

Report to Independent Commissioners

Date: 26 October 2021

Commissioner Rob van Voorthuysen

Commissioner Rauru Kirikiri

WHANGANUI DISTRICT COUNCIL

Subject: Section 42A Officer's Report
Proposed Plan Change 54 – Industrial

Meeting Date: 16 November 2021

Prepared by: Gavin McCullagh

1. Summary

- 1.1 Section 73 of the Resource Management Act 1991 (the RMA) provides for councils to initiate plan changes as necessary and appropriate. This Plan Change relates to the General Industrial Zone, Hazardous Material and Contaminated Lands as regulated by the Whanganui District Plan.
- 1.2 The purpose of Proposed Plan Change is to revise and update the General Industrial Zone (GIZ) section of the Whanganui District Plan to enable the efficient development of the Mill Road Industrial Area, ensure the GIZ section effectively addresses issues of sensitivity and amenity and ensure that Whanganui has an adequate supply of industrial land for the foreseeable future.

Recommendations (to Commissioners)

That the Commissioners:

1. receive the report, and
2. accept, accept in part or reject the submissions as set out in Appendix 3 of the Report for the reasons given.

2. Introduction

- 2.1 This Plan Change arises from the ongoing review of the Whanganui District Plan.
- 2.2 A key element of a well-functioning urban plan is the adequate provision of industrial land for development that is serviceable, safe, with sufficient separation from sensitive uses. Additionally, industrial zone rules should be current, effective, and support the purposes of the Resource Management Act 1991.
- 2.3 Council has commissioned studies to examine the supply and demand of suitable industrial land in the Whanganui District based on a range of growth scenarios over the thirty year horizon. Additionally, a structure plan has been developed for a substantial area of existing industrial zoned land to support the efficient and effective development of that site.
- 2.4 The change proposes a new General Industrial Zone chapter in the District Plan with objectives and policies that:
- 2.4.1 enable activities of size, scale and form appropriate to the General Industrial Zone,
 - 2.4.2 discourage activities that are incompatible with the purpose of the zone,
 - 2.4.3 manage the effects of activities and development in the general industrial zone on adjoining properties, and
 - 2.4.4 ensure development in the Mill Road Industrial Area is generally consistent with the Mill Road Structural Plan.
- 2.5 The chapter includes rules and performance standards that enable activities compatible with the new objectives and policies.
- 2.6 This report outlines
- The submissions and further submissions received.
 - An assessment of and recommendation for each submission received.
 - Whether any changes to the District Plan are proposed as a result of the submissions and an additional assessment under S32AA of the Act.
- 2.7 In accordance with clause 10(3) of Schedule 1 to the Act, and for reasons of efficiency, I have evaluated submissions through an issues-based approach.
- 2.8 The following appendices are attached:
- Appendix 1 Copy of the Public Notices
 - Appendix 2 Submissions and Further Submissions Received
 - Appendix 3 Submission Summary by Topic
 - Appendix 4 Proposed District Plan Maps and Marked up Plan Text
 - Appendix 5 Cultural Impact Assessment Reports: Te Rūnanga Ō Tūpoho and Ngati Tamareheroto
 - Appendix 6 Minutes of Pre Hearing Engagement
 - Appendix 8 Section 32AA Re-Evaluation PC54

3. Purpose of the Plan Change

- 3.1 PC54 was prepared and notified in accordance with Section 74 of the RMA, and the first part of Schedule 1 which outlines the requirements for changing a District Plan. PC54 is a plan change being undertaken as part of the Whanganui District Council's Phased District Plan Review.

- 3.2 PC54 arose from the most recent phase of the rolling review of the Whanganui District Plan. The review focused on
- How industrial and manufacturing areas are currently managed in the Operative District Plan.
 - Key issues facing the District in relation to existing industrial areas/zoning and associated land use patterns.
 - Some of the ways that industrial and manufacturing areas could be managed in the future.
- 3.5 The Council completed or commissioned relevant technical reports and supporting documents to inform the development and drafting of PC54. These include:
- Proposed Plan Changes 54 – Industrial and 58 Outer Castlecliff Te Rūnanga Ō Tūpoho: Impact Assessment Report for the Whanganui District Council 2020
 - Castlecliff and Mill Road Plan Change 58 and 54 Ngāti Tamareheroto: Cultural Assessment Report for the Whanganui District Council 2020
 - Mill Road Structure Plan Report (March 2020)
 - Archaeological Assessment Mill Road (February 2020)
 - Whanganui Industrial Land Market Report (March 2019)
 - Whanganui Industrial Land Demand Study (March 2018)
 - Issues and Options Paper Manufacturing Zone (October 2019)
 - Issues and Options Paper Hazardous Substances (October 2019)
 - Engagement Plan (October 2019)

4. Additional Technical Reports

4.1 Nil

5. Cultural Assessment Report – Te Rūnanga Ō Tūpoho

- 5.1 A cultural assessment report was received from Te Rūnanga Ō Tūpoho - collective Hapū of the Whanganui Iwi who occupy and maintain ahi kā in the lower reaches of Te Awa Tupua, the Whanganui River. As kaitiaki of this area, Tūpoho are responsible for the protection and enhancement of this environment. This cultural assessment has been produced with Te Rūnanga Ō Tūpoho (the Rūnanga). The Rūnanga is the mandated Iwi authority to support and advocate and make recommendations on behalf of ngā uri o Whanganui with regard to the Tūpoho tupuna rohe. The Rūnanga represents the collective voice of their people across a range of environmental, cultural, social, political and economic issues.
- 5.2 Te Rūnanga Ō Tūpoho oppose in its entirety the Proposed Plan Changes 54 – Industrial due to the significant cultural effects on Tūpoho and welcomes the opportunity to engage on this report with the Council.
- 5.3 The plan change and section 32 evaluation report were provided to Te Rūnanga Ō Tūpoho in advance of the public notification as required under section 4A of the Resource Management Act 1991.
- 5.4 Following the notification period, officers of Council have met with representatives of Te Rūnanga Ō Tūpoho to reach a clearer understanding of key issues raised in the cultural assessment report. Details of the specific responses are included in section 3.1.4 of the attach s32AA evaluation report.
- 5.5 In answer to issues raised, the overriding approach is that future development is addressed in partnership by Te Rūnanga Ō Tūpoho and Whanganui District Council. A recent example

of this is the consultant agreement formalised between Whanganui District Council and Te Rūnanga ō Tūpoho:

- *“(with the procurement of a PDP Maatauranga Maori Civil Engineer) to collaborate in the development of the Whanganui Integrated Water Plan through a Tangata Whenua lens, giving effect to the RMA, Tupua Te Kawa, Te Mana o Te Wai and Te Tiriti o Waitangi principles”*

5.6 Other specific responses to matters raised by Te Rūnanga ō Tūpoho are contained in the section 32AA evaluation.

6. Cultural Assessment Report – Ngāti Tamareheroto:

6.1 A cultural assessment report was received from Ngāti Tamareheroto, with additional commentary from Te Kaahui o Rauru (the iwi governance entity for Ngaa Rauru Kiihahi). Through genealogy and geographic location, Tamareheroto acknowledges descent from both Ngaa Rauru Kiihahi and Whanganui iwi.

6.2 Ngāti Tamareheroto oppose in its entirety proposed Plan Change 54 due to cultural impacts being significant.

6.3 In relation to Plan Change 54, the cultural assessment report focuses primarily of the Mill Road Industrial Estate, te mana o te wai, repo (wetlands) and on general issues of hazardous materials and contaminated land.

6.4 Ngāti Tamareheroto request to be identified as affected parties in relation to activities in this area and that steps be undertaken by Council to include Ngati Tamareheroto as decision makers on development conditions for new development in the Mill Road Industrial Estate.

6.5 The Hapuu and Te Kaahui o Rauru request that reference be made to its Puutaiao (environmental) management plan regarding the protection of heritage and values in this process.

6.6 Ngāti Tamareheroto note that the archaeological assessment for Mill Road Industrial Estate found that the area was a low risk for the presence of archaeological remains. However, Ngāti Tamareheroto consider that remains of significance may be present and that additional action be taken to address the possibility of accidental discovery.

6.7 Follow up discussions have been held with a representative of Te Kaahui o Rauru regarding the plan change and the Council's response to the cultural assessment report. Specific details of proposed actions are shown in the s32AA evaluation report.

7. Whanganui Industrial Land Market Assessment (2019) and Demand Study (2018) :

7.1 These reports provide the underlying rationale for the proposed zone changes in Plan Change 54, primarily that Whanganui is currently well supplied with industrial land “Whanganui District has significant areas of vacant and vacant potential land located in the manufacturing zone that is more than sufficient to cater for future demand growth from the industrial sectors.”

7.2 This assertion is tested under a range of growth scenarios and is calculated to hold true even under high growth out to thirty years.

7.3 On this basis it has been possible to rezone a number of locations that are not suitable or no longer suitable to be zoned as industrial land. Reasons include:

- area of land too small for industrial uses,

- adjacent to residential land,
- unsuitable topography, and
- difficulty of servicing.

7.4 The report findings are discussed in relation to submissions in Appendix 8 of this report.

8. Submissions

- 8.1 PC54 was publicly notified in accordance with Clause 5 of the 1st Schedule of the RMA on 3rd July 2021, with the period for submissions closing on Friday 30th July 2021. A copy of the public notice is included as Appendix 1.
- 8.2 Thirteen submissions were received at the close of submissions. One submission that was received in time, was inadvertently overlooked and subsequently published on the WDC website and distributed to other submitters. Submission 13 from the Oil Companies was received in time, however it was not published and circulated until 22 September 2021. Additional time has been allowed for parties to make further submissions in these circumstances.
- 8.3 I am of the opinion that there has been sufficient opportunity for all submitters and the public to review and make further submission on this this submission. Further submissions were received on the Oil Companies submission.
- 8.4 Submissions were received from the following parties. Copies of these submissions are found in Appendix 2:

Original Submitters	
S01	Axiam Plastics
S02	Roman Catholic Bishop of the Diocese of Palmerston North
S03	MacBlack Timber Ltd
S04	Greytown Trust Lands Trustees
S05	Ian McDonald – McDonald Concrete Group
S06	Ara Poutama Aotearoa, The Department Of Corrections
S07	Powerco Limited
S08	A T Wanganui Limited
S09	George Russell
S10	Fire and Emergency New Zealand
S11	Ministry of Education Te Tāhuhu o Te Mātauranga
S12	First Gas Limited
S13	Z Energy Limited, BP Oil New Zealand Limited, Mobil Oil New Zealand Limited (the Oil Companies)

- 8.5 All submissions received were summarised and the decisions requested by submitters were publicly notified in accordance with Clause 7 of the First Schedule of the RMA. The further submission process closed on 8th October 2021. 6 further submissions were received from the following parties.

Further Submitter		Original Submitter		Support/ Oppose
No.	Name	No.	Name	
1	First Gas Limited	S11	The Ministry for Education	Oppose
2	Michael Eden	S05	McDonald Concrete Group	Support

3	Paul McKee	S05	McDonald Concrete Group	Support
4	Darryn McDonell	S05	McDonald Concrete Group	Support
5	James McManaway	S05	McDonald Concrete Group	Support
7	Fire and Emergency NZ	S13	The Oil Companies	Oppose

8.6 A copy of each submission and further submission is included in Appendix 2.

8.7 The focus of this s42A report is to assess the issues raised in submissions to determine whether the decisions requested are appropriate, taking into account:

- Good planning practice
- The requirements of the RMA
- The relationship with the broader planning framework under the District Plan and its implementation and consistent administration, and
- The direction set by other Plan changes in the Whanganui Phased District Plan Review.

9. Key issues raised by submitters

9.1 The summary of submissions is included within Appendix 3 of this report where details of each submission are addressed. However, I consider the following to be key submission topics/issues:

- Three submitters sought changes to the General Industrial Zone Rules to explicitly list particular uses are permitted within the industrial zone: community corrections facilities, trade related education facilities and fire and emergency service facilities.
- Three submitters opposed some of the proposed zoning changes of land from General Industrial Zone to some other zone (e.g. General Residential or General Rural).
- Three submitters sought relief to changes proposed for Contaminated Lands and Hazardous Substances particularly in relation to hazardous facilities.

10. Analysis of Submissions

10.1 Before a plan change can be incorporated into a district plan it must fulfil a number of statutory requirements set down in the RMA, including:

- Part 2, comprising Section 5, Purpose and Principles of the Act; Section 6, Matters of National Importance; Section 7, Other Matters; and Section 8, Treaty of Waitangi;
- Section 31 Functions of Territorial Authorities;
- Section 32 Duty to consider alternatives, assess benefits and costs;
- Section 32AA Requirements for undertaking and publishing further evaluations;
- Section 74 Matters to be considered by territorial authorities; and
- Section 75 Contents of district plans.

10.2 The assessment of this Plan Change must also include an evaluation of the provisions to determine their adequacy in terms of:

- Their relationship and workability with other District Plan provisions, and
- The appropriateness of such provisions (for example, their reasonableness and consistency).

10.3 The decisions requested by the submitters are recorded in Appendix 3 of this report. For ease of reference submissions have grouped by topic.

- 10.4 Appendix 4 comprises a marked up version of the notified maps and text and identifies recommended changes following consideration of submission points. Each recommended change or group of changes (to text only) is shaded yellow and referenced with the submitter name and submission number as a footnote. Appendix 4 also comprises recommended changes to Planning maps and appendices as detailed in Appendix 3.
- 10.5 Appendix 8 shows all of Council's amendments to the proposed plan change arising from submissions.

11. Statutory Considerations

11.1 Resource Management Act 1991

- 11.1.1 Section 74 of the RMA requires the Council to change the District Plan in accordance with its functions under Section 31, the purpose of the RMA in section 5 and the other matters under sections 6, 7 and 8, any further evaluation required by section 32AA, and to have particular regard to the evaluation reports and any regulations.

Territorial authorities have the following functions under the Act:

31 Functions of territorial authorities under this Act

1. *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*
 - a. *The establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources.*
 - aa. *the establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district:*
 - f. *any other functions specified in this Act.*
2. *The methods used to carry out any of the functions under subsection (1) may include the control of subdivision.*

- 11.1.2 The Council is given these functions for the purpose of promoting the sustainable management of natural and physical resources, which is defined in section 5(2) as:

In this Act, "sustainable management" means 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 wellbeing 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.*

- 11.1.3 As set out in section 72 of the Act, the purpose of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

- 11.1.4 Other statutory policy documents influence district plans. Sections 74 and 75 of the Act identify matters to be considered by the Council and those documents that a district plan must give effect to respectively. I discuss these in further detail later in this report, however, the plan change has been prepared to be consistent with and give effect to the statutory requirements of higher order policy documents, where relevant and applicable.

11.1.5 The following provisions of section 76 are also relevant:

- (1) *A territorial authority may, for the purpose of –*
 - (a) *Carrying out its functions under this Act; and*
 - (b) *Achieving the objectives and policies of the plan, - include rules in a district plan.*
- (3) *In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities, including, in particular, any adverse effect.*

11.1.6 Further guidance and direction on the way in which resources are to be managed is provided in sections 6, 7 and 8 of the Act. Section 6 matters to be recognised and provided for in relation to this Plan Change are:

- (e) *the relationship of Maori and their culture 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.*
- (h) *the management of significant risks from natural hazards.*

11.1.7 The cultural impact assessment reports (Refer to Appendix 5) provide a series of specific concerns or recommendations in relation to the plan change and the proposed Mill Road Structure Plan.

11.1.8 The Archaeological Assessment Report concluded that the Mill Road area has a comparatively low risk for the presence of archaeological remains.

11.1.9 Section 7 of the Act identifies “other matters” that must be given regard to. The sections relevant to PC54 are identified and considered in the table below:

- (a) *kaitiakitanga:*
 - (aa) *the ethic of stewardship:*
 - (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:*
 - (g) *any finite characteristics of natural and physical resources...*
 - (i) *the effects of climate change:*
 - (j) *the benefits to be derived from the use and development of renewable energy.*

11.1.10 PC54 is considered to have given particular regard to the above matters as set out in the table below:

Section 7 Matters	Explanation
(a) <i>kaitiakitanga:</i>	The section 32AA evaluation also outlines the results of discussions with Tangata Whenua and Council’s ongoing commitments to a partnership approach to the development of the Mill Road industrial area. The cultural values of the area identified in reports from Tangata Whenua confirm the need for Tangata Whenua to physically reconnect with ancestral land, and to exercise guardianship/stewardship over the area. Opportunities including potential involvement in freshwater management, landscaping and development options for public spaces.
(aa) <i>the ethic of stewardship:</i>	

Section 7 Matters	Explanation
<i>(b) The efficient use and development of natural and physical resources.</i>	The structure plan approach ensures that the area will be developed in a comprehensive and integrated manner. Infrastructure resources can be efficiently allocated and installed ahead of site specific development to achieve efficient use and development. This will aid in achieving protection and quality environmental outcomes, particularly in relation to the benefits of a comprehensive system for management of stormwater, transport infrastructure and mitigation of impacts on adjacent land owners.
<i>(c) The maintenance and enhancement of amenity values.</i>	<p>An integrated structure plan will maximise opportunities for quality transport and infrastructure network connectivity and enable provision of a connected stormwater management network within the Mill Road industrial estate.</p> <p>The rezoning of other small isolated areas of industrial zoned land within predominantly residential locations will in time reduce the potential for adverse impacts on surrounding residences.</p>
<i>(f) Maintenance and enhancement of the quality of the environment.</i>	<p>No significant natural landscape values or areas are present in this structure plan area, thus such environments are not compromised.</p> <p>Provision of a connected stormwater management network within and beyond the structure plan area, including attenuation infrastructure in the south eastern corner of the site minimises the future impacts of stormwater discharge as industrial development progresses.</p> <p>Rezoning of land that is too steep to effectively develop for industrial purposes reduces the risk of inappropriate development on those sites and potential consequential adverse environmental impacts.</p>
<i>(g) any finite characteristics of natural and physical resources:</i>	<p>Land Use Class 3 is predominant in the Mill Road Industrial Estate and is the lowest class of potentially arable soil. Land ownership in the Estate is too fragmented to effectively enable agricultural activity.</p> <p>Class 1 and 2 land is limited within the District and predominantly located near the urban periphery. These highly productive soils are not present in this Structure Plan area.</p>
<i>(i) the effects of climate change:</i>	<p>While some areas currently in the General Industrial Zone are potentially exposed to natural hazards that may be exacerbated by climate change, significant areas including the Mill Road Industrial Estate are at lower risk.</p> <p>Provision of a connected stormwater management network within and beyond the structure plan area, including attenuation infrastructure in the south eastern corner of the site minimises the future impacts of stormwater discharge as industrial development progresses and can be designed to accommodate accepted projections of changes in rainfall intensity. Whanganui District Council and Te Rūnanga O Tūpoho have entered into an agreement to ensure the inclusion of mātauranga Maori in the management of freshwater systems.</p>

Section 7 Matters	Explanation
<i>(j) the benefits to be derived from the use and development of renewable energy.</i>	This Structure Plan area is anticipated to be developed over an extended period of time, facilitating opportunities to adapt to the inevitable improvements in technology that will make renewable energy a feasible source at both the domestic and territorial scale.

11.1.11 Section 8 requires that the principles of Te Tiriti o Waitangi (the Treaty) be taken into account in the preparation of PC54 and now with the consideration of submissions received. The principles of the Treaty are detailed by the Ministry of Justice¹. An assessment of those principles applicable to Council's functions and PC54 is provided below:

Relevant Principles	Assessment against Treaty Principles
Partnership - to act in good faith	Council engaged early with Tangata Whenua. Cultural values were identified and an archaeological assessment obtained as part of the structure plan development. This, confirmed historic heritage values and signalled cultural values would need to be explored and better understood prior to any development. Council commissioned a cultural values assessment from both Te Rūnanga O Tūpoho and Ngati Tamareheroto and seeks to identify opportunities to achieve the outcomes sought in those reports.
Reciprocity - exchanges for mutual advantage and benefits	This land is privately owned. In this circumstance Council is working to facilitate industrial development in an area of demonstrable market demand. Council recognises and provides for the relationship of Tangata Whenua and their culture and traditions with their ancestral lands and protection of historic heritage.
Autonomy – to protect Māori autonomy, to govern themselves	PC54 does not alter or impinge Mana Whenua rights to political autonomy. The actions outlined in the section 32AA evaluation are intended to support greater autonomy.
Active protection Crown's duty to protect Māori rights and interests	The Council is also bound by Part II of the RMA as discussed elsewhere in this report.

11.1.12 As outlined above, I consider PC54:

- to be consistent with and taken account of Section 8 of the RMA, and
- as recommended following consideration of submissions, also meet its obligations under Part II of the RMA.

11.2 National Policy Statements and Environmental Standards

The RMA requires that district plans give effect to any relevant national policy statements or national environmental standards (NPS and NES). A NPS sets a national direction and a NES sets specific minimum standards to be enforced by each council. The National Policy Statement on Urban Development Capacity 2016 (NPSUDC) provides direction to councils on planning for urban environments to:

- enable urban environments to grow and change in response to the changing needs of the communities, and future generations; and
- provide enough space for their populations to happily live and work. This can be both through allowing development to go “up” by intensifying existing urban areas, and “out” by releasing land in greenfield areas.

It requires Whanganui District Council to provide within the District Plan sufficient suitably zoned land to ensure that demand can be met for the next thirty years. This development capacity must be commercially feasible to develop and plentiful enough to recognise that not all feasible development opportunities will be taken up. The results of the Whanganui Industrial Land Demand Study and the Whanganui Industrial Land Market Report clearly indicate that sufficient land is zoned for general industrial purposes in Whanganui to meet the medium demand scenario over the next thirty years.

11.3 **Regional Policy Statement and Regional Plan (the One Plan)**

Sections 75 (3) and (4) of the RMA require that a district plan must give effect to any regional policy statement and must not be inconsistent with any regional plan. Horizons Regional Council's One Plan contains issues, objectives and policies relating to urban development, however only those relating to the District Plan are assessed below.

The One Plan became operative on 19 December 2014.

Table 1

Regional One Plan - Proposed Plan Change 54		
Issue	Objective	Policy
3-3 The strategic integration of infrastructure with land use – urban development that is not strategically planned can result in the piecemeal and inefficient provision of associated infrastructure.	3-3 The strategic integration of infrastructure with land use – Urban development occurs in a strategically planned manner which allows for the adequate and timely supply of land and associated infrastructure.	3-4 The strategic integration of infrastructure with land use – Territorial Authorities must proactively develop and implement appropriate land use strategies to manage urban growth, and they should align their asset management planning with those strategies, to ensure the efficient and effective provision of associated infrastructure.
Evaluation: PC54 is consistent with the relevant One Plan issue, objective and policy. This is achieved by promoting industrial development on land, identified as generally appropriate for that purpose. This allows for integrated development, protection of historic heritage and efficient infrastructure rather than the less sustainable outcomes.\		

11.4 Other Plans & Strategies

Another matter to which Council must have particular regard is other management plans and strategies. Those which are relevant to this Plan Change. They have informed the preparation of the section 32AA analysis.

Whanganui Urban Transportation Strategy (2011)

The Whanganui Urban Transportation Strategy (WUTS) identifies key transportation objectives over a 30 year lifetime. It seeks to improve management of the road infrastructure by planning ahead to:

- Support environmental sustainability
- Assist economic development
- Provide transport infrastructure to meet the city's long term needs
- Enhance and promote public health and personal safety
- Facilitate real transport choices including improved access and mobility
- Integrate transport systems and land use planning

The strategy sets out objectives and key actions under each theme. The objectives and key actions relating to parking, loading and vehicle crossings have been incorporated into this Plan change by the provision for walking and cycling pathways, the focus on maximising practical road linkages to facilitate opportunities for future public transport and improved safety outcomes. Council will be well placed to facilitate orderly development by acting ahead of demand to develop infrastructure in a coordinated manner.

Iwi Values and Management

Te Rūnanga O Tūpoho is working in partnership with Whanganui District Council in accordance with the existing formal relationship agreed between Te Rūnanga O Tūpoho and the Council. The following table lists the values identified by Te Rūnanga O Tūpoho in their cultural impact assessment and the accompanying considerations for PC54.

Value	Evaluation
Mana Motuhake	Te Rūnanga ō Tūpoho considers that steps should now be taken by Council to include Tūpoho as a decision maker on PC 54. This could include establishing a steering committee for PC 54 with Tūpoho representation.
Whakapapa	Te Rūnanga ō Tūpoho acknowledges that there are no recorded archaeological sites at Mill Road. However, there is a possibility for sites to be present. As such, Te Rūnanga ō Tūpoho would like to work with Council to develop an accidental discovery protocol that must be adopted as a consent condition or be required to meet permitted activity standards.
Hauora	Te Rūnanga ō Tūpoho considers that the entire Mill Road should be subject to a DSI to confirm the presence, or otherwise of contaminated soil. Although HAIL activities have not been identified on the site, there is potential for seepage from the contaminated areas within Rākau Road and Mānuka Street.
Mauri	The Structure Plan recommends a whole of area approach to landscaping Mill Road that integrates stormwater infrastructure with roading, transport, cycleways, and walkways. Te Rūnanga ō Tūpoho considers that appropriate natives should be used in planting to support local native ecosystems.
Te Mana o te Wai	<p>Te Rūnanga ō Tūpoho has significant concerns with the proposal to increase stormwater discharge from an industrial area to the Titoki Wetland and Whanganui River. Both sites are significant to Tūpoho (see Significant Sites) and Te Rūnanga o Tūpoho is opposed to any increase of stormwater discharge without proper consideration of the effects and involvement in the PC 54 process as outlined in Assessment of Effects to Tūpoho - Mana Motuhake</p> <p>Water take and quantity in the Whanganui District is a significant issue to Tūpoho and Te Rūnanga ō Tūpoho is concerned that increased water take will impact on fresh and marine water within the district. Te Rūnanga ō Tūpoho requests further information in this respect.</p> <p>Te Rūnanga ō Tūpoho wish to ensure that wastewater that is discharged from the pump station is of pristine quality to support its receiving environment. Te Rūnanga ō Tūpoho requests further information in this respect.</p>

Te Kaahui o Rauru has prepared a Puutaiao (environmental) management plan. An assessment of PC54 against the objectives and policies of this management plan is provided below:

3.4.1 RELATIONSHIPS	Evaluation
Objective 1.1 To establish, grow and maintain relationships which maximise the ability of Ngaa Rauru Kiitahi to exercise kaitiakitanga over resources within our rohe.	Council has an evolving relationship with Te Kaahui o Rauru, and this Plan Change provides opportunities to work collaboratively to achieve some physical access to and reconnection with ancestral lands, as well as establishing opportunities to further investigate other methods beyond the scope of this Plan change to strengthen the exercise of kaitiakitanga. Working together through archaeological assessment processes to ensure appropriate protection and recording of archaeological sites and cultural values.
Policy 1.1 To work collaboratively with other Iwi and/or tangata whenua organisations, local and central government agencies, environmental organisations, stakeholders, professionals, technical experts and the public.	
3.4.2 PAPATUUAANUKU	
Objective 2.1 To ensure that the realm of Papatuuaanuku is managed appropriately in accordance with Ngaa Raurutanga	This land is privately owned and zoned for industrial activities. Within that constraint, the lands are to be managed sustainably. As stated above PC54 will facilitate collaborative management of freshwater systems and some public spaces.
Policy 2.2 TKOR will work to protect and enhance Ngaa Rauru Kiitahi relationships, culture and traditions with our ancestral lands.	
3.4.5 TAONGA TUKU IHO	
Objective 5.1 To ensure that Ngaa Taonga Tuku Iho are managed appropriately in accordance with Ngaa Raurutanga.	The archaeological assessment undertaken in 2020 concluded that the Mill Road review area has a comparatively low risk for the presence of Archaeological remains. Archaeological remains could potentially be present within the review area. Archaeological remains of Maori origin are most likely to originate from short term seasonal utilisation of swamp and scrub land resources, such as birds, fish, koura and eels, as well as raupo, or other wetland plant resources. Where an Archaeological Authority is required from Heritage NZ, then a cultural values assessment will be required as part of that process.
Policy 5.1 To protect our Ngaa Rauru Kiitahi heritage as an integral part of our cultural identity and continued prosperity.	
Policy 5.3 Protect our waahi tapu / waahi tuupuna from inappropriate subdivision, modification and development that would cause adverse effects on the qualities and features which contribute to the cultural, spiritual and historical values of these sites	
Policy 5.5 To advocate for the return of artefacts and other taonga belonging to Ngaa Rauru Kiitahi.	Beyond the scope of this Plan Change. Subject to the provisions of the Protected Objects Act 1975.
3.5.4 ECONOMIC DEVELOPMENT	
"...economic development should not occur at the expense of Ngaa Rauru Kiitahi cultural and environmental values. Ngaa Rauru Kiitahi does not support unsustainable exploitation of natural and physical resources. A notable feature of our rohe is the reliance on the region's natural	This Plan Change is consistent with achieving sustainable management as defined in the RMA. In turn this equates to sustainable development within the rohe of Ngaa Rauru Kiitahi.

resources for our social and economic wellbeing. We encourage investors to bring business into our rohe. Ngaa Rauru Kiitahi wants economic development in our rohe to be sustainable so that the needs of present generations are met without compromising the ability of future generations to meet their own needs.”	
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12. Section 32 Evaluation

- 12.1 When a council undertakes a plan change, the RMA requires that it produce a report evaluating the costs and benefits of primary options considered. This is known as a Section 32 evaluation.

12.2 Section 32AA Re-Evaluation

Section 32AA of the Act requires that any proposed changes be subject to further evaluation. As a result of considering the various submission points, I have identified a number of recommended changes to the proposed Plan provisions in Appendix 3. Rather than repeat the reasons and evaluation for each of the changes in this section, I have included my additional assessment as amendments to the notified S32 Evaluation Report. The affected provisions of that report are appended as Appendix 8 to this Report (shown as highlighted text for ease of reference). This approach is considered appropriate to reflect the scale and significance of the changes relating to the decisions requested by the submissions. These extracts, combined with the balance of the section 32 Report, fulfil the requirements of S32AA of the Act.

- 9.4 The majority of changes are recommended to improve the certainty and clarity of the provisions for plan users.
- 9.5 Unless otherwise stated within the s32AA Report in Appendix 9, the assessment undertaken in the section 32 Evaluation Report still applies.

13. Conclusion and Recommendations

- 13.1 That PC54 be approved to effectively and efficiently facilitate an environment conducive to growth of industrial development in Whanganui the plan change
- 13.2 That the Mill Road Structure Plan be adopted to provide clear expectations about the staging of development in the Mill Road Industrial Estate.
- 13.3 That inclusion of a Structure Plan map as an appendix to the Whanganui District Plan will add certainty and clarity for industrial development, including the indicative walkways and stormwater detention areas provided for within the Mill Road Structure Plan Report.
- 13.4 The significance of the Mill Road area as ancestral land for mana whenua is acknowledged. Protection of values identified in the cultural impact assessment reports is specifically addressed in the Tangata Whenua and Papakainga section of the Whanganui District Plan. Beyond this Plan Change process, opportunities exist to explore place naming conventions with Council and potential developers.
- 13.5 A re-evaluation in accordance with Section 32AA of the Act has been completed (refer to Appendix 8 of this report), in relation to all recommended changes and following consideration of issues raised in submissions.

- 13.6 It is recommended that PC54 be amended as indicated in the marked up text (refer to Appendix 4 of this report) and decisions on submissions be confirmed as recommended in Appendix 8.
- 13.7 I consider that the amended provisions will be efficient and effective in achieving the purpose of the Act, the relevant objectives of the proposed plan, and other relevant statutory documents, for the reasons I have recorded as part of the analysis and recommendations within and attached to this report. I am of the view that the plan change gives effect to the RPS, and has been prepared in accordance with the sustainable management purpose of the Act.

Gavin McCullagh

29 October 2021