

# PROPOSED PLAN CHANGE G: AOKAUTERE URBAN GROWTH

## Palmerston North Industrial and Residential Developments Ltd (Brian Green Residential Developments Ltd)

**Submitter Reference SO.45**

**4.15pm, Thursday 7 December**

### **Introduction**

My full name is Christle Olive Pilkington, and I hold the position of 'Senior Planner' at Resonant Consulting Ltd. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons) from Massey University. I am an Intermediate member of the New Zealand Planning Institute.

Also in attendance and presenting with me, at the request of the submitter, is Kevin Judd. Kevin holds the qualification of Registered Professional Surveyor, the position of 'Director' at Resonant Consulting Ltd, and 40 years of experience in land development. He is available to assist with any technical questions the panel may have with respect to the submission made on behalf of Palmerston North Industrial and Residential Developments (PNIRD).

The purpose of this report is to record the position of PNIRD, with respect to proposed Plan Change G. PNIRD are one of the three major landholders within Aokautere, owning that parcel of land legally described as Lot 11 DP 560678 and Sec 267 Town of Fitzherbert ("the Green block").

Since lodging my original submission and evidence, I have attended pre-hearing meetings and expert conferencing with Council's reporting officers. I have liaised with Council's s42A reporting planner, Council's reporting acoustic engineer, and Council's reporting traffic engineer on some of the points raised, for the express purpose of narrowing issues brought before the hearing panel.

I consider the process to have been successful in achieving its intended purpose, with only one matter raised that has not been 'resolved' with Council, being the pockets of Rural zoning on the Green block.

Below is a summary of issues raised, and I make concluding statements to record my position on each.

### **Land Transport Provisions**

My original submission, and evidence submitted, opposed the proposed provisions of the Plan with respect to preventing subdivision and occupation of dwellings, respectively, until each of the listed intersection upgrades had occurred. My opposition was on the basis that, with reasonable forecasting, it would be unlikely that any development could occur over the medium-term and the plan change would essentially create a 'deferred' zone.

It was my preference that proposed development be assessed on a case-by-case basis through a resource consent process. Existing provisions of the Plan provide for a processing officer to consider effects of subdivision on the land transport network. This process allows for Council to decline an application where adverse effects are of a scale greater than minor.

Council have since recommended changes to the provisions of the Plan, providing for development to occur subject to a resource consenting process, where specified intersection thresholds have not been exceeded, or at such a time intersections are upgraded.

I now have a neutral position on the traffic provisions of the Plan; neither supporting nor opposing them. I would strongly encourage Council and Waka Kotahi to progress with the required upgrades as promptly as possible to address existing concerns, and to avoid stifling of development within Aokautere at such a time any remaining capacity is exhausted.

### **Roading Layout Shown**

My client has no interest in giving effect to at least two aspects of the roading layout shown, specifically where intersections servicing development on the Green block are shown on the neighbouring Waters' block ("Alternative Roding Alignment" on Appendix A), but more so the ~35-degree angle road (in red, Appendix A) previously shown as Urban Connector/District Plan Collector Type F (Appendix D). It was raised during planning expert conferencing that Council had developed the Structure Plan out of concert with the major landholders in Aokautere, and consequently all major landholders had various issues with what was shown. I agree with this sentiment. For PNIRD, the Terrace Link Road as shown on the Structure Plan is problematic due to perceived safety effects associated with both the sharp bend in a 70kph road and given the extensive and cost-prohibitive amount of landscape-altering earthworks required to give effect to it.

I have repeatedly sought that this layout of the road be amended in the Structure Plan, in written submission and evidence, and during pre-hearing meetings and conferencing. Council have considered

the alignment sought, and since recommended to change the road in this location to Peri-Urban Road/District Plan Local Road, and consequently given it a flexible location over its entirety.

My understanding is that this provides for a developer to pursue an alternative roading layout, such as that provided to Council and appended to this report as Appendix A (“Terrace Link Road”), even where this is not in general accordance with that shown on the Structure Plan. It just needs to give effect to the ‘principles’ of the Structure Plan.

I have read the planning, transportation, and urban design Statements of Reply Evidence. All experts are supportive of the Terrace Link Road shown as being flexible in terms of its location, and where it connects to the Local Street network.

If my understanding is correct, I am supportive of the revision to the Structure Plan roading hierarchy as it applies to what was previously District Plan Collector Type F. I note that, should the recommended change be adopted, ‘Type F’ can now be removed from the Key on Map 7A.4A.

### **Vesting of Gullies**

I support the revised provisions set out in Ms Copplestone’s statement of reply evidence, at para [35].

### **Acoustic Overlay**

I support the revised provisions set out in Ms Copplestone’s statement of reply evidence, at para [14]-[20].

### **Zoning**

Council proposes to retain pockets of Rural Zone on the Green block, which I remain opposed to. During expert conferencing, we identified these areas as Area A and Area B (Appendix B; “the/these areas”). I would like to correct an error on the hand-drawn sketch provided during expert conferencing, which shows part of ‘Gully 8’ and all of ‘Gully 9’ (refer Appendix C for the location of these gullies) as contained within an area requested to be included within the Rural-Residential Overlay (RRO).

I accept that those gully areas should be zoned for Conservation and Amenity, per Council’s recommended zoning. For clarity, I have provided a revised drawing for the purposes of clearly illustrating the spatial extent of the area sought for inclusion in the RRO (Appendix A). I have retained the naming convention used for these areas, being Area A and Area B.

Council raised during expert conferencing, that no s32 report was prepared to support the rezoning of these areas. I consider the s32 report prepared by Council applies to these areas, by virtue of their inclusion within the spatially identified extent of the Plan Change G area. If it was not the intent of Council to include them in the Plan Change process, I consider they should have been excluded from the extent of the plan change area.

I also note that Plan Change G was granted immediate legal effect by the Environment Court, which included Structure Plans 7A through G, “with associated changes to zoning of the land”<sup>1</sup>. Consequently, the previous submitter (Ngawai Farms Ltd, SO-61) sought similar relief through the Plan Change process - that Rurally zoned portions of their site be included within the RRO. I understand Council support this request, notwithstanding the absence of any s32 or technical report prepared by the submitter to support it.

Thus, the zoning as proposed would create two areas of rurally zoned land on the Green block, referred to herein as Areas A and B, of 7.5ha and 8.5ha, respectively. Area B is surrounded entirely by land of similar topography and features, ‘zoned’ for Rural-Residential purposes. I do not consider the Green block to be dissimilar to the adjacent Waters block with respect to geotechnical risk. It shares contiguous ridgelines, hills, and flat lower terrace areas to the neighbouring land parcel.

Area A is some 7.5ha, comprising 4ha of low-lying, swampy land and part of the Turitea Stream. It contains 2ha of escarpment, leaving 1.5ha of land that would be viable for either farming activity, or rural-residential activity. The location of this 1.5ha is within the 55 dB L noise contour and I acknowledge that acoustic mitigation at the Gun Club would be required to facilitate any development of a rural-residential nature.

I consider that rural-residential land use in this location would be a more efficient use of the land resource and align with the purpose of Plan Change G to increase housing supply within Aokautere. I note that this area of land is located within a wider area largely zoned for rural-residential purposes, or adjacent to Rural zoned land that has been fragmented to such extent that existing character is best described as rural-residential.

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<sup>1</sup> Environment Court Decision at [44].

The s32 report prepared by Council does not provide any clear rationale for retaining the Rural Zone in these areas, and my original submission sought the eastern- and westernmost portion of the Green block was included within the RRO.

The District Plan specifies a minimum lot size of 20ha for lots in the Rural Zone, with a directive policy framework seeking to avoid the creation of lots less than 20ha in area. Both Areas A and B as shown are undersized, being some 7.5ha and 8.5ha, respectively. I consider the same approach taken to zoning on the Waters block should be applied to the Green block also.

We have taken this position through the pre-hearing meetings, and during subsequent meetings and conversations with Council. During the planning expert conferencing exercise, it was raised that no s32 report had been provided for either Area A or B. This point was not raised earlier, at such a time that expert evidence could have been provided.

We note that the position of Council in the s42A planning report, states *“I recommend that the zoning map and Structure Plans are amended to show these areas as Rural-Residential Overlay as requested by the submitter<sup>2</sup>, where they are located beyond the 55dBAlmax contour, [...]”* (at para. 21).

There appears to be some confusion as to which land parcels were recommended for inclusion in the RRO. If the reasons for retaining the Rural Zoning for Areas “A” and “B” had been made clearer in the s42A report, we could have advanced additional reporting and tabled expert evidence for Council to consider with respect to the zoning relief sought.

Should the panel wish for us to provide additional technical information to support our request, and are amenable to us taking leave to do so, we are not opposed to providing this. We do not consider this to be necessary, on the basis of Council having prepared a s32 report which included Areas A and B within its spatial extent, and the approach taken to the zoning of the neighbouring Waters block.

I further note that the Rules framework of the District Plan requires that any subdivision within a Greenfield Residential Area<sup>3</sup> requires, as a performance standard, a report from one or more accredited

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<sup>2</sup> Being SO-45 – Palmerston North Industrial and Residential Developments Ltd

<sup>3</sup> PNCDP definition – “means any area shown in the following Structure Plans: Aokautere Structure Plan

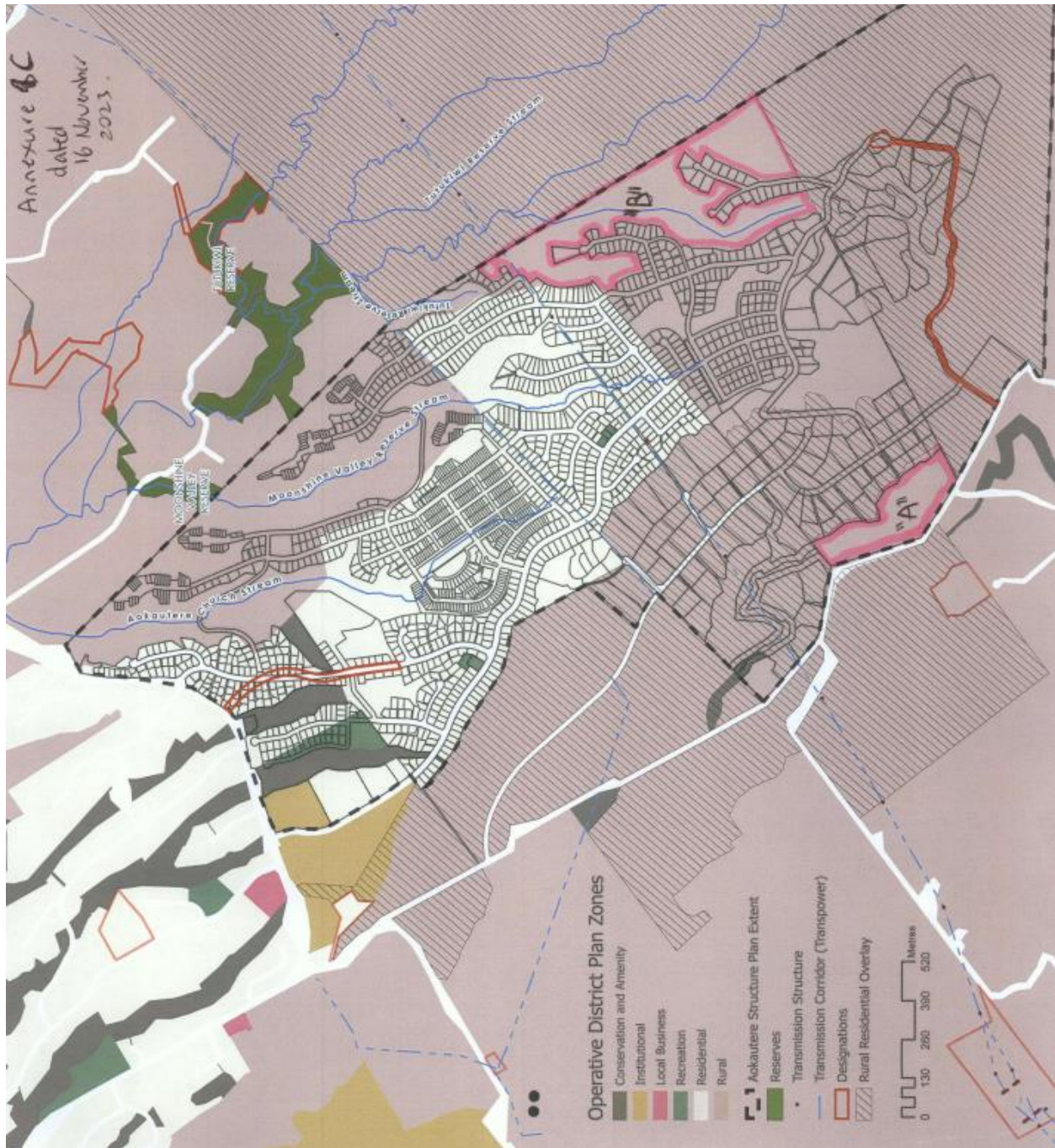
chartered professional engineers, experienced in geotechnical engineering (Rule R7A.5.2.2(a)(xix)).

Supporting assessment criteria are contained within Rule R7A.5.2.3.

Appendix A

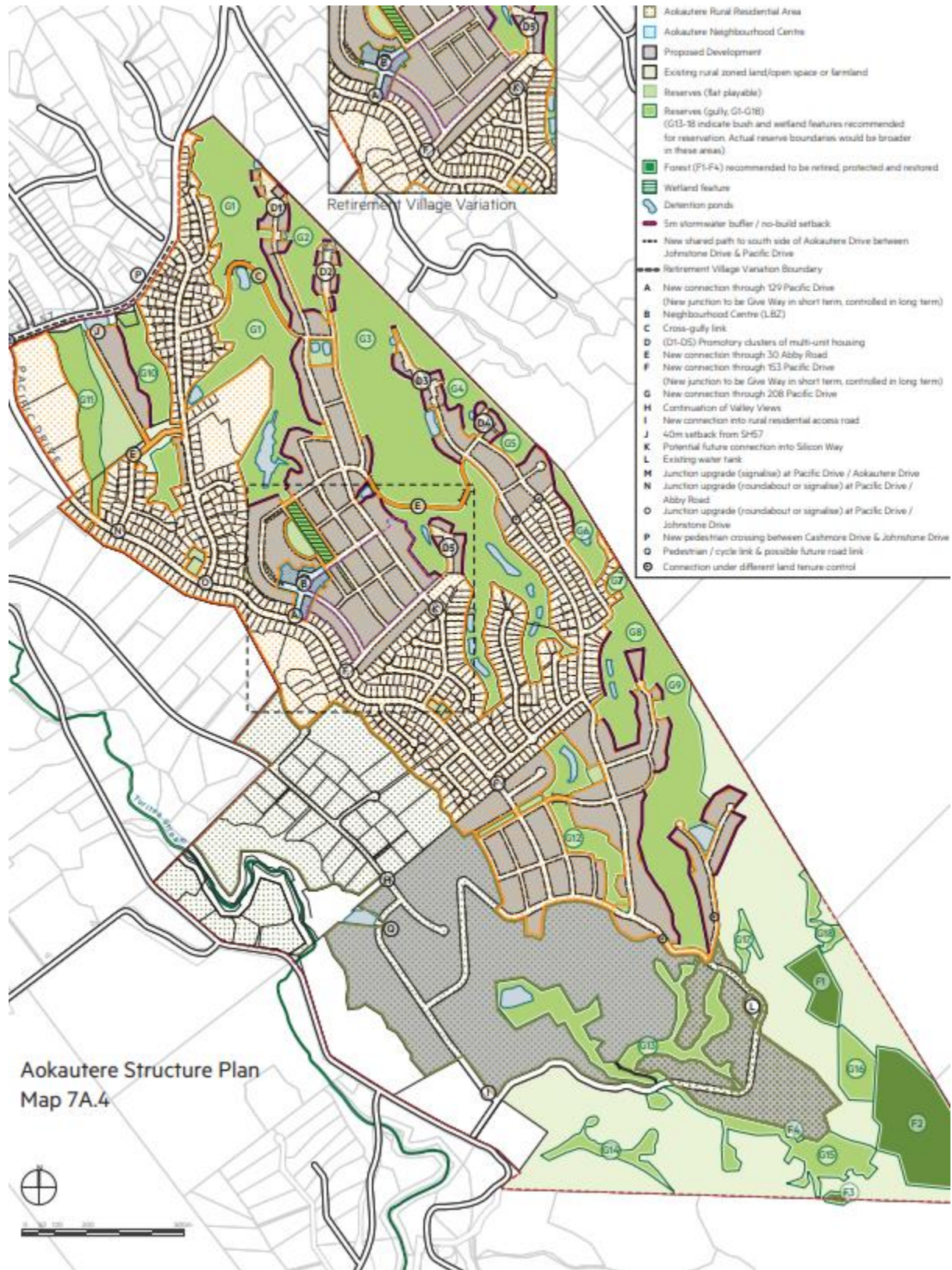


Appendix B





Appendix C



Appendix D

