

**BEFORE THE HEARINGS PANEL**

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**IN THE MATTER**                    **of the Resource Management Act 1991.**

**AND**

**IN THE MATTER**                    **of Submission S58 by CTS Investment Ltd, Woodgate Ltd, and  
Terra Civil Ltd to Proposed Plan Change G, a Council led Proposed  
Plan Change to the Palmerston North District Plan under Schedule  
1 of the Resource Management Act**

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**HIGHLIGHT SUMMARY OF EVIDENCE OF PAUL NORMAN THOMAS**

**Dated 5th December 2023**

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1. In the Notice of Hearing dated 14 November it was requested that expert witnesses provide a brief highlights package of the evidence with an emphasis on any unresolved matters.
2. Given the extent of reply evidence in response to my evidence it would not be difficult to provide another 20 pages of evidence in response. However, I am conscious that as that was Councils reply I will focus on key factual matters.
3. My evidence is that PC G is fatally flawed for a number of reasons.
4. Firstly, it does not give effect to the NPS-UD because it has not demonstrated that development of the nature directed is feasible and that there is demand for the scale of medium density development directed.

5. Secondly, the master plan approach of PC G is not workable within the framework of Section 7A of the District Plan which is the lead section for the development of Greenfield Residential Areas for the reasons set out in my evidence.
6. Thirdly, the feasibility of the detailed design of the neighbourhood centre is very much in doubt and should be reconfigured around Pacific Drive to improve feasibility.
7. Fourthly any “variation” in the Master Plan for a Retirement Village does not need to direct the internal road layout of the development which does not have regard to the likely mix of activities involved.
8. Fifth, we now have a position where some proposed road alignments are considered to be flexible and others not. This simply demonstrates why the command and control master plan approach is inefficient and ineffective when no engineering design work has been undertaken as part of the process.
9. Sixth, my evidence refers to Abby Road Gully where the recreation zone has now been changed to Conservation and Amenity. I maintain that there may have been a sound basis for retaining the half-filled gully if it was not proposed to close off the top end of the gully with the designated road link. With that in place, I do not consider that the orphaned area contributes to the gully network in a manner that outweigh its modest potential contribution to residential capacity.
10. Seventh, while there has been a material “u turn” on the need for immediate off site intersection upgrades, the approach still includes rules that require an applicant to be responsible for the upgrades if certain thresholds are assessed to be reached. As stated in the Planning JWS I consider that planning for this infrastructure is the responsibility of the Council and Waka Kotahi who are best placed to monitor the rate of development and trigger upgrades at the appropriate time. Rules constraining development are not required to achieve the necessary outcome of timely upgrades. Council, of course, has the ability to take this into account in its next review of the Development Contributions Policy alongside the Long Term Plan.

11. I have proposed a way forward which is declining PC G and making recommendations on the form of plan change that should be advanced. This should be a form consistent with a Structure Plan covering the matters I identified in my evidence and consistent with the approach for other Greenfield Residential Areas in Section 7A of the District Plan.
12. Alarmingly such an approach was not even evaluated as an option in the Section 32 assessment.
13. Such an approach is a move away from what Mr Murphy calls the existing “low level regulatory approach”. At para 20 of Mr Murphy’s reply he correctly refers to the earthworks consent for the retirement village site LU 7013. I can confirm this consented bulk earthworks is currently underway and may possibly be completed by the end of the year. Mr Murphy is not correct in regard to this being a retrospective consent. Consent and earthworks were undertaken in accordance with a 2007 consent. As explained in my evidence this was not completed and therefore not certified.
14. In regard to Mr Burns reply at para 47 I support a structure plan identifying where connectivity should be achieved between the parts of the area. However, in terms of cul-de-sacs and deep rear lots, I note that since the PC G provisions were given legal effect, Council has approved a 12 lot subdivision that further extends Alan Miers Drive as a local road and has the bulk of the sections off two rights of way.
15. In terms of Policy 6 of the NPS-UD which is raised in a number of reply statements I simply encourage you to read it carefully. It requires decision makers when providing for urban environments to have particular regard to the fact that the proposed built form may have adverse effects on amenity values for some people and these are not to be given the status of adverse effects. In terms of density, I remind the panel that the submitters are pursuing the proposed retirement village and a new application is actively being worked on. This is likely to involve about 130 duplex type units at a medium density scale in addition to care suite and hospital

facilities. In addition, I have suggested that the existing regime of a MUHA overlay be considered close to the neighbourhood centre and in high amenity locations.

16. In relation to Mr Bird I note at para 9 that he has not bothered to look at the investigations, testing and earthworks methodology currently being put in place in the consent that Mr Murphy has provided the reference for being LU7013.
17. I also note that Harriett Fraser's reply evidence materially changes her recommendations on road cross sections for the majority of the types and sub types of road particularly in regard to cycle lanes. In this regard the first 140 m of Alan Miers Drive has been consented and constructed as a local road and not an Urban Connector. Given that we are currently addressing the design of this crossing I have asked for clarity from the consents team as to what cross section they want the applicant to accommodate.
18. While there are many other matters raised in the replies that I could assist the panel further with, I am conscious of the reply function of that evidence and the required 2 page limit of this document. Given this it may be appropriate at this point to focus on panel questions.
19. However, in closing I reiterate that, in addition to matters such as the NPS-UD, the section 32 / 32AA evaluation of options lies at the heart of the decision making challenge on this matter.



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**Paul Thomas**

5<sup>th</sup> December 2023

