

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 Statement of Evidence of

Amanda M. Coats on behalf of the submitter

Heritage Estates (2000) Limited (“HEL”)

6 December 2023

Introduction:

[1] My name is Amanda Michele Coats, I am engaged by the submitter, Heritage Estates (2000) Limited (“HEL”) my qualifications are set out in my primary statement of evidence.

Evidence:

[2] There are minor corrections to my SOE that I will orally address at the hearing. My evidence is that Plan Change G has insufficient technical evidence to support the zoning and infrastructure as notified and I will attempt to assist the Panel through further explanation of the reasons for these statements.

[3] To assist the Panel I have provided an updated table for my assessment of the provision tabled by Ms Copplestone on 4 December 2023 as follows, to clarify my evidence at paragraphs [40] to [42]

Tabled Plan Provisions - 4TH December 2023

Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
Section 7: Subdivision			
Objective 3	Added bullet point six “requires development to be in general accordance with any relevant structure plan.”	No	The addition is non-specific to Aokautere Plan Change G, nor is it a consequential change required by PCG.
Objective 3	Added bullet point 12	Yes	Specific to Aokautere PCG
Objective 3	Added bullet point 13 “avoids or mitigates natural hazards” added by Submitter 50.008	Yes	Consistent with the National Policy Statement for Natural Hazards Decision-making
Policy 3.7	Whole of policy	Yes	Specific to Aokautere Rural Residential Area identified on the Aokautere Structure Plan
Policy 3.8	Whole of policy	Yes	Specific to the gun club noise mitigation area
Policy 3.9	Whole of policy	No	The policy should enable subdivision and establishment of housing subject to noise mitigation measures such as acoustic walls to boundaries and topography where supported by an acoustic report.
7.4 Methods			
Policy 3.7	Policy 3.7 will be implemented at the time that rural-residential	No	With reference to paragraph 13 of my statement of

	subdivision applications for land within the Aokautere Rural-Residential Overlay Area are made. The Aokautere Master Plan is intended to inform application of the Aokautere Structure Plan to the subdivision applications by providing guidance on land development in the area. While the Masterplan has no statutory weight it can be taken into account by Council and other decision-makers when considering proposals under the District Plan and should inform applications within the Aokautere Structure Plan area.		evidence, the status of the Master Plan is elevated for a restricted discretionary, discretionary, or non-complying activity and could be considered under s104(1)(c) even if they are not incorporated by reference. A decision on a resource consent application may read that the proposal is not in accordance with the Master Plan. The Master Plan is overly prescriptive and controls the use of the land in a manner that may unintended adverse effects on the success of PCG.
7.15 Rural Zone (Rules)			
Rule 7.15.2.1 “Rural residential overlay as (shown on the planning maps)” RD			
Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
Rule 7.15.2.1	Bullet point 3 – “within the Aokautere structure plan area...”	Yes	Specific to Aokautere
Rule 7.15.2.1	Bullet point 5 – addition of the word “conservation”	No	Affects other parts of the city
Rule 7.15.2.1	Bullet point 9 – management of stormwater runoff	No	Non-specific to Aokautere. Affects all other rural residential overlay areas
Rule 7.15.2.1	Bullet point 10 – “available capacity in the intersections identified in Table 7A.1 and 7A.2”	Neutral	Specific to Aokautere and traffic experts
Rule 7.15.2.1	Bullet point 13 – earthworks	No	Applies to every rural residential overlay area and unclear.
Rule 7.15.2.1	Bullet point 13 - Effects on the gully network within the Aokautere Structure Plan area	Yes	Specific to Aokautere
Rule 7.15.2.1	Bullet point 14 - Effects on Cultural values within the Aokautere Structure Plan area	Yes	Specific to Aokautere
Rule 7.15.2.1 Performance Standards	Performance Standards (c) – “All subdivision applications must be submitted with a geotechnical report and statement of professional	No	After “an accredited Chartered Professional Engineer” add “or Licensed Cadastral Surveyor”

	<p>opinion from a registered engineer <u>an accredited Chartered Professional Engineer</u> experienced in soils mechanics or geotechnical engineering that certifies that the land is suitable for building construction <u>having considered natural hazard risk</u>, with regard to:...”</p>		<p>Both are deemed suitably qualified by other Councils to undertake these interpretations. The Manawatu region experiences significant delays awaiting technical expert availability with reduced regional productivity in the delivery of infrastructure and housing.</p> <p>Non specific to Aokautere.</p>
<p>Rule 7.15.2.1 Performance Standards</p>	<p>Performance Standards (c) (iv) <u>suitable setbacks for buildings from the top of any escarpment or gully edges in the Aokautere Rural Residential area; with particular reference to:</u> <u>(a) cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;</u> <u>(b) whether building platforms should be restricted in certain areas; and/or</u> <u>(c) whether specific foundation designs are required in certain locations</u></p>	No	<p>Site specific geotech should have been undertaken for proposed PCG to inform the suitability of the zone applied and set clear parameters.</p> <p>Note: in the hearing Day 2, Mr. Bird stated that a 20 degree slope was considered Class D, and that PNCC had consented some developments at 23 degrees slope with specific engineering design (SED). He proffered that about 90% of all new buildings were designed to NZS3604 with respect to good ground. Refer to my further comments outside the table.</p>
<p>Rule 7.15.2.1 Performance Standards</p>	<p>Performance Standards (c) (v) <u>the management of stormwater run-off for sites located in the Aokautere Rural Residential Overlay Area shown on the Aokautere Structure Plan with regard to land stability and erosion of the gully network</u></p>	No	<p>PCG requires extensive infrastructure to realise residential yield, including stormwater management. There is doubt that the land subject to PCG is infrastructure-ready in terms of the NPS-UD, and whether development of the ponds shown on the Structure Plans along with the 5m perimeter stormwater swales are feasible given the slope instability identified by Tonkin & Taylor, the</p>

			evidence of Mr. Bird, and Mr. Out.
Rule 7.15.2.1 Explanation	Explanation “The updated report Aokautere slope stability considerations for consenting (Tonkin & Taylor (May 2022))...”	No	The status of the document referred to as a guidance document is unclear. Is the document incorporated by reference into the ODP? Similarly, the status of the stormwater management strategy for PCG - referred to in the hearing as a “guidance document – is also unclear.
Rule 7.15.2.1 Performance Standards	(f) Subdivision in the Aokautere Rural-Residential Area within the Aokautere Structure Plan Whole standard	No	Although specific to Aokautere, the Structure Plan remains ambiguous and unnecessarily prescriptive and the requirement to be in general accordance with does not provide consenting confidence for feasible delivery of housing envisaged by the NPS-UD, despite enabled zoning.
Rule 7.15.2.1 Assessment Criteria	Assessment Criteria (b) On-site services “The extent to which the water, wastewater and stormwater is appropriately managed within the subdivision to ensure the protection of rural residential development and the surrounding environment from any adverse impacts.”	No	The addition of the words “and the surrounding environment” does not appear to be a consequential change of PCG Aokautere with respect to the whole rural zone.
Rule 7.15.2.1 Assessment Criteria	Assessment Criteria (e) Urban growth The addition of “and where relevant the Aokautere Structure Plan...”	Yes	Consequential change, PCG Aokautere.
Rule 7.15.2.1 Assessment Criteria	(h) Rural-Residential Development within Aokautere Structure Plan	No	Although specific to Aokautere, the Structure Plan remains ambiguous and unnecessarily prescriptive and the requirement to be in general accordance with

			does not provide consenting confidence for feasible delivery of housing envisaged by the NPS-UD, despite enabled zoning.
Rule 7.15.4.1 Non-Complying Activities	4. Any subdivision which does not comply with the Restricted Discretionary Activity Performance Standard for Minimum Lot Area (R7.15.2.1(b)(i),(ii) and (iii)) <u>and Subdivision in the Rural-Residential Area identified on the Aokautere Structure Plan where the transport assessment required by R7.15.2.1 Performance Standard (f)(iii)(b) predicts that the capacity in one of more of the intersections identified in Table 7A.1 will be exceeded, and Subdivision in the Aokautere Rural-Residential Area (R7.15.2.1(f),28 is a Non-Complying Activity.</u>	No	In terms of traffic, the points are accepted. In terms of the Structure Plan and enabling provisions in terms of the NPS-UD, the timing of infrastructure and the feasibility of securing funding to deliver medium term residential development is uncertain.
Rule 7.15.4.1 Non-Complying Activities	Rule 7.15.4.1 (6) “ <u>Any subdivision in the Rural Zone or in the Rural Residential Overlay that will create lots within the 55 dB LAFmax contour area identified on Map 7A.4B of the Aokautere Structure Plan, except subdivision for the purposes of accommodating any network utility, is a Non-Complying Activity</u> ”	No	The policy should enable subdivision and establishment of housing subject to noise mitigation measures such as acoustic walls to boundaries and topography where supported by an acoustic report. The activity status should be discretionary for these reasons.
Map 7.1B	Pacific Drive Extension Area – “refer to Rule 7.7.1.2 (g)”	No	Not within the scope of PCG as notified, however this map in the ODP does not relate to any text I can identify and its purpose in the Plan and in relation to notified PCG adds to the confusion.

Note: reference to Section 7 Subdivision text amendments it is unhelpful to plan users that Section 7 does not clearly state that the Aokautere Structure Plan is Map 7A.4, 7A.4A, 7A.4B, 7A.4C, 7A.4D and 7A,4D1-15

Section 4: Definitions			
Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
AEP or Average Exceedance Probability	AEP or Average Exceedance Probability – means the probability of an event occurring in any given year. For example, a 1% AEP means there is a 1% chance in any given year of the event occurring. This means on average 1 event of this size will occur every 100 years.	No	Don't view it as a consequential change of PCG
Aokautere Greenfield Residential Area	The addition of “ <u>means the Greenfield Residential Area shown in the Aokautere Structure Plan.</u> ”	Yes	Specific to Aokautere
Aokautere Rural-Residential Overlay Area	The addition of “ <u>means the Rural-Residential Area shown in the Aokautere Structure Plan.</u> ”	Yes	Specific to Aokautere
Aokautere Structure Plan	The amendment of definition: means the Aokautere Structure Plan as shown in Maps 7A.43, 7A.43A, 7A.43B, 7A.43C, 7A.43D (1-17), 7A.3E, 7A.3F, and 7A.3G.	No	Amendment required as this does not match the reply evidence street-types Map 7A.4D which references cross-sections 7A.4D(1-15) not 17.
Developable Land	“...that is identified as developable in Map 10.1 <u>and or</u> Map 10.1A...”	No	Map 10.1A Aokautere Development Area- Aokautere Structure Plan does not appear in the updated plan provisions Section 10, p. 77 provided for the hearing. I consider the Structure Plan overly prescriptive. Map 10.1 Aokautere Development Area appears to overlap with what may be Map 10.1A with misaligned

			keys/legends. There is a lack of clarity for any plan user.
<u>Fascia</u>	<u>“means a sign board on the upper part of a shop front which shows the name of the shop.”</u>	No	That is a not a consequential change of PCG that would apply to the whole city in the ODP (attributed to S51.126 does not fit within the relief sought). Non-specific to Aokautere.
Greenfield Residential Area	“Means any area shown in the following structure plans: ... Aokautere Structure Plan (Map 7A. A.4, 7A.4A, 7A.4B, 7A.4C, 7A.4D 1-17)”	No	Amendment required as this does not match the reply evidence street-types Map 7A.4D which references cross-sections 7A.4D(1-15) not 17.
<u>Gully Network</u>	<u>means the areas shown as ‘Reserves’ (gully networks for stormwater management G1-G12) on the Aokautere Structure Plan Map 7A.4 and zoned Conservation and Amenity Zone on the planning maps</u>	No	(S51.010 and SO50.025) Specific to Aokautere. PCG requires extensive infrastructure to realise residential yield, including stormwater management. There is doubt that the land subject to PCG is infrastructure-ready in terms of the NPS-UD, and whether development of the ponds shown on the Structure Plans along with the 5m perimeter stormwater swales are feasible given the slope instability identified by Tonkin & Taylor, the evidence of Mr. Bird, and Mr. Out.
Limited Development Land	“means any land in Aokautere which is not identified as developable land on Map 10.1 or <u>Map 10.1A</u> ”	No	Map 10.1A Aokautere Development Area- Aokautere Structure Plan does not appear in the updated plan provisions Section 10, p. 77 provided for the hearing. I consider the Structure Plan overly prescriptive. Map 10.1 Aokautere Development Area appears to overlap with what may be

			Map 10.1A with misaligned keys/legends. There is a lack of clarity for any plan user.
Primary Stormwater Elements	<u>“means structures, artificial water bodies, stream stabilisation works, pipes, culverts and ancillary infrastructure that form part of a stormwater management system designed to receive stormwater from development within the Aokautere Greenfield Residential Area and intercept contaminants, manage stormwater velocity and minimise stream bed and gully erosion in the Aokautere gully reserves shown on the Aokautere Structure Plan.”</u>	No	PCG requires extensive infrastructure to realise residential yield, including stormwater management. There is doubt that the land subject to PCG is infrastructure-ready in terms of the NPS-UD, and whether development of the ponds shown on the Structure Plans along with the 5m perimeter stormwater swales are feasible given the slope instability identified by Tonkin & Taylor, the evidence of Mr. Bird, and Mr. Out

Note: With reference to Map 10.1A – Aokautere Development Area, the legend of the map has Aokautere Development Area denoted by a dashed black line. The proposed Zoning Reply to Evidence plan has Aokautere Structure Plan Extent denoted as a dashed black line. The enclosed areas are visually different. Map 10.1A is not attached in the s42A Planning Report or the Reply Evidence.

Map 10.1A is not attached in the s42A Planning Report or the Reply Evidence. The annotation on the s32 Map 10A Aokautere Development Area.

- Palmerston North City Council Aokautere Stormwater Plan Rev A (from Reply Evidence of Ms. Allison Reiko Baugham)

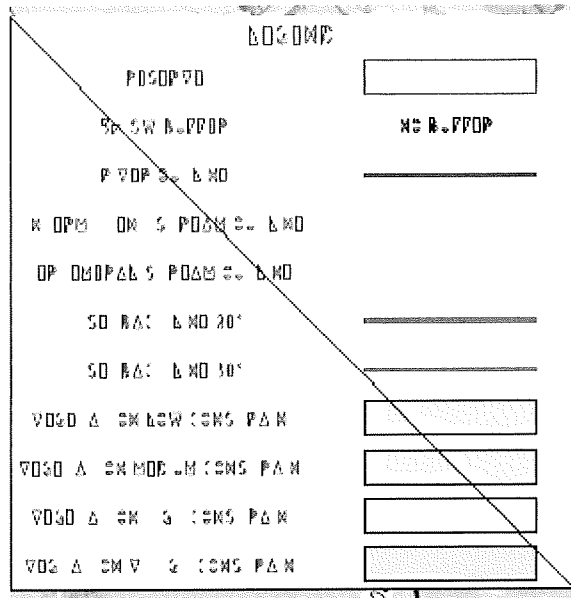


Figure 1: Snippet of legend from PNCC Aokautere Stormwater Plan

During the evidence process, the proposed Structure Plan has been modified to incorporate stormwater ponds. The deletion of text at 4.8 suggests that these ponds are no longer part of the Structure Plan and is at odds with the evidence and reply of Ms. Baugham dated 28th November 2023 which refers to Council-lead infrastructure. She advises the ponds are conceptual in dated May 2023 Rev A. The ponds in yellow are intended to be delivered by PNCC.

Section 7A: Greenfield Residential Areas			
Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
7A.1 Introduction	Added bullet point three: <u>“The Aokautere Greenfield Residential Area (Map 7A.43 7A.4A, 7A.4B, 7A.4C, 7A.4D)”</u>	Yes	Specific to Aokautere Greenfield Residential Area
7A.2	<u>“10. The effects of residential development on the natural environment including gully networks and landform, landscapes, and biodiversity and ecological values.”</u>	No	This is non-specific to Aokautere and therefore applies to Whakarongo and any other future residential growth areas.
Policy 1.2	<u>“...or conservation and amenity areas”</u>	Yes	Deletion of text is consistent with relief sought.
Policy 1.3	<u>“... has regard to the environmental constraints of the site...”</u>	Yes	Deletion of text is consistent with relief sought.

Policy 1.4	<u>Within the Aokautere Structure Plan area To ensure adequate provision of Essential Sservices to a level and within a timeframe that will enable development that is appropriate to its location and intended use. including water, wastewater and stormwater supply, telecommunications services and electricity services</u>	No	The timeframe is uncertain for infrastructure to achieve medium-term residential yield.
Policy 2.5	To ensure neighbourhood centres meet the needs of the community by ensuring it they: <ul style="list-style-type: none"> • <u>hasve</u> sufficient road frontage so that users are visible to the public • <u>isare</u> located to ensure ready access by all users, <u>and</u> • <u>isare</u> designed to create a high-quality environment and community focal point, <u>and</u> • <u>are of a type and scale compatible with any relevant Structure Plan.</u> 	No	Bullets points 1-4 are not a consequential change due to PCG Aokautere. Bullet Point 4, with the use of the word compatible, does not suggest “in general” with accordance of any relevant Structure Plan. The word compatible creates a higher threshold test for Whakarongo Residential Area, Kikiwhenua Residential area, in addition to PCG Aokautere, and cannot be considered and therefore not a consequential change.
Policy 3.3	<u>Earthworks and development in the Aokautere Greenfield Residential Area avoid adverse effects on the gully network</u>	Yes	Specific to Aokautere Greenfield Residential Area
Policy 3.5	<u>To ensure that require subdivision in the areas identified within the Aokautere Greenfield Residential Area to be is carried out in a manner which ensures that:</u> <ul style="list-style-type: none"> • <u>an assessment has been completed by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters is completed before subdivision to confirming the land is suitable for development and there are technically appropriate building platforms;</u> 		Bullet point 1 – After “an accredited Chartered Professional Engineer” add “or Licensed Cadastral Surveyor” Both are deemed suitably qualified by other Councils to undertake these interpretations. The Manawatu region experiences significant delays awaiting technical expert availability with reduced regional productivity in the delivery of infrastructure and housing.

	<ul style="list-style-type: none"> • <u>any measures required to implement recommendations from any technical reports to achieve land stability (including setbacks from areas of geotechnical risk), manage liquefaction or lateral spread and/or manage other natural hazards are imposed through registration of consent notices on the title and implemented prior to issuing s224 certificates in advance of development7; and</u> • <u>there will be no new or exacerbated natural hazards due to the proposed subdivision or development</u> 		
Objective 4	The addition of <u>“which does not result in adverse effects on the environment.”</u>	No	Not a consequential change of PCG Aokautere
Policy 4.3	To encourage <u>require</u> the use of Water Sensitive Design wherever appropriate.	No	The change from “encourage” to require is “prescriptive” and lacks clarity when (wherever appropriate) remains in the sentence. Notwithstanding that, it is not a consequential change of PCG and affects areas outside of PCG Aokautere.
Policy 4.4	The addition of the words “and the surrounding area”	No	The added text affects other greenfield residential areas and adds to consenting cost. A visual impact assessment of the surrounding area could be triggered as a consequence in consenting.
Policy 4.6	The deletion of Policy 4.6: To efficiently manage stormwater by utilising and integrating the road, open space and gully network for stormwater management within the Aokautere Residential Area including the provision of adequate space to safely accommodate detention ponds and infrastructure.	Yes	
Policy 4.7	Altered text	No	There is a lack of clarity around the extent of stormwater infrastructure proposed by PNCC which I am

			advised is not funded at the current time in the LTP to make PCG Aokautere infrastructure-ready. The same concerns with the Structure Plan, geotech, and stormwater management plan for the entire area remain.
Policy 4.8	The deletion of Policy 4.8	No	During the evidence process, the proposed Structure Plan has been modified to incorporate stormwater ponds. The deletion of text at 4.8 suggests that these ponds are no longer part of the Structure Plan and is at odds with the evidence and reply of Ms. Baugham dated 28 th November 2023 which refers to Council-lead infrastructure. She advises the ponds are conceptual in PNCC Aokautere Stormwater Plan dated May 2023 Rev A. The ponds in yellow are intended to be delivered by PNCC.
Policy 4.9	Altered text	Yes	Consistent with PCG and specific to Aokautere but there is doubt about the timing for medium-term residential delivery based on the uncertainty of infrastructure funding. The land does not appear to be infrastructure ready in terms of the NPS-UD
Policy 4.10	Added text	No	Mr. Out has advised me that the Aokautere Greenfield Residential Area perimeter stormwater swales shown in the locations on the Aokautere Structure Plan Map 7A.4 may be unviable due to land instability based on the limited available geotech in support of PCG as notified. I have also spoken to EDC's (Engineering Design Consultants Limited) geotechnical engineer Mr. Gareth Williams about PCG.
Policy 4.11	Added text	No	Mr. Out has advised me that the Aokautere Greenfield Residential Area perimeter stormwater swales shown in the locations on the Aokautere Structure Plan Map 7A.4 may be unviable due to land instability based on the limited

			available geotech in support of PCG as notified. I have also spoken to EDC's (Engineering Design Consultants Limited) geotechnical engineer Mr. Gareth Williams about PCG (inclusive of Figure 7A.1)
Objective 5 (Policies 5.1-5.15)	Altered text	Yes	Specific to Aokautere Greenfield in terms of the introduction of policy to plan. However, in terms of the text the reference to the Structure Plan, Precinct Plan are not supported due to the prescriptive nature.
Objective 6 (Policies 6.1-6.7)	Altered text	Yes	Specific to Aokautere Greenfield in terms of the introduction of policy to plan. However, in terms of the text the reference to the Structure Plan, Precinct Plan are not supported due to the prescriptive nature.
7A.4 Methods	Altered text "Council has prepared the Aokautere Masterplan, which includes the Stormwater Management Strategy"	No	<p>With reference to paragraph 13 of my statement of evidence, the status of the Master Plan is elevated for a restricted discretionary, discretionary, or non-complying activity and could be considered under s104(1)(c) even if they are not incorporated by reference. A decision on a resource consent application may read that the proposal is not in accordance with the Master Plan. The Master Plan is overly prescriptive and controls the use of the land in a manner that may unintended adverse effects on the success of PCG.</p> <p>The Stormwater Management Strategy is an unrefined <i>conceptual</i> plan based on the evidence of Ms. Baugham. It is not appropriate that it be taken into account by decisionmakers in the manner proposed in the Plan.</p>
7A.5.2 Rules Restricted Discretionary Activity	7A.5.2 1. c. Altered text	No	Not a consequential change of PCG and would apply to other areas.
7A.5.2 Rules	7A.5.2 1. n., s., t., u, and v. Altered text	Yes	Specific to Aokautere

7A.5.2.2 Performance Standards	7A.5.2.2 (a)(v), (vii), (viii), (ix), (xv), (xvi), (xvii), (xviii)	Yes	Specific to Aokautere
7A.5.2.2 Performance Standards	7A.5.2.2 (a)(xix)	No	<p>After “an accredited Chartered Professional Engineer” add “or Licensed Cadastral Surveyor”</p> <p>Both are deemed suitably qualified by other Councils to undertake these interpretations. The Manawatu region experiences significant delays awaiting technical expert availability with reduced regional productivity in the delivery of infrastructure and housing.</p> <p>Bullet point 4 is specific to Aokautere. Bullet point 5 – the deletion of Class D or E in Map 10.1A is unclear in the updated provisions due to the absence of any Map 10.1A in the reply evidence.</p> <p>Bullet point 6 and 7 are specific to Aokautere.</p>
7A.5.2.2 Performance Standards	7A.5.2.2 (a)(xx)	No	Geotech should have be undertaken to support the zoning change and notified with PCG.
7A.5.2.2 Performance Standards	7A.5.2.2 (a)(xii) Bullet point 2	Yes	Specific to Aokautere
7A.5.2.2 Performance Standards	7A.5.2.2 (a)(xiii) Altered text	Yes	Consistent with Submission 51 relief sought
7A.5.2.2 Performance Standards	7A.5.2.2 (b)(v) Essential Services Altered text	No	The timing is uncertain for infrastructure as stated earlier. The delivery of medium-term residential in terms of the NPS-UD is uncertain.
7A.5.2.2 Performance Standards	7A.5.2.2 (d) (ii), (iii), (iv), (v), (vii) Lot Size and Density Altered text	No	<p>Where specific to PCG Aokautere, text changes appear appropriate. However, at (iii) or in the case of multi-unit development areas (Area I shown on Maps 10.6.3.3H where Rule 10.6.6.3.3 applies) because the Map 10.6.3.3H is missing from p.87 of the latest proposed provisions.</p> <p>Does the Precinct Plan Map 7A.43 align with the missing Map 10.6.3.3H?</p>

7A.5.2.2 Performance Standards	7A.5.2.2 (e)(i) Cul-de-sacs Altered text	No	The proposed text “must serve a maximum of 20 dwellings” is an and so it relates to a wider area than PCG Aokautere Structure Plan
7A.5.2.2 Performance Standards	7A.5.2.2 (e)(ii) Cul-de-sacs Altered text	Yes	The rule already applies to Kikiwhenua Residential.
7A.5.2.2 Performance Standards	7A.5.2.2 (g) Water Sensitive Design in Aokautere Greenfield Area	Yes	Inclusive of Transport Network Upgrade Table 7A.1 and Table 7A.2 specific to Aokautere.
7A5.2.3 Assessment Criteria for RD	7A5.2.3 (d) (i)-(xiii) Subdivision Design and Layout within Aokautere Residential Area	Yes	Specific to Aokautere PCG under this rule. The timing of the Structure Plan being infrastructure ready reservations remain due to the evidence presented and the lack of geotechnic and stormwater and roading infrastructure certainty to support PCG in accordance with the NPS-UD.
R7A.5.3.1	Restricted Discretionary Activities	Neutral	This does not appear to be a consequential change due to PCG but rather an error in the plan.
R7A.5 Rules for Notification	R7A.5.4.1 (iii) Notification	Yes	Amended text is supported.
7A.5.5 Rules: NC Activities	R7A.5.5.1 Non-complying activities in Aokautere Greenfield Residential Area (i)-(iv)	No	Lack of evidence to support rezoning. Prescriptiveness of Structure Plan/Master Plan process.
7A.5.6: Notification	R7A.5.46.1 Notification	No	This appears to be an error and should be (iii) under R7A.5.4.1.
Map 7A.4	Aokautere Structure Plan Map	No	Unclear whether this is just Map 7A.4 or whether this includes all Structure Plan maps in the reply evidence.
Section 10: Residential Zone			
Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
Policy 1.5	Deleted text	Yes	Consequential change of PCG.
Policy 11.3	Deleted text	Yes	Consequential change of PCG.
Objective 15	Addition of “greenfield”	Yes	Specific to Aokautere
Policies 15.1-15.14	Altered text	No	Although specific to PCG, reservations about the prescriptive nature of the Aokautere Structure Plan and timing of infrastructure to

			achieve the purpose of the NPS-UD are uncertain.
10.4 Methods	The addition of Aokautere Master Plan	No	As previously stated in SOE, the Master Plan would be considered under s104(1)(c) and is considered too prescriptive with unintended consequences to the city.
R10.6.1.2	R10.6.1.2 (h) Pacific Drive Extension Deleted text	Yes	With reference to Map 10.1 legend, I query the reference to Pacific Drive Extension Area against the proposed zoning map in the reply evidence for consistency at Rule 10.6.1.1(j) and all other rules in relation to the Pacific Drive Extension Area Map 10.6.1. Map 10.6.1 shows a 10m offset boundary and a 15m offset boundary but the printed information tabled is illegible and the effect of the Structure Plan Map 7A.4 on Map 10.6.1 Landscape Provisions- Pacific Drive Extension is unclear.
R10.6.1.5	R10.6.1.5 Dwellings, Minor Dwellings & Accessory Buildings in the Greenfield Residential Areas	No	Appear to be specific to Aokautere. Structure Plan is too prescriptive inclusive of the Precinct Plan and residential density.
R10.6.1.5 Performance Standards	R10.6.1.5 Maximum Building Height, Height Recession Planes and Overlooking b) i., iii., and iv.	Yes	However, these are still prescriptive.
R10.6.1.5 Performance Standards	R10.6.1.5 c) Separation Distances iii. and iv	Yes	Reduces prescriptiveness of Structure Plan.
R10.6.1.5 Performance Standards	R10.6.1.5 d) Site Area and coverage iii.	Yes	Consequential change of PCG
R10.6.1.5 Performance Standards	R10.6.1.5 d) On Site Amenity iii.	Yes	Consistent with Aokautere PCG.
R10.6.1.5 Performance Standards	R10.6.1.5 h) Fencing ii., iii., and vi.	No	Prescriptive nature of fencing seems unnecessary.
R10.6.1.5 Performance Standards	R10.6.1.5 j) Natural Hazards within the Aokautere Greenfield Residential Area	Yes	Consistent with Aokautere PCG.
R10.6.1.5 Performance Standards	R10.6.1.5 k) Stormwater Management in the Aokautere Greenfield Residential Area	No	There are difficulties with the conceptual nature of the stormwater provisions promoted in PCG based on the evidence of Mr. Out and Ms. Baugham

R10.6.3.2	i. Height including Maximum Height and Height Recession Planes	No	Not a consequential change in relation to Whakarongo and Kikiwhenua.
R10.6.3.2	vii. Access and Parking	Yes	
R10.6.3.2	x. Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)	No	The deletion is supported at Bullet Point 1 Bullet point 7 – the addition of the words “including on vehicular, pedestrian and cycle movement and safety” is not a consequential change on other greenfield areas. They are wider than PCG. Bullet points 12 and 13 are specific to Aokautere.
R10.6.3.2 Assessment Criteria	R10.6.3.2 (i)	No	The added text affects Kikiwhenua and Whakarongo areas outside PCG and are not supported.
R10.6.3.2 Assessment Criteria	R10.6.3.2 (k)	Neutral	Has a reference to the submitter inserted into the text in error, in the word effects. This is a typo.
R10.6.3.2 Assessment Criteria	R10.6.3.2 (l), (m), (n), (o), (p),	Yes	Consistent with Aokautere PCG however the same reservations in terms of Structure Plan, and infrastructure remain.
R10.6.3.3	Altered text	No	Is this a typo – the range should be 10.6.3.3(a)-(h) based on Section 10. Bullet point two is supported. Bullet point 4 is not a consequential change to all greenfield residential. Bullet point 10 is supported, however the same reservations in terms of Structure Plan, and infrastructure remain.
R10.6.3.3 Performance Standards	iii. Site Coverage and Permeable Surface (a) and (b), (d)	No	Although specific to PCG, reservations about the prescriptive nature of the Aokautere Structure Plan and timing of infrastructure to achieve the purpose of the NPS-UD are uncertain.

			It has wider implications than the Aokautere Greenfield Residential Area (inclusive of bullet point 2)
R10.6.3.3 Performance Standards	v. and vii and ix	No	Relates to prescriptiveness of the Structure Plan underpinned by the Masterplan. There are reservations about the prescriptive nature of the Aokautere Structure Plan and timing of infrastructure to achieve the purpose of the NPS-UD are uncertain.
R10.6.3.3 Performance Standards	x. Natural Hazards	Yes	Consistent with PCG
R10.6.3.3 Assessment Criteria	1 Character (f), 2 Site Planning (a), (d), 3 Building Design (j), 5 Infrastructure and Servicing (c), (d)	No	Relate to overprescription through a Master Plan planning process in part.
R10.6.3.3 Assessment Criteria	6 Natural Hazards	Yes	Specific to PCG
R10.6.3.4	Non-Notification of Multi-Unit Residential Development Activities in the Hokowhitu Lagoon Residential Area and the Aokautere Residential Area	Yes	Supported, however, the reference to “and Map 10.6.3.3(i)” may be a typo and should read (h)
R10.6.5.6	R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)	Yes	Deleted text is supported.
R10.7.4	Discretionary Activity Rules	Yes	Added text, unless R10.5.5.2 applies is supported as it adds clarity to the plan.
R10.7.4	R10.7.4 (k)	Yes	Consistent with PCG as notified without specific reference to Structure Plan
R10.7.5.2 Assessment Criteria	Deletion of text	Yes	Consistent with submission
Section 11: Business Zones			
Reference	Specific text	Satisfies Submission 51, Further Submission 5	Reason
Objective 6 and Policies 6.1-6.12	Altered text	No	A prescriptive Master-Planned approach limits flexibility to respond to market conditions, the lack of public transport, the timing of public transport, funding and

			timing of infrastructure, makes the yield uncertain.
11.10.2 Permitted Activities	R11.10.2.1 Deletion of text	Yes	Bullet point 2 deletion is supported. Consistent with submission
11.10.2 Permitted Activities	R11.10.2.1 (c) (ii)	No	Inclusive of inserting revised Figure 11.5, the prescription relates to physical design of buildings and with associated definition of fascia and is not required. This limits design choice, corporate branding and other aspects necessary to secure tenants.
11.10.2 Permitted Activities	R11.10.2.1 (g) Deletion of text	Yes	Supported.
R11.10.2.2	R11.10.2.2 (a) Maximum Floor Area (iii),	Yes	Deleted text is supported. Consistent with submission
R11.10.2.2	(b) Building Height (ii)	No	Inclusive of Figure 11.5B relates to prescriptive design of buildings and limits design choice
R11.10.2.2	(e) Building Frontages (ii) Positioning a, d, and e.	No	Changes not supported
R11.10.2.2	(f) Verandas (i)	No	Altered text affects areas outside of PCG across the city and is not supported

R11.10.2.2	(g) Shop fronts and Glazing	No	Inclusive of inserting revised Figure 11.5, the prescription relates to physical design of buildings and with associated definition of fascia and is not required. This limits design choice, corporate branding and other aspects necessary to secure tenants.
R11.10.2.2	(j) Aokautere Neighbourhood Centre Precinct Plan	No	A prescriptive Master-Planned approach limits flexibility to respond to market conditions, the lack of public transport, the timing of public transport, funding and timing of infrastructure, makes the yield uncertain.
R11.10.2.2	(k) Natural Hazards within the Aokautere Neighbourhood Centre (Map 10.1A)	Yes	Consistent with the NPS for Natural Hazards Decision-making
R11.10.2.2	(l) Stormwater Management in the Aokautere Neighbourhood Centre	No	PCG requires extensive infrastructure to realise residential yield, including stormwater management. There is doubt that the land subject to PCG is infrastructure-ready in terms of the NPS-UD, and whether development

			of the ponds shown on the Structure Plans along with the 5m perimeter stormwater swales are feasible given the slope instability identified by Tonkin & Taylor, the evidence of Mr. Bird, and Mr. Out.
R11.10.3.1 Restricted Discretionary Activities	(j) Natural Hazards within the Aokautere Neighbourhood Centre (Map 10.1A)	Yes	Consistent with the NPS for Natural Hazards Decision-making
R11.10.3.1	(k) Stormwater Management in the Aokautere Neighbourhood Centre	No	PCG requires extensive infrastructure to realise residential yield, including stormwater management. There is doubt that the land subject to PCG is infrastructure-ready in terms of the NPS-UD, and whether development of the ponds shown on the Structure Plans along with the 5m perimeter stormwater swales are feasible given the slope instability identified by Tonkin & Taylor, the evidence of Mr. Bird, and Mr. Out.
R11.10.3.1	Bullet point 10: Natural Hazards	Yes	Consistent with the NPS for Natural Hazards Decision-making
R11.10.3.1	R11.10.3.1 (i) Natural Hazards in the Aokautere Neighbourhood Centre	Yes	Consistent with the NPS for Natural Hazards Decision-making
R11.10.3.2	R11.10.3.2 The Construction, External Alteration of, or Addition to a Building which does not comply with the Performance Standards for Permitted Activities	No	Prescriptive nature
R11.10.3.2	Performance Standard xv.	Yes	Specific to Aokautere PCG. Consistent with submission.
R11.10.3.2	xii	No	A prescriptive Master-Planned approach limits flexibility to respond to market conditions, the lack of public transport, the timing of public transport, funding and timing of infrastructure, makes the yield uncertain.
R11.10.3.2	(e) Pedestrian Cover and Veranda (ii) and (iv)	No	Specific to Aokautere but still too prescriptive
R11.10.3.2	(f) Vehicle Parking	Yes	Support deletion, noting that this has a wider context than PCG but appears consistent with the NPS-UD to remove minimums for carparking
R11.10.5 Rules (NC Activities)	(a) and (b)	No	Wider implications than PCG Aokautere

Section 15: Recreation			
15.3	Point 5.	No	Wider effect that PCG Aokautere – could be considered a change due to the NPS-IB being in force post-notification
15.5	Policies 1.1, 1.3, 1.5, 1.7	Yes	Although aspects have wider implications than the Aokautere plan change, in terms of 1.1 and 1.3 they are consistent with the NPS-IB.
R15.5.4 Restricted Discretionary Activities	R15.5.4.1 Deletion	No	Deletion of parking is supported. Bullet point 1 is not supported. The Aokautere Structure Plan is uncertain, the word “general” is missing. Bullet points 3, 4, 5, 6, 8 and 9 text changes specific to Aokautere Plan Change are generally supported, but reservations on the prescriptive nature of the Structure Plan remain.
R15.5.4.1 Performance Standard	(a) Natural Hazards	Yes	Add “or Licensed Cadastral Surveyor” Generally in accordance with PCG.
R15.5.4.1 Assessment criteria	(a)-(h)	Yes	In general accordance with PCG. The explanation note however refers to a 30 degree gradient and appears at odds with the geotech engineering evidence presented on hearing Day 2.
R15.5.6 Non Complying Activities: Rules	R15.5.6.1 Non-Complying Activities	Yes.	Deletion of text at (a) is supported. Addition of text a (b) is supported. As R15.5.4.1 as amended is specific to Aokautere only.

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