

BEFORE THE HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of proposed Plan Change G: Aokautere Urban
Growth to the Palmerston North City Council
District Plan

**STATEMENT OF REPLY EVIDENCE OF ADAM FORBES ON BEHALF OF PALMERSTON NORTH
CITY COUNCIL**

ECOLOGY

Dated: 28 November 2023

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REPLY EVIDENCE OF ADAM FORBES

A. INTRODUCTION

- [1] My full name is Adam Sean Forbes.
- [2] I prepared a s 42A report dated 15 September 2023 on Ecology (**s 42A Report**) on behalf of the Palmerston North City Council (**Council**) for proposed Plan Change G: Aokautere Urban Growth to the Palmerston North District Plan (**PCG**).
- [3] My experience and qualifications 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.
- [5] I attended a pre-hearing meeting in person on 27 September 2023 and a further, follow up meeting online with Manawatu-Wanganui Regional Council (**Horizons**) on 12 October on the topics of stormwater management and ecology.

B. SCOPE

- [6] My reply evidence responds to points made in evidence by:
 - (a) CTS Investments Ltd, Woodgate Ltd, and Terra Civil Ltd (Submitter 58) regarding:
 - (i) loss of stream extent/values (in context of the National Policy Statement for Freshwater Management 2020 (**NPS-FM**) and flexibility to manage stormwater;
 - (ii) how areas of low ecological constraint might relate to the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) provisions in the future; and
 - (iii) development opportunities of the Abby Road Gully area.

- (b) Pepa Moefili on behalf of Stu Waters (Ngawai Farms Ltd) (Submitter 61) regarding proposed rezoning of ecological features as Conservation and Amenity.

C. RESPONSE TO CTS INVESTMENTS LTD, WOODGATE LTD, AND TERRA CIVIL LTD

- [7] The evidence questions the accuracy of the ephemeral status of the upper reach of Gully 1.¹ I maintain that the reach of Gully 1 above the existing fill site is ephemeral based on Auckland Unitary Plan stream classification criteria. The ephemeral reach in Gully 1 is characterised by an eroded channel. Three criteria or more must be met to trigger a change in status from ephemeral to intermittent. In my opinion, this is not achieved for this gully. The rationale for ephemeral stream classification status is adequately described in Appendix C of my s 42A Report.²
- [8] The evidence refers to the surplus I have calculated after residual adverse effects have been offset.³ In relation to this, I would stress that biodiversity offsetting is a last resort method of effects management and should only be used once all other effects management options through the mitigation hierarchy have been exhausted. The purpose of the calculations within my s 42A Report was to show that offsetting was feasible where applied appropriately having regard to the hierarchy.
- [9] Regarding paragraphs [70]-[72] of the submitter's evidence, those gully areas that currently do not meet NPS-IB significance criteria and are of lower ecological value will become areas of higher value with time and management. Prior to historical clearance of the original land cover for agricultural development, the gullies across PCG would have supported diverse and highly valuable biological communities.
- [10] Residential development of the land should strive through gully protection and restoration to reattain similar levels of biological diversity and ecological integrity. As such, areas of low ecological value present potential contributions to terrestrial and

¹ Statement of Evidence of Paul Thomas dated 27 October 2023 at [66].

² Section 42A Technical Report of Adam Forbes dated 15 September 2023, Appendix C: Stream classification Report, 14 April 2023.

³ Statement of Evidence of Paul Thomas dated 27 October 2023 at [68]-[69].

freshwater management objectives (such as: NPS-IB Policies 13⁴ and 14⁵, and NPS-FM Policies 5⁶ and 7⁷) in due course and should not be discounted from Conservation and Amenity zoning based on their current level of statutory significance or ecological value. Strategic planning such as this is important in enabling us to ensure we meet biodiversity objectives in future developments. One example is the Abby Gully area, which presents biodiversity conservation potential in the future and should be zoned and managed accordingly.⁸ I note the evidence of others, including landscape, also address the importance of the gully network and its preservation/restoration.

D. RESPONSE TO PEPA MOEFILI ON BEHALF OF STU WATERS (NGAWAI FARMS LTD)

- [11] Regarding paragraph 3.3 of the evidence of Mr Moefili, I maintain and reiterate that Conservation and Amenity zoning for the wetland and native forest areas I have identified on Mr Waters' land is necessary and appropriate.

28 November 2023

Adam Forbes

⁴ NPS-IB, Policy 13: Restoration of indigenous biodiversity is promoted and provided for.

⁵ NPS-IB, Policy 14: Increased indigenous vegetation cover is promoted in both urban and non-urban environments.

⁶ NPS-FM, Policy 5: Freshwater is managed ... to ensure that the health and well-being of degraded water bodies and freshwater ecosystems is improved, and the health and well-being of all other waterbodies is maintained and ... improved.

⁷ NPS-FM, Policy 7: The loss of river extent and values is avoided to the extent practicable.

⁸ Section 42A Technical Report of Adam Forbes dated 15 September 2023 at [44]-[45].