

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of proposed Plan Change E: Roxburgh
Residential Area to the Palmerston North City
Council District Plan

STATEMENT OF EVIDENCE – RESPONSES TO SUBMISSIONS ON PARKS AND RESERVES

AARON PHILLIPS ON BEHALF OF PALMERSTON NORTH CITY COUNCIL

Dated: 16 May 2025

EVIDENCE OF AARON PHILLIPS

A. INTRODUCTION

- [1] My full name is Aaron Phillips.
- [2] I prepared a s 42A report dated 23 April 2025 on Parks and Reserves (s 42A report) for proposed Plan Change E (PCE).
- [3] My qualifications and experience are set out in my s 42A report.
- [4] I repeat the confirmation given in my s 42A report that I have read and will comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code

B. SCOPE

- [5] My report responds to a number of matters raised in Statements of Expert Evidence to PCE. The submissions responded to are:
 - (a) Urban Design – on behalf of Frances Holdings dated 5 April 2025
 - (b) Planning - on behalf of Frances Holdings dated 5 April 2025
- [6] My reply evidence does not address matters where the Statement of Expert Evidence is supporting aspects of parks and reserves provision. It focuses on matters where there are either changes proposed or differences of professional opinion.

C. RESPONSES TO EVIDENCE – URBAN DESIGN ON BEHALF OF FRANCES HOLDINGS

- [7] Open space/reserve provision: The evidence notes in several sections they consider the open space reserve could be located on either side of the associated road. I note the experts refer to Road B in the table, but I think they are meaning Road D.
- [8] The contention that the reserve could be located on either side of the road is reasonable. However, there are a number of reasons for showing it in the location proposed, to the west of the Road D. These include:

- (a) A reserve on the southern side, open to the north, would receive less shading from neighbouring residential properties were they to build close to the boundary.
- (b) The land exchange process, which results in part of the Waterloo Reserve being relocated, was subject to a separate public statutory process.¹ I note that all documentation produced by Council (and relied on by the Department of Conservation when providing its approval) for the land exchange has the reserve located to the southern side of Road D. Frances Holding Limited and their representatives did not submit² to that process. I discuss the implications of moving the reserve to the north in relation to the Department of Conservation approval later in my reply.
- (c) The Council approved a portion of a piece of land it owns to be classified as a road³, to contribute to a wider road reserve for Road D, shown in Figure 2. The communication around the road classification was consistent with that for the reserve exchange, indicating the location of the reserve as on the southern side of the road. Frances Holdings made a submission to the road classification process. I note that the matter of note in their submission was the point in time at which the road would be legalised and have public access. There was no mention of the need to change the location of the reserve

¹ Statement of Evidence, Parks and Reserves, 23 April 2025, page 7.

² Submissions link

https://palmerstonnorth.infocouncil.biz/Open/2023/08/SAFC1_20230801_AGN_11173_AT_EXTRA_ExternalAttachments/SAFC1_20230801_AGN_11173_AT_EXTRA_Attachment_29923_1.PDF

³ https://palmerstonnorth.infocouncil.biz/Open/2025/04/COU_20250402_AGN_11259_AT.PDF



Figure 1: Council land to become road

- (d) Having the reserve to the south has a modest advantage over a position to the north. The southern location provides a more contiguous flow of the open space from the Ruahine Street through to the proposed river entrance than the alternative proposed in the example in Section 3.4 of the Urban Design evidence. Under the submitters example the open space areas would be disconnected. This could be offset or remedied if the area of the river entrance at the stopbank, “Area “C” were configured to south if the reserve and carpark were to the east. See area “Z” in blue in Figure 2.

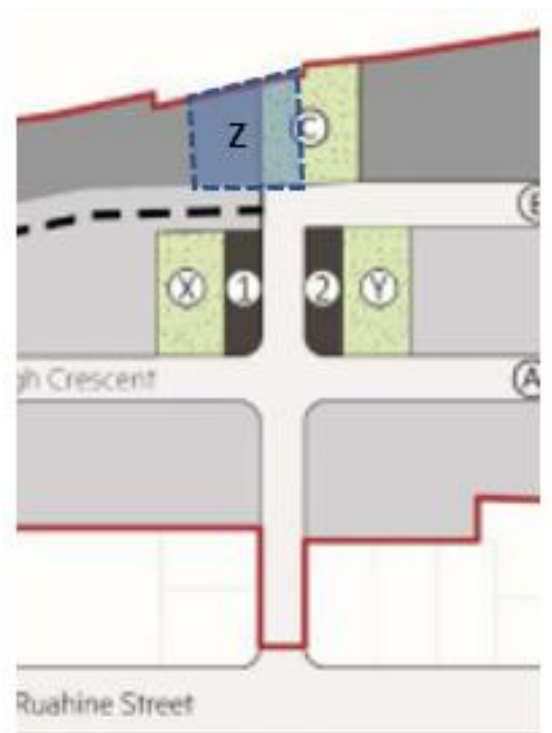


Figure 2: River entrance configuration vs reserve and carparking

- [9] The recommendations to the Council during the classification of Council's access portion of land to road stated:

That Council make the reserve declaration and classifications in resolution 1 and 2 subject to:

- a. The Plan Change E: Roxburgh Residential Area becoming operative, and
- b. Subdivision of the surrounding land that ensures that the road reserve portion of this reserve declaration is contiguous with a vested road reserve at the time of subdivision.

That Council note that:

- a. the precise partition of area between the road and recreation reserves portions will be determined at the time of the subdivision of the surrounding land in order to align with the road reserves created during that residential subdivision.
- b. The portion to be declared road reserve will require subdivision from the portion that will be recreation reserve. This will be carried out at the time of subdivision of the surrounding land and associated roads.

- [10] The Department of Conservation, in its approval of the reserve exchange applied conditions:

"a) That the Council approve a district plan change which changes the zoning of the Exchange Land to residential; and

b) That the Land Regulatory Delivery Manager, Department of Conservation, approve the survey plan defining the Exchange Land. Acknowledging that minor amendments may be required, the plan shall substantially reflect the layout shown in Appendix A, as provided with the application; and

c) That the survey plan gets approved by Land Information New Zealand.”

- [11] The Department of Conservation uses the phrase “the plan shall substantially reflect the layout shown...” as per the application and reproduced in Figure 3.



Figure 3: Reserve Exchange application to DoC - Attachment 1.

- [12] From a parks and reserves perspective, I consider the following principles to be important when considering the location of the reserve:
- (a) an area for area exchange
 - (b) with good connection to the river entrance
 - (c) supported by some carparking.
- [13] I am comfortable considering a location to the north of Road D as long as the matters I have identified above are fully considered.
- [14] Whether or not the Department of Conservation accepts the change is a matter for a separate process. While the plan change could possibly provide some flexibility (as sought by the submitters) in the final location, I am not able to provide any definitive

view as to the outcome of the separate statutory process. I understand Mr Guthrie addresses this further in his reply evidence.

D. RESPONSES TO EVIDENCE – PLANNING ON BEHALF OF FRANCES HOLDINGS

- [15] Mr Thomas’s evidence also makes comment about flexibility of the location of the reserve, and includes an alternative example in his Attachment B. Paragraphs 8 through 13 of my right of reply cover my responses.
- [16] Sections 40 through 43 of Mr Thomas’s evidence discuss a position on road widths and makes comment about the provision of on street carparking using a 13 m wide road reserve.
- [17] I acknowledge and share the concerns that there will be some competition for use of the carparks provided along Road D for resident vs Manawatu River Park users. Anything that alleviate this will be an advantage.
- [18] However, I note that this will be a secondary river access point being less visible and on low volume roads compared to the Ruahine Street (Fitzroy) bend access and carpark and the road end facilities at Albert Street. In my experience this should mean a lower car parking in this area for river access.
- [19] Section 44 of Mr Thomas’s evidence states that “... *this parking [90 degree proposed on Road D] is for Manawatu Park users it is not the responsibility of the developer to provide these. Consequently, it should be made clear in the provisions that the cost of construction of these parks falls with the Council. This could be addressed through the insertion of a Guidance Note under this standard and can be formalised through a Development Agreement.*”
- [20] In discussions to date with Francis Holdings Limited, I had understood that it had been agreed that the developer would provide whatever carparking would be standard for the road reserve, e.g. parallel parking, and the Council parks team would budget to provide any carparking that could be accommodated over and above normal parallel parking through a 90 degree arrangement and by the additional 6 m road width provided by Council’s classification of its land as road.

- [21] A letter dated 26 May 2023 (**May 2023 letter**) from Council to Frances Holdings Limited covered the matter of cost sharing for car parking, as well as other related understanding for the reserve exchange and river entrance. With regard to car parking, the May 2023 letter states Frances Holdings Limited will provide or pay for:

2. The same number of carparks as would have been required to be provided in the road reserve but on the reserve (currently owned accessway or exchange reserve), in a layout that suits the reserve development.

- [22] In reviewing the expert evidence for Frances Holdings Limited, it appears that the detail outlined in the May 2023 letter may have caused some misunderstanding. The letter did not refer to Council paying for carparking over and above what would be provided in a standard road reserve arrangement. This was something agreed to by Council.
- [23] I can confirm that under Programme 1856 in Council's budgets \$153,000 has been budgeted for reserve development and carpark contributions. Of this \$60,000 was for additional carparks.

16 May 2025

Aaron Phillips