



Plan (and Policy Statement) Stop Exemption Application Template

The Resource Management (Consenting and Other System Changes) Amendment Act 2025 halts new and in-progress council plan changes. This applies to all plan changes except for those automatically exempted or granted an exemption through an application to the Minister for the Environment.

This application form is for councils that wish to continue with their plan-making and do not meet the auto-exemption criteria, but do meet the application exemption criteria (s80W). The application will be provided to the minister to determine whether an extension should be granted.

In-progress plan or policy statement changes

Within 90 working days of the law coming into effect, councils must withdraw any notified plan or policy statement changes that have not yet commenced hearings, or do not have a hearing date scheduled within five days of enactment. The only exception to this is where a plan is automatically exempted or is granted an exemption.

The application must be submitted within 90 working days of the law coming into effect.

New plan or policy statement changes

Any council that is seeking to make a new plan or policy statement changes must first seek an exemption using this form. An exemption must be granted before the council notifies a new plan or policy statement change.

This form is not required for plan or policy statement changes which are automatically exempt as per section 80U (Automatic exemptions) of the Resource Management Act 1991.

1. Council information

Council name	Whanganui District Council
Contact person	Justin Walters
Position	Principal Policy Planner
Email / phone	Justin.walters@whanganui.govt.nz / +64 6 349 3190

2. Details of proposed planning instrument

Title of proposed plan or policy statement change	Plan Change 66 – Miscellaneous 3
Title of relevant planning instrument (plan or policy statement being amended)	Whanganui District Plan
Link to relevant planning instrument (or attach a copy to the application form)	District Plan – Whanganui District Plan
Link to proposed plan or policy statement change (or attach a copy to the application form), if applicable	NA
Stage of process (e.g., council approved, pre-notification, notified, submissions received, etc.)	Pre-notification
Date of notification, if applicable	NA

3. Brief description of the proposed plan or policy statement change and its scope

The proposed plan change seeks to enable future development for rural, residential, commercial and industrial zones, by amending the provisions in the Whanganui District Plan (District Plan). The change is intended to support the developers during the consenting process as well as enabling quality decision making in a timely manner. The proposed plan change is also focusing on removing any unnecessary barriers to growth and enable good quality development in Whanganui.

The scope of the proposed changes includes amendments to the following rules and standards:

- Removal of requirement of NZ firefighting water supplies code of practice 2008 (SNZ PAS 4509:2008) from the District Plan and rely on Building Code for fire safety regulation.
- Making earthworks associated with the erection of retaining walls, under the supervision of an engineer, a permitted activity.
- Updates to designations and reapplications for lapsed designations.
- Removal of Engineering Standards from the District Plan and create a standalone document.
- Updates to the Transport Chapter to better align with NZTA standards.
- Updates to the Town Centre Design Guidelines to reflect the current planning system.

This request also includes any necessary consequential changes to give effect to the above changes.

4. Grounds for exemption request

Section 80W lists the criteria the minister may consider for granting an exemption. Select any that apply and explain how the plan or policy statement change will meet the criteria. The criteria are:

- better enable the local authority to provide, operate or maintain municipal drinking water, stormwater or wastewater in accordance with the Water Services Act 2021
- rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes
- respond to changes made to the RMA
- better enable climate change to be managed
- support the transition of high-risk land so as to better manage the risk of erosion
- better enable any relevant Treaty of Waitangi settlement Act, or deed of settlement and the Crown's obligations under that settlement, to be upheld
- enable a response to be made to a recommendation from the Environment Court
- enable work to be progressed that, for any other reason, the minister considers appropriate.

Criteria: *rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes*

Removal of requirement for NZ Fire Fighting Water Supplies Code of practice 2008 (SNZ PAS 4509:2008) from the District Plan and rely on the Building Code for fire safety regulation.

- The current mandatory requirement of the firefighting code of practice within the District Plan, imposes infrastructure requirements such as water supply capabilities. This is unworkable as the current water supply is incapable to meet the sprinkler requirements for SNZ PAS 4509:2008.
- Due to the constraints faced at the planning stage, the development is delayed with increased costs associated in the planning process and overall development.

Make earthworks associated with the erection of retaining walls, under the supervision of an engineer, a permitted activity.

- Under current rules, a resource consent is required if earthworks associated with the construction of a retaining wall breaches the earthworks standards. Requiring resource consent for temporary earthworks during the construction period adds an unnecessary planning burden on developers, which unintentionally delays projects as well as increases administrative costs. The intent of the proposed amendment is to permit earthworks associated with the erection of a retaining wall during the construction phase, provided they are supervised by a qualified engineer.

Updates to designations, lapsed designations for reapplication.

- As part of a review of the designations within the District Plan some are outdated, while others have lapsed and requiring reapplication including the following:
 - a) Waka Kotahi NZ Transport Agency – To update road parcels that have been acquired by the Crown.
 - a. State Highway 3 - 16 amendments
 - b. State Highway 4 – 15 amendments
 - b) Whanganui District Council
 - a. Roading – 13 require renewals and are planned that they be given effect to within the next five years.

If not progressed alongside the wider plan change process, a notice of requirement process will be necessary to enable these changes to the designations.

Removal of Engineering Standards from the District Plan and make a standalone document.

- Currently the engineering standards are incorporated directly into the District Plan. The result of this is that any amendments to the engineering standards require changes under Schedule 1 of the RMA. With the creation of the new water organisation for Whanganui and Ruapehu Districts it is expected that engineering standards will need updating to reflect National Engineering Design Standards (NEDS) and National Codes of Practice.

Updates to Transport Chapter to better align with NZTA standards.

- The chapter requires a review of standards that are currently confusing, outdated, and inconsistent with national standard practices (NZTA). Overall, the standards are not achieving the intended outcome needed in the district. The proposed amendments will provide greater clarity for developers, the consents team and engineers when interpreting the District Plan.

An update to Town Centre Design Guidelines to reflect the current planning system

- The design guidelines are not achieving the intended urban design outcomes. The existing guidelines reference outdated District Plan provisions which creates confusion and misalignments between the design guidelines and operative District Plan. In addition, the guidelines are confusing when assessing whether an urban design panel assessment is required.

5. Timing and urgency

Explain any time-critical need to proceed with the plan change before the transition under the RMA reform process.

As soon as possible.

During the most recent developer's forum, a number of issues were raised by developers concerning increased costs and time delays, which impacts projects.

6. Alignment with Government priorities

Explain how the proposed plan supports national direction, legislative intent or critical local needs.

To align with current National Planning standards and National Policy Statement Urban Development.

The proposed amendments will implement the NZ Transport Agency Waka Kotahi - National Transport Standards RTS6.

Part 8 of Resource Management Act 1991 requires requiring authority, must add and update the designations to reflect the current projects and infrastructure works.

7. Consequences of not proceeding

Describe the risks or impacts if the exemption is not granted (such as housing shortfalls, hazard exposure or legal obligations).

Consequences of not proceeding with this plan change would be slower business growth and missed opportunities for growth and development in the district. The issues identified in this proposed plan change highlight the inefficiencies that makes the District Plan difficult to use.

Given the time required for the District Plan to transition under RMA reform process, the cost of inaction to the proposed plan change outweighs the benefits of waiting for the RMA reform.

8. Benefits of proceeding

Describe the benefits (if any) of proceeding with the exemption.

This proposed plan change will remove unnecessary development restrictions and enables higher levels of growth in the district. It aims to meet the critical needs of our local community and developers while also supporting business growth in Whanganui. The proposed plan change will provide certainty and sufficient opportunities for development of housing and business land, to ensure well-functioning urban environment.

While RMA reform is underway, the proposed plan change will ensure the District Plan remains effective and efficient, while we prepare for transitioning into the new RMA reform system.

9. Supporting documents

Include any relevant maps, reports, legal advice or community engagement summaries. It would be helpful to understand if any stakeholder consultation, including tangata whenua engagement, has occurred on the proposal. If available, you may wish to supply a s32 report.

If you are seeking to publicly notify a draft planning instrument, a detailed summary of the draft planning instrument is required.

Attachments

1. Letter seeking exemption for the Plan change 66 – Miscellaneous 3.

The letter provides detailed explanation of issues that needs urgent rectification before transitioning into the RMA reform system.

2. Letter of support from Wells & Wadsworth Construction

10. Outcome requested

- Full exemption to continue or notify the proposed plan or policy statement change
- Partial exemption (specify portions, sections or purposes excluded from the national moratorium)
- Other (for example, some local authorities may need permission to vary the plan change as it progresses)

10. Declaration

I declare that the information provided in this application is accurate and complete.

Name	Justin Walters
Position	Principle Policy Planner
Local authority	Whanganui District Council
Signature	
Date	12/11/2025



12 November 2025

Hon Chris Bishop

Minister for RMA Reform
Level 8 Executive Wing
Parliament Buildings
Wellington 6011.

Sent via email: plan.exemptions@mfe.govt.nz

Application for Plan Stop Exemption under s80V of the Resource Management Act

The Whanganui District Council (“Council”) is seeking ministerial approval under section 80V of the Resource Management (Consenting and Other System Changes) Amendment Bill.

This application relates to Proposed Plan Change 66 – Miscellaneous 3 (PC66) and includes amendments to rules and standards relating to the following subjects:

- Removal of requirement of NZ firefighting water supplies code of practice 2008 (SNZ PAS 4509:2008) from the District Plan and rely on Building Code for fire safety regulation.
- Make earthworks associated with the erection of retaining walls, under the supervision of an engineer, a permitted activity.
- Updates to designations and reapplications for lapsed designations.
- Removal of Engineering Standards from the District Plan to make a standalone document.
- Updates to the Transport chapter to better align with NZTA standards.
- Updates to the Town Centre Design Guidelines to reflect the current planning system.

The exemption is sought in accordance with s80W(2)b, as the proposed plan change meets the criteria to ‘**rectify any provisions in a plan or policy statement that have had unintended consequences, are unworkable, or have led to inefficient outcomes**’.

Over the past few months, Council has received complaints about the nature of our District Plan, with concerns that its current standards are overly restrictive and hinder growth in our district. Prior to the plan stop provision coming into force, Council had begun work with developers and other stakeholders toward a miscellaneous plan change. The purpose of the plan change is to address issues within the District Plan that create unnecessary barriers to growth and quality development in Whanganui and result in unintended policy outcomes.

To date, the work on the plan change has progressed in the context of the government's RMA reform programme seeking to balance the need for a fit for purpose transitional District Plan until 2030¹ and the need to focus on the RMA reform.

Progress and Timelines

The proposed plan change is currently at pre-notification stage, with research and background work largely completed, including issues identified and discussed through a developer's forum in May 2025.

The initial target for notification of this proposed plan change was by the beginning of 2026; however, the overall work has been placed on hold pending the granting of an exemption to proceed. Council affirms that continuation of this plan change is necessary for the district, as it aims to remove any inconsistencies and ambiguous provisions in the operative plan, enable clearer interpretation, improve certainty and enable efficient consenting processes for developers and the consents team.

It is essential to ensure the operative District Plan remains efficient and effective while we transition into the RMA Reform system, so that the development opportunities in the district are not missed.

Issues Overview

[Issue 1: Removal of requirement of NZ firefighting water supplies code of practice 2008 \(SNZ PAS 4509:2008\) from the District Plan.](#)

The proposed plan change seeks to remove the requirement of firefighting NZS 4509:2008 from the District Plan. Due to the water supply limitations, developers face challenges meeting the requirements under District Plan for NZS 4509:2008 to obtain building consent. Clause C5 of the building code already assesses the functional and performance requirements of the buildings. Therefore, requiring compliance for firefighting NZS 4509:2008 within the District Plan results in a duplication of regulatory requirements.

This is a high priority issue for the district as it creates an unnecessary barrier towards development in Whanganui, leading to loss of business growth and jobs, and can be best managed through the building code.

¹ Based on Blueprint for resource management reform and Cabinet papers.

[Issue 2: Make earthworks associated with the erection of retaining walls, under the supervision of an engineer, a permitted activity.](#)

Under current rules, a resource consent is required if earthworks associated with construction of a retaining wall breaches the earthworks standards. The intent of the proposed amendments is to permit earthworks associated with erection of retaining walls during the construction phase, provided they are supervised by a qualified engineer. While the earthworks standard ensures the potential adverse effect of the activity, the time and cost required to meet the regulatory requirements is substantial.

The proposed plan change intends to ease the burden on developers by permitting earthworks during erection of retaining walls with appropriate supervision to avoid significant effect on the natural environment as well as maintaining the safety of people and property.

[Issue 3: Updates to Designations within the District Plan.](#)

A number of designations within the District Plan are outdated, with some requiring amendments or requiring reapplication after lapsing, including the following:

- a. Waka Kotahi NZ Transport Agency – To update road parcels that have been acquired by the Crown.
 - i. State Highway 3 - 16 amendments
 - ii. State Highway 4 – 15 amendments
- b. Whanganui District Council
 - i. Roading – 13 require renewals and are planned that they be given effect to within the next five years.

If amendments to designations are not progressed as part of this plan change process, a separate notice of requirement process will be necessary to enable proposed changes to ensure the District Plan reflects current projects and infrastructure needs and to provide clarity between land designated for public use and private land.

[Issue 4: Removal of Engineering Standards from the District Plan and make a standalone document](#)

[Engineering standards](#) are currently incorporated directly into District Plan. The result of this is that any amendments to the engineering standards require changes under Schedule 1 of the RMA. With the creation of the new water organisation for Whanganui and Ruapehu Districts it is expected that engineering standards will need updating to reflect National Engineering Design Standards (NEDS) and National Codes of Practice.

It is proposed to make the engineering standards a standalone document along with necessary changes to the subdivision standards and assessment criteria. The amendments will ensure consistency with national direction and efficiency while providing detailed technical specifications to developments.

Issue 5: Amendments to update the Transport Chapter

The current transport chapter does not align with the latest NZTA standards. While the proposed amendments do not constitute comprehensive review of the chapter, they are clear and targeted, and issues are relevant. These proposed changes aim to provide improved guidance on the design and assessment of roads, intersections, sightline separation distances, and road classifications including heavy vehicle routes.

Under NPS-UD car parking policies, Tier 3 councils are required to remove minimum car parking requirements from district plans. While this has largely been implemented, the definition for vehicle crossings indirectly imposes a minimum number of on-site parking for residential development.

The proposed amendments will rectify this inconsistency as part of this plan change.

Issue 6: Updates to Town Centre Design Guidelines based to reflect the current planning system.

The existing [Town Centre Design Guidelines](#) references an outdated version of the district plan, prior to the implementation of National Planning Standards 2019. This misalignment undermines the intent of the current district plan and fails to support high-quality design outcomes for the town centre and surrounding commercial areas. The proposed amendments are precise and address the issue that needs consideration at this stage.

As part of this proposed plan change, we are also proposing to review the use of the Urban Design Panel under the Design Guidelines. It is intended to clarify when an assessment by the urban design panel is required.

Ngā mihi,



Justin Walters
Principal Policy Planner
Whanganui District council

12th November 2025

Hon Chris Bishop

Minister for RMA Reform
Level 8 Executive Wing
Parliament Buildings
Wellington 6011.

Sent via email: plan.exemptions@mfe.govt.nz

Removal of requirement of NZ firefighting water supplies code of practice 2008 (SNZ PAS 4509:2008) from the Whanganui District Plan

W & W Construction 2010 Limited (W&W) supports the removal of NZ firefighting water supplies code of practice 2008 (SNZ PAS 4509:2008) from the Whanganui District Plan as a standard.

In July 2025, we met the Chief Executive of Whanganui District Council to discuss the ongoing impacts of inclusion of the firefighting code of practice as standard within the Whanganui District Plan and the standards impact business growth in Whanganui.

Developer Concerns NZS 4509:2008 Compliance

In case of fire, the Building Code ensures the safety of people¹ and the protection of surrounding structures. The Firefighting Standard SNZ 4509:2008, particularly through the use of sprinkler systems, provides an additional layer of protection to the building.

In 2022, when hearing for Plan Change 54 – Industrial were held, Whanganui District Council considered that the inclusion of NZS 4509:2008 as a standard within the zone:

“supports the safety of persons in the GIZ and is in accordance with the purpose of the RMA (s5 (2)) enables health and wellbeing for the communities and enhance safety”. It does not compromise the efficient development or purpose of the zone.

We, alongside Developers, strongly disagree with this statement. We consider that Building Code sufficiently addresses fire safety and the application of NZS 4509:2008 through the district plan imposes additional unnecessary requirements on developers that does not result in a practical solution due to high costs.

The firefighting standard within the District Plan mandates the installation of sprinkler system in all single-cell structures over 800 sqm where there is less than 6000 L/min water flow in the fire hydrants. To ensure sufficient water flow and pressure in the fire suppression system for all new developments, Council would need to upgrade ‘Reduced Pressure Zones’ which will indirectly affect the busy industrial area such as Heads Road and Mill Road. However, if every new development requires such upgrades, the existing underground water supply infrastructure would not have capacity to support.

¹ Including Clauses B1, C, D1, F2, F4, F6 & F7

Based on the information we have received from developers, for an industrial development to be economic, it requires Return On Investment 7-8%. If sprinkler systems are required as a result of the Firefighting Standard it significantly affects the ROI making most developments financially unviable. Therefore, we along with other developers recommend that the approaches to firefighting practice should be more flexible, offering optional compliance pathways, as approached by our neighbouring councils.

W&W has a number of examples where the Firefighting Standard has impacted on developments including:

1. Mill Road Development

W&W is currently working on design and build of 1,000sqm office space and warehouse. Under the current District Plan requirements, compliance with NZS 4509:2008 necessitates either installation of Sprinkler System or deployment of sufficient no. of fire hydrants. However, in an earlier discussion with WDC and Fire Emergency New Zealand (FENZ), it was determined that the water flow available within water network per hydrant is insufficient if they are all operated at the same time. This leaves the only viable compliance option within the standard is to install the sprinkler system which imposes huge financial burden on developers.

2. Heads Road Development

Another development at Whanganui's industrial hub- Heads Road is facing similar challenge in complying with the SNZ PAS 4509:2008 standard as required under the District Plan. The developer, a long-standing client for WDC, has expressed concerns that the inclusion of the Firefighting standard within the District Plan will result in significant cost, approximately \$200,000 for the installation of the sprinkler system. Due to insufficient reticulated supply to provide the adequate amount of water flow in the hydrants, leaving only option to proceed is the sprinkler system to meet the standard. The developer has stressed that if they had known this issue, they would have not to proceed with the development.

Curb side Developments

The approach to curb side developments also needs to be more practical, similar to the Building Code's principle of "as close as practicable". There is also concern around who bears the cost of hydrant testing to meet NZS 4509:2008, particularly in the way FENZ is requesting it be done. Currently, this cost falls on Council, which involves testing each relevant hydrant while all are open simultaneously. This method is impractical as the required amount of flow in each hydrant would be insufficient, especially in busy industrial areas such as Heads Road and Mill Road, which serve as key hubs for Whanganui.

New Zealand Fire Service Firefighting Water Supplies Code of Practice- foreword stated

"It is intended that the code of practice will form the basis of a partnership between the New Zealand Fire Service, territorial authorities, water supply authorities and developers

so that the code may be used as a basis for territorial authority and water supply authority (WSA) conditions of supply or be called up, for example, by territorial authorities in rules regulating subdivisions in the district plan.”²

This appears to intent to regulate firefighting water supplies for subdivisions rather than curb side development and other construction within the district.

Yours sincerely,

W & W Construction 2010 Limited



Chris Keenan

CONSTRUCTION MANAGER

² SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice, Pg. 8