# BEFORE THE PALMERSTON NORTH CITY COUNCIL INDEPENDENT HEARINGS PANEL

IN THE MATTER OF the Resource Management Act 1991 and the Local Government (Auckland Transitional Provisions) Act 2010

AND

IN THE MATTER

Plan Change G (**PCG**) Amendments to the Palmerston North City Council Operative District Plan

Planning and Master Planning/Architectural/Project Management

Statement of Evidence of

Amanda M. Coats on behalf of the submitter

Heritage Estates (2000) Limited ("HEL")

## SUMMARY

[1] The key points addressed in this evidence are the remaining matters of concern in PCG as set out below.

#### INTRODUCTION

- [2] My name is Amanda Michele Coats and I reside in Palmerston North. I am a director of Proarch Consultants Limited, I am engaged by the submitter, Heritage Estates (2000) Limited ("HEL") and I am familiar with the land at Aokautere on the southeastern side of the Manawatu River.
- [3] I hold the following qualifications: Bachelor of Building Science, Bachelor of Architecture, Diploma of Business Administration, and Post-Graduate Diploma in Planning (with Merit). I am a Fellow of the New Zealand Institute of Architects hold Registered Architect status under the Architects Act 2005 and am an Associate Member of the New Zealand Planning Institute.
- [4] I am experienced in working as a project manager of multi-discipline consultant teams. This includes working as part of diverse teams of technicians in creating georeferenced 3-dimensional representations of buildings, roads, and landscapes to undertake assessments of effects. The images my firm produces and assessments are relied on by Councils and the Environment Court (on occasion).
- [5] I am not a qualified quantity surveyor, economist, or cost feasibility expert. I am a registered architect working in commercial project management for land development inclusive of cost control for over 30 years, this work includes assessment and certification of payment claims for construction contract administration and feasibility analysis (inclusive of indicative costs) for land development.

[6] I provide Planning and Master Planning/Architectural/Project Management evidence in support of HEL's primary and further submissions on the Plan Change G SO 51 and FS 5 retrospectively.

#### **CODE OF CONDUCT**

[7] I have read and am familiar with the Code of Conduct for Expert Witnesses outlined in the Environment Court's Practice Note which came into effect on 1 January 2023. I have complied with the Code in preparing this evidence and agree to follow it when presenting evidence to the Hearing. This evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

#### SCOPE

[8] My evidence on behalf of HEL for PCG (the hearing) addresses submission number (#51)/further Submission number (#5) relating to PCG in its entirety. Principally, HEL's primary relief is contained in Submission Points 51-3

> "HEL has identified gaps in the information provided at the time of notification and seeks amendment, correction, or decline of the plan change if these matters cannot be rectified through the further submission, evidence, and hearings process."

- [9] In preparing my evidence I have considered the following:
  - (a) SOE David Murphey Strategic Planning.
  - (b) SOE Andrew Bird Urban Design
  - (c) SOE Allison Reiko Baugham and Tony Miller Stormwater
  - (d) SOE Eric Bird Geotechnical
  - (e) SOE Harriet Fraser Transport
  - (f) SOE Michael Cullen Urban Economics

- (g) SOE Ruth Allen and Gareth Nicholl Feasibility Assessments
- (h) SOE Adam Sean Forbes Ecology
- (i) SOE John Hudson Landscape
- (j) SOE Nigel Lloyd Acoustics
- (k) SOE Aaron Phillips Parks and Reserves
- (l) SOE Anita Copplestone Planning
- (m) PNCC's Engineering Standards for Land Development
- (n) Tonkin & Taylor Aokautere slope stability: considerations for consenting dated 12 May 2022 (Appendix 9 notified PC-G), also attached to the SOE Eric Bird - Geotechnical
- (o) GHD Stormwater Management Strategy PC-G Aokautere, Palmerston North City Council, revision 2, dated May 2022.
- (p) PC-G Appendix 2 Zoning Maps, notified and s42A
- (q) PC-G Appendix 3 Structure plan, notified and s42A
- (r) PC-G Appendix 4 Master plan report parts 1-6, notified and s42A
- (s) [2022] NZEnvC 214 s 86D decision for Palmerston North City Council.

#### **EVIDENCE**

# Notified Material & Section 42A.

[10] I consider deficiencies in the notified documents (S51-3) and I remain unconvinced by the section 42A reports for PC-G that meet the purpose of the Act. The notified material was over 960 pages long and the s42A comprises about 2141 pages. I compliment Ms. Copplestone's efforts in addressing the 107 submissions and 5 further submissions even though I disagree with her recommendations. Despite over 3,100 pages of information, it is difficult to assess the actual effects of the PC-G due to fundamental missing information. This is because: (a) The 2-dimensional Aokautere Structure Plan Map 7A.4 is imposed over complex 3-dimensional topography and there is insufficient topographical contour information.

(b) Key features such as detention ponds and wetland features are not labelled by number or letter on an overall plan to provide guidance between technical reports and the Aokautere Structure Plan Map 7A.4

(c) The NES-FM and NES-IB offset (100m horizontal distances) from the inland wetland features on rural zoned land are not indicated in Aokautere Structure Plan Map 7A.4

(d) The names of the existing roads are not included in the Aokautere Structure Plan Map 7A.4 (the key picks up ends of these in the letters on the Structure Plan at one end of a road but not the other)

(e) the unbuilt roads on the Structure Plan Map 7A.4 and Aokautere Structure Plan Map 7A.4A Street Hierarchy are shown in solid colour not a dashed line of the same colour so that built and unbuilt roading infrastructure cannot easily be determined by the submitter or the hearings panel,

(f) The roading infrastructure bridges necessary to be built to give effect to the Structure Plan Map 7A.4 and Aokautere Structure Plan Map 7A.4A Street Hierarchy are not denoted on the keys or legends.

(g) The stormwater infrastructure shown in the Structure Plan Map 7A.4 as stormwater detention ponds are not labelled for easy reference, i.e. *"SW Pond 1"* and cross-referenced to reports, and the ability to achieve these stormwater detention ponds in the locations shown will require hard engineering solutions.

(h) The timing of the roading, sewer, stormwater, and earthworks is uncertain.

(i) The costs to establish the infrastructure to support the projected yield of the Structure Plan Map 7A.4 are unclear.

This is not a complete list, it simply covers the main information deficiencies of PC-G. I note that Mr. Burns SOE – Urban Design, page 3, Figure 7 has contour lines on it but not reduced levels RL's to a known datum. What I do not understand is why this information was not forthcoming with RL's to a known datum and a scale in the notified documents, and, why when it was discussed in pre-hearing meetings as being helpful to the submitters the Council chose not to provide it.

## Pre-hearing meetings

I attended the pre-hearing meetings on 25 - 27 September 2023 on behalf [11] of the submitter. I had assumed that these pre-hearing meetings would be held pursuant to Schedule 1 s 8AA Resolution of disputes and that matters not agreed upon would be accurately recorded 'as soon as practicable after the end of the meeting' (s 8AA (5)) but they were not. I anticipated that there would be at least two pre-hearing reports, one authored by Mr. Phillip Percy the Chair of meetings 1-4, and one authored by Mr. Mark St Clair the Chair of meetings 5 and 6. However, the document provided as a 'draft' was a single 'report' and was unauthored. Despite the Hearing Chair noting my followup of the promised circulation of the minutes,<sup>1</sup> the 'draft' report was supplied on 19 October 2023 (19 working days after the first meeting day and 16 working days after the last). The report 'must identify the matters that are agreed between the local authority and the submitters and those that are not' (s 8AA (5)(a)). It is disappointing that no detail was provided on the points of contention to assist the parties in focusing on narrowing the issues to reduce hearing time. A different outcome may have provided the hearing panel with an opportunity to direct mediation ahead of a hearing with a reduction in submitter evidence and hearing time. The key matters that I raised/requested in visual plan form (such as contour information on the structure plan, labelling, and cross-referencing between documents) as being helpful to understand PC-G, were not recorded in the report and not provided to the submitter. Consequently, I do not agree that the Pre-

 $<sup>^1</sup>$  My email of 14/10/23 acknowledged by the Chair on 17/10/23.

Hearing Report meets the requirements of Schedule 1 s 8AA if that is what it was intended to do.

## Master Planning and Urban Design

[12] I do not support the inclusion of the Structure Plan, Precinct Plan, or Master Plan in the PNCC Operative District Plan as statutory documents or non-statutory documents with a bespoke development regime that the council intends for PC-G. I have doubts about whether the Aokautere Structure Plan Map 7A.4 will be given effect within the life of the ODP and whether PC-G meets the NPS-UD tests to:

(a) - 'provide for well-functioning urban environments that enable people and communities to provide for their social, economic and cultural wellbeing (Objective 1) and;

# (b) - <u>Improve housing affordability by supporting competitive</u> <u>land and development markets</u>' (Objective 2). [Emphasis added in bold <u>underlined]</u>

It is uncertain whether PC-G will promote short-term or medium growth as envisaged or claimed.

- [13] The 3-dimensional environment presents challenges to infrastructure connectivity. PC-G was notified without the cohesive 3-dimensional (3D) information such as 2-dimensional contours and road gradients overlaid on plans that are required to explain the following key documents to the submitter:
  - (a) Aokautere Structure Plan Map 7A.4
  - (b) Aokautere Structure Plan Map 7A.4A Street Hierarchy

The authors of the s42A in multiple places rely on the masterplan/structure plan process as a fully tested comprehensive process<sup>2</sup> that can be relied on to confirm PC-G, I disagree. When I look at PC-G, I do so through the

<sup>&</sup>lt;sup>2</sup> S 42A SOE Anita Copplestone -Planning Topic 1, paragraph 35.

lens of how I consider the Council's consent planners<sup>3</sup> will utilise the outcome of PC-G. How will Council consent planners assess any aspect of an application that is not in accordance with the Structure Plan?

Ms. Copplestone<sup>4</sup> offers that the Master Plan provides guidance to decision-makers under s 104 of the RMA. I am advised that the Master Plan will not be incorporated by reference but that does not quell my primary concern about PC-G. Non-statutory documents can be considered under section 104(1)(c) of the Resource Management Act, even if they are not incorporated by reference into the district plan. I am aware that there is no requirement for the consent authority to consider them, however, in practice with consenting, the Master Plan as set out in the SOE of Mr. Burns is in effect the Structure Plan, the Structure Plan, and the Master Plan are one and the same. This appears to elevate the status of the Master Plan for any consideration under s 104 especially where an application activity status is discretionary or non-complying. Of course, in relation to the latter, that of the non-complying activity status, the Master Plan would be utilised to inform s 104D decision. Regardless of the activity status, a decisionmaker on a resource consent application in the PC-G area must give the Master Plan genuine attention and thought or provide reasons for not doing so.

[14] I am aware from my planning work in Palmerston North that the PNCC's Engineering Standards for Land Development, clause 3.5, Page 50.

#### Longitudinal Gradients

- (i) Maximum grade for Arterial roads 10.0% (1 in 10)
- (ii) Maximum grade for all other roads 12.5% (1 in 8)

(iii) Minimum Grade 0.3% (1 in 300) In difficult situations, and for short lengths of streets not exceeding 50m, gradients outside these limits may be

<sup>&</sup>lt;sup>3</sup> PNCC is fortunate to have a very good consent processing team of planners.

<sup>&</sup>lt;sup>4</sup> S 42A SOE Anita Copplestone -Planning Topic 1, paragraph 36.

approved. However, the developer must refer any such requests to the Manager during the preliminary design stage.

The gradients for roads under PNCC's Engineering Standards are 10.0% for arterial roads and 12.5% for all other roads. I wanted to know whether it is more likely than not that earthworks (including in the gully areas) or bridges and earthworks are necessary to give effect to the Aokautere Structure Plan Map 7A.4 in PC-G. There are no longitudinal sections of any roads or indicative gradients notified. This is important information that the submitter requires when making a submission, and when preparing evidence so that the effects of PC-G can be assessed.

In the absence of any notified contour information, the submitter (HEL) [15] has spent time creating 3D information during the evidence preparation period. PNCC GIS team has previously advised me<sup>5</sup> that they work in the NZVD2016 in accordance with the National Planning Standards. My office technical team requested and received some base contour data from PNCC once the 3D was constructed from open data NZVD2016 Lidar sources to double-check some aspects against the open data utilised. This contour information was received on Wednesday 25 October 2023. The PNCC team advised that "the landscape has changed a lot around this area since the LiDAR was done". The contour information received matched the contour levels from the open data sources relied on. The Aokautere Structure Plan Maps 7A.4 and Aokautere Structure Plan Map 7A.4A Street Hierarchy are only supplied to the Submitter as notified in a 2D format, these are positioned and overlaid in plan-view to match the boundaries and the other features such as existing roads in the 3D topographical skin. In simple terms, this is a rudimentary model, it is suitable for examining the PCG Aokautere Structure Plan Maps 7A.4 against the 3D topography. In plan view the 2D and 3D are read as 2D and are aligned, in 3D views the 2D components shift slightly, so there is some minor distortion. If the notified Structure Plan was supplied in a compatible 3D electronic format in accordance with the NZVD2016, then the HEL model could be expanded so that longitudinal road gradients, pond levels, likely land recontouring

<sup>&</sup>lt;sup>5</sup> 2-3 years ago.

(earthworks), and other features could be included to provide greater accuracy and cross sections could be taken.

- [16] I want to examine what I will refer to as the "three fingers of PC-G". Each finger terminates at a Medium Density area<sup>6</sup> being D1, D2, and D3 respectively. The notified documents advise that most of these areas are located on Class D land (refer to Map 10.1A). I am advised that Class D Land relates to potential geotechnical hazards that may include slope instability and potential liquefaction. Mr. Gareth Williams's comments on the level of Geotechnical information are included in the SOE of Mr. Jack Out for HEL. In the absence of information on some of these points there is an increased risk that the roading and infrastructure for PC-G will be challenging.
- [17] Commencing with the D1 the Structure Plan Figure 1 (below) shows G1 (Gully 1) divided by a road "C" identified as a "cross-gulley link" that the Street Hierarchy plan denotes as an "Urban Connector". The Aokautere Church Stream<sup>7</sup> flows through G1. There is a "5m stormwater buffer / no-build setback" indicated as a red coloured line on the Structure Plan Figure 1 key on the western edge of G1 against the development area.



Figure 1: Snippet from Aokautere Structure Plan Map 7A.4

<sup>&</sup>lt;sup>6</sup> Based on the Aokautere Structure Plan Map 7A.4B Lot Pattern & Density

<sup>&</sup>lt;sup>7</sup> PC-G Notified Zoning Maps.

- [18] The s 42A version of the Structure Plan has been updated to include multiple ponds but other factors have not been tracked in the Keys on the plan. The Structure Plan shows the area as a residential with an option to establish medium-density residential (different from the notified version).
- [19] If I look at G1 from SH57 (in a north-to-south direction) the PC-G pond near road "C" can be seen in the gully. The contour on or near the pond is RL66.0 and the highest contour to the east on the established road is approximately RL 82.0, so the topography falls from the established road and buildings on the RHS of the image in Figure 2 to the pond. The change in height is approximately 16 vertical metres. The land falls from the D1 Medium Density area, RL 88.0 to RL66.0 approximately 20 vertical metres.



**Figure 2:** G1 valley looking south towards new cross-gully link road "C" in front of the pond (looking up the gully G1).

[20] However, they show Urban Connectors, C, D, and E, rather than just "*C*", see **Figure 3** below.



Figure 3: G1 Aokautere Structure Plan Street Types Map 7A.4D Street Cross Sections (7A.3D1 -17)

[21] Urban Connector Road cross sections are provided for C (Figure 4), D(Figure 5), and E (Figure 6), and are represented differently on Structure Plan maps.



Notified version



S 42A version

Figure 4: Urban Connector Road cross-section C

The Urban Connector Road in **Figure 4** appears to fill the valley based on the assumed location against the Structure Plan.



Notified version.



S 42 A version

## Figure 5 Urban Connector Road cross-section D

The Urban Connector Roads appear to require a cut into the side of the gully where the contour exceeds the parameters outlined in the s 42A Geotechnical information for slope stability and with an unknown water table (and stream not shown on the Structure Plan) in the valley for cross section C.



Notified version.



s42A Version

Figure 6: Urban Connector Road cross-section E

- [22] The images in Figures 4-6 are indicative of cross-sectional cuts. They do not depict an at-scale cross-sectional cut through the actual topography that the Council would require for a land use or subdivision consent application if the Structure Plan Map 7A.4 is incorporated into the ODP. Figures 4-6 represent cuts and fill without any vertical scale on the fill component. There is no outline of where the original ground line used to be in the image because these images do not represent G1 topography for PC-G, the cross-sections are considered *'indicative'* only.
- [23] With reference to my paragraph [14] and PNCC's Engineering Standards for Land Development 2023, the PC-G Structure Plan Roading Hierarchy does not provide confidence that the road gradients required can be

achieved in accordance with the Structure Plan Map 7A.4 due to the existing topography.

- [24] Too many times I have heard in similar plan changes that this information is at a sufficient level to confirm the plan change - that the details will come later. That is not true of plan changes in steeply graded topography like PCG. The Council and designers must have a lens on the likely outcomes of the safety and viability of the implementation phase that follows any plan change. To achieve the housing yield desired and claimed by the Council the viability and timing of the infrastructure support yield must be well understood. The first thing to get right is whether development is viable during the life of the ODP based on the Aokautere Structure Plan Map 7A.4. In multiple places, PC-G recommended wording to the effect that *"this cannot occur until something else has occurred"* and delay is inherent to that approach.
- [25] The Structure Plan Map 7A.4 in Figure 1 for the road "C" shows two black lines (one on each side of the road) with returns at each end that one could interpret as a bridge notation, on Aokautere Structure Plan Map 7A.4A Street Hierarchy, the same area has one black line on the northern side of the road. Based on the information notified I do not know if "C" is a bridge elevated above the stream (Aokautere Church Stream) in a sensitive ecological area or a major earthwork infill of the gully as per Figure 4 to elevate cross gully link road "C" urban connector road so that the PNCC's Engineering Standards for Land Development gradients of the "Urban Connector" can be met. There is doubt that the stormwater pond (Figure 7 below) near contour RL66.0 is created in part by the elevated road link (a bridge) it is more likely to be an earth or hard-engineered dam, but I cannot be certain, the Structure Plan is unclear.



Figure 7: G1 looking north towards SH57 along the valley.

[26] Based on Figure 2, page 10 of Mr Burns SOE Urban Design (pasted below as Figure 8). The land ownership of G1, G2, and most of G3 along with G4-G5 are in the ownership of Fugle Interests, the area depicted in Blue in Figure 8. The other two landowners are reflected as Green Interests in Green and Waters Interests in Orange.



**Figure 8:** Land ownership taken from Mr Burns Figure 2, page 10, s42A Technical Report -Urban Design.

[27] Based on Google Maps, the closest part of the PC-G area to The Square is the intersection of SH57 and Pacific Drive. If I commence my journey at the bus depot on The Square/Main Street, that journey is approximately 5.9 km, and Google advises it will take me 10 minutes by car, 23 minutes by bus, 1 hour 47 minutes on foot, and 24 minutes by bicycle (Google Maps appears to factor in topography). However, the distance from the bus depot to 50 Atlantic Drive is 7.5 km, and some areas of PC-G are approximately 2-3 km beyond that point, being an overall distance of about 9-10 km from the Square, for those parts of PC-G, the trip distance is further. By comparison, the areas of the Kākātangiata Plan Change (those parts that were once referred to as City West in the 2010 Residential Growth Strategy) at the furthest point, being the intersection of No.1 Line and Rongotea Road<sup>8</sup>. This journey will take 10 minutes by car, 48 minutes by bus<sup>9</sup>, 1 hour

<sup>&</sup>lt;sup>8</sup> Noting that PNCC has advised me that they do not intend to notify any part of the land on the Longburn side of Rongotea Road, as part of Kākātangiata.

<sup>&</sup>lt;sup>9</sup> Note-that this Google maps data reflects a longer time duration than a trip by bus to the PC-G area but may reflect the current bus timetable but seems at odds with the shorter distance travelled.

25 minutes walking, and 21 minutes by bicycle. It's approximately 6.8 km whether accessed via Rongotea Road or Number 1 Line from the Square (not 9-10 km). However, the closest part of PCH: Kākātangiata is just over the Mangaone bridge on SH56 and only 4 km from the bus depot. The trip from the Square to this proposed growth area has a generally flat topography. I do support Mr. Burns's view (para 78, page 33) that the Aokautere Growth Area is only *"1 kilometre (approx.)"* further away from The Square when assessed against the former City West portion of Plan Change H: Kākātangiata because the closest part of PC-G is approximately 2 km further away from the square and the furthest part of PC-G is approximately 3 km further away from the square in my comparison.

[28] I accept that land ownership changes over time and Figure 8 is a snapshot in time. However, PC-G urban design outcomes (and Structure Plan Map 7A.4) rely on the cross-gully link roads in G1 and G3 being built to facilitate the development of the *"three fingers"* medium-density areas D1, D2, and D3. By way of an example if the cross-gully-link in G1 is not constructed, then accessing the finger to the D1 medium-density or residential area, as it must rely on other roading. The trip generation length is demonstrated by the red dashed line in Figure 9 below and represents a journey of approximately 2.8 km from the SH57 via Johnston Drive via an alternative Urban Connector Road to arrive at medium-density area D1.



**Figure 9:** Dashed red line over the Street Hierarchy – possible trip length in the absence of cross-gully-link "C".

[29] There is a further cross-gully-link road "E" (on the notified version, now also called "C" on the s42A version of maps) in G3. The notified "E" annotation remains on the s42A Map 7A.4 Key, it reads "New connection through 30 Abbey Road" on the Aokautere Structure Plan Map 7A.4 key but there is no longer an "E" on Map 7A.4 (if there was, then Figure 6 would be relevant). This makes use of the Structure plan confusing. Anyway, if both cross-gully-link "C" in G1 then the trip generation is more likely to be affected by the timing of roading developed by a different landowner and based on my preliminary analysis could extend to 3.5 km in length to get from the SH57 via Pacific Drive to the medium-density area D3, as shown in Figure 10 below.



**Figure 10**: Dashed red line over the Street Hierarchy – possible trip length in the absence of cross-gully-link "C" and "E".

- [30] The timing and costs for the significant engineering required to create these *'cross-gully-link'* roads are not understood to be provided by a designation notice of requirement process in PC-G and are not otherwise identified. The provision of infrastructure appears to be placed with the landowner to develop significant infrastructure (at a significant cost). The landowner is then to vest (give) the land to the Council for an uncertain yield. I consider there will be significant consultant and construction costs to establish the roading infrastructure required for PC-G.
- [31] I consider the master plan and structure plan approach to be too prescriptive in terms of residential typologies including medium-density residential. I am advised that the demand for sections is strong. I recently attended a meeting in Palmerston North where reputable, long-established group home builders were experiencing difficulties in selling mediumdensity dwellings in parts of the central city. I consider it unlikely that a medium-density typology will be attractive to buyers in most of the PC-G

area and I question why the structure plan needs to prescribe outcomes that may not be desirable to develop. Non-compliance with the structure plan has a flow-on effect on consenting. I appreciate the NPS-UD inherently requires some medium density, however, if the infrastructure roading is not constructed because the costs of the roading exceed any return for the developer, then the yield that results from the Structure Plan underpinned by a Master Planning system is too uncertain to confirm PC-G.

[32] The Structure Plan denotes a stormwater detention pond at the residential development area in the upper catchment of G9. The pond is in the V-shaped area between two cul-de-sac roads, see **Figure 11** below.



Figure 11: Snippet from Aokautere Structure Plan Map 7A.4

[33] The shape of the pond has changed between the notified version and the s 42A version and the geotechnical slope stability information on the related Aokautere Structure Plan Map 7A.4B Lots & Density has been removed, the notified Class D Land black dots had a reference to Map 10.1A. That too has been revised between notification and s 42, first to remove information in the plan and then to put it back again with other modification in PC-G.

[34] The G9 Gully extends to an area and the earlier notified pond on one side of the cul-de-sac road was located on a contoured slope as per Figure 12. The roading from the Structure Plan and the development area do not appear to function and to gain a better understanding an electronic georeferenced model of the interface between the contour and the Structure Plan is essential.



Figure 12 – G9 Gully (notified version) pond and road location.

## Strategic Planning Evidence

[35] SOE David Murphey - Strategic Planning, Paragraph 21 Page 8

A particular request was made by submitter 51 (Heritage Estates), who considers that the Private Plan Change B: Pioneer City West (PPCB) should be heard before PCG. This submission point is not supported. There is no requirement for PCG to wait to be heard until after PPCB. PCG is on its own separate statutory track and should continue towards a decision as quickly as possible, especially given that the plan change is subject to an early legal effect decision from the Environment Court.

[36] Ms. Copplestone makes a similar statement to Mr Murphy, however, HEL SO 51-4 does not say that PPCB should be heard before PC-G. The submission point is that "Section 32(2)(b) of the RMA requires that if practicable, the benefits and costs of a proposal are quantified. In this instance, the PCG Section 32 does not address the benefits, costs, and risks of advancing PCG ahead of PCWL Plan Change B<sup>2</sup>" The footnote refers to "Kākātangiata (formerly City West and Anders Road/Racecourse)" from the PC-G s 32, (paragraph 19 on page 9), and although the submission point may have been clearer, it should not have confused Mr. Murphy, because Mr. Murphy is aware that the unheard PPCB resides within the Kākātangiata (formerly City West and Anders Road/Racecourse) referenced in the footnote. Mr. Murphy has been involved with PPCB since its acceptance by the Council in 2009 and adoption as the preferred residential growth area in 2010, an addendum to the 2010 Residential Growth Strategy placed it second after Whakaronga.

- [37] PC-G as notified is responding to the NPS-UD, and in my discussions with Mr. Murphy further greenfield land availability is necessary to ensure the Council meets the targets required for the purposes of the NPS-UD. The Council has advised that Palmerston North has a high level of demand for housing over the short term due to undersupply in past years. The City Growth Plan 2021-31 identifies Sustainable Growth (Residential) at *Whakarongo, Aokautere, Kakatangiata, Ashhurst and Urban Intensification (minor dwellings, infill, multi-unit and apartments)*" The HEL submission point is that the s 32 does not provide a cost-benefit analysis of PC-G against other Sustainable Growth areas in the City Growth Plan 2021-31 to bring sections to the market in the earliest timeframe. This is because Part 3.2 (2) (c) includes that *sufficient* to meet the expected demand for housing, the development capacity must be: *feasible and reasonably expected to be realised (see clause 3.26),* similarly for business under 3.3 (2) (c).
- [38] The Environment Court decision<sup>10</sup> in paragraph [13] The Council says that PCG is designed to respond to the National Policy Statement on Urban Development 2020 (NPS-UD) and elsewhere that it is well supported by the landowners. For PC-G to respond to the NPS-UD the land zoned must be

<sup>&</sup>lt;sup>10</sup> [2022] NZEnvC 214 Palmerston North City Council (ENV-2022-WLG-000030) dated 25 October 2022.

infrastructure-ready<sup>11</sup> but the s 32 for PC-G does not explain if there is adequate existing development infrastructure to support the development of the land in the short-term, medium-term, and long-term. The roads that are non-existent now are given the same weight on the Structure Plan as those that currently exist. The PNCC Infrastructure Strategy is contained in the 2021-2031 10-Year Plan<sup>12</sup> and although referenced in the notified documents, on examination does not include any roading infrastructure.

[39] SOE David Murphy - Strategic Planning, Paragraphs 91-94, Pages 27-28, responds to HEL 51 and the implementation of National Planning Standards. I questioned this again at the Pre-hearing meeting because paragraph 105, page 229 of Ms. Copplestone's s 42A evidence with respect to Rule R11.10.2.2(j) refers to non-compliance with the Aokautere Neighbourhood Centre shall be in accordance with the Precinct Plan (Map 7A.4C) a non-complying activity under Rule R11.10.5(b). I was advised that the Precinct Plan in PC-G was <u>not</u> intended as a Precinct Plan in terms of the National Planning Standards where *A precinct spatially identifies and manages an area where additional place-based provisions apply to modify or refine aspects of the policy approach or outcomes anticipated in the underlying zone(s).* If the Precinct

## Planning Evidence

- [40] SOE Anita Renie Copplestone Planning. Topic 1: Preliminary Matters, Paragraphs 22-43, Pages 59-61 and Paragraphs 3-11, Pages 65-67 and Paragraphs 21-24, Page 70. I find the Master Plan and Structure Plan unresolved and unlikely to 'Improve housing affordability by supporting competitive land and development markets' (Objective 2).
- [41] SOE Anita Renie Copplestone Planning. Topic 5: Geotechnical constraints and hazards, Paragraphs 20-24, Pages 117-118. I consider the Structure Plan and timing unresolved, the text of the plan proposed is affected by the matters raised in relation to the Stormwater evidence of Mr. Out for HEL (informed by Mr. Williams) that needs to be rectified.

<sup>&</sup>lt;sup>11</sup> NPS-UD2020 updated May 2022: Infrastructure-ready has the meaning in clause 3.4 (3)

<sup>&</sup>lt;sup>12</sup> Adopted by Council on 7 July 2021

[42] SOE Anita Renie Copplestone – Planning. Topic 6: Transport, Paragraphs 115-119, Pages 146-147, Paragraphs 123-126, Page 148 and Planning. Topic 7: Addressing housing needs, Paragraphs 10-12, Page 166-167 I have setout in previous paragraphs my concern around the viability of the Structure Plan with the interrelated geotechnical and stormwater issues. The recommendations to limit subdivision until other parts of the infrastructure are built without any timing or certainty are at odds with the NPS-UD enabling principle.

Amanda M. Coats