made to Proposed Plan Change 21 to address matters raised in submissions and further submissions.

Appendix 1: Summary of Submissions and Officers Recommendations

Appendix 2: Copy of the Public Notice

Appendix 3: Submissions Received

Appendix 4: Further Submissions Received

Appendix 5: Table of Support or Opposition for Proposed Plan Change 21

Submitter	Generally Support or oppose	Wish to be heard?	Late submission?
B.W. Cundle	Oppose	Not stated	No
C.R. Hiles-Smith	Oppose	No	No
Dr A.M. Donoghue	Oppose	Yes	No
Guyton Group	Neutral	Yes	No
B Lett	Oppose	Yes	No
S.P. Lace	Oppose	Yes	No
G.W. Powell	Neutral	No	No
G. Lambert	Oppose	Yes	No
G.E. Bullock	Neutral	Not stated	No
Collective of Taupo Quay Building Owners	Neutral	Yes	No
B.H Dickson	Oppose	Yes	No
J Baddeley	Oppose	Yes	No
B.H Dickson on behalf of Mainstreet Wanganui	Oppose	Yes	No
G. Young – UCOL	Neutral	Yes	No
R Buchanan of Buchanan Gray	Oppose	Not stated	No
L.M. Terry	Oppose	No	No
Stephen Palmer Design Studio	Oppose	Yes	No
D.S. Burnham	Neutral	No	No
K Venter	Neutral	Not stated	Yes
S. Ellis	Oppose	Yes	No
J.G. Harkness	Neutral	Yes	No
J.L. Ennis	Oppose	Yes	No
A. and L. Deighton	Oppose	Yes	One submission on time, one late
K.G. Cullimore	Oppose	Not stated	No
W. Pettigrew	Neutral	Not stated	No
E.M. Lewin	Neutral	No	No
K.L. Crafer	Oppose	Yes	No
NZ Historic Places Trust	Neutral	Yes	Yes

Appendix 6: Tracked Changes Version of Recommended Changes to the Wanganui District Council's District Plan