

BEFORE INDEPENDENT HEARINGS COMMISSIONERS

UNDER of the Resource Management Act 1991 (**RMA**)

IN THE MATTER notices of requirement under section 168 of the RMA for the construction, operation, maintenance and improvement of approximately 11.5km of new State Highway between Ashhurst and Woodville.

BY **NZ TRANSPORT AGENCY**
Requiring Authority

**EVIDENCE OF DAVID RICHARD MURPHY
ON BEHALF OF PALMERSTON NORTH CITY COUNCIL**

15 MARCH 2019

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1. QUALIFICATIONS AND EXPERIENCE

- 1.1 My full name is David Richard Murphy.
- 1.2 I am the City Planning Manager at Palmerston North City Council (**PNCC**) and I have held this position since 2009. My qualifications are Bachelor of Resource and Environmental Planning (Hons). I am a full member of the New Zealand Planning Institute.
- 1.3 My 18 years' planning experience includes strategy and long-term plan development, district plan development, notices of requirement, development contributions, urban design, placemaking, master planning, transportation planning, submissions and resource consents.
- 1.4 With regard to the notices of requirement for Te Ahu a Tūranga (**the NoR**) and my role at PNCC, I manage the team responsible for the District Plan including notices of requirement, transportation planning, submissions and master planning. This work includes the Palmerston North Spatial Plan, Manawatū River Framework and Draft Te-Apiti Master Plan.
- 1.5 I am familiar with the events and processes that have culminated in the NoR. I was part of the joint working group established by the NZ Transport Agency (**NZTA**) to assist with the Manawatu Gorge alternatives short list option assessment. I am also part of the joint working group established by NZTA to oversee the business case processes for the Palmerston North Integrated Transport Investment Project.
- 1.6 I prepared PNCC's submission on the NoR in collaboration with PNCC elected members. While PNCC has taken the lead on the NoR on behalf of the three affected territorial authorities, I have not been involved in the briefing or review of the section 42A reports presented on behalf of the three territorial authorities.
- 1.7 In preparing this evidence I have reviewed the following:
- (a) NoR, Volume 2 Assessment of Effects on the Environment.

- (b) the Government Policy Statement on Transport 2018.
- (c) the Regional Land Transport Plan 2015 - 2025 (2018 Review).
- (d) draft Te Apiti Master Plan.
- (e) PNCC 2018 Long Term Plan & Spatial Plan.
- (f) PNCC Creative and Liveable Strategy.
- (g) Our Plan: The Government's Priorities for New Zealand.
- (h) Manawatu River Framework.
- (i) Accelerate 25 Regional Economic Development Programme.
- (j) NZTA Business Case for Te Ahu a Tūranga.
- (k) section 42A planners report by Phillip Percy and Anita Coplestone.
- (l) section 42A tourism and recreation evidence by Jeff Baker.
- (m) section 42A traffic and transport report by Harriet Fraser.
- (n) NZTA evidence by Sarah Downs, Jonathan Kennett and Ainsley McLeod.
- (o) PNCC transport evidence by Mark Read.
- (p) PNCC economic evidence by Shane Vuletich.

1.8 I am authorised by PNCC to present evidence on its behalf.

1.9 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise and I have not omitted material facts known to me that might alter or detract from my evidence.

2. SCOPE OF EVIDENCE

2.1 My evidence will address the following matters:

- (a) the PNCC submission.

- (b) relevant section 171(1)(d) policy and planning considerations.
- (c) statutory matters as they relate to the PNCC submission.
- (d) a response to the section 42A reports and NZTA evidence that is relevant to the PNCC submission and the scope of my evidence.

2.2 My evidence is not a full planning assessment under section 171 of the Resource Management Act 1991 (RMA).

3. SUMMARY OF EVIDENCE

3.1 Te Āpiti and the Manawatū River are highly valued by the local community and this is reflected in a suite of regional and local policy and planning documents.

3.2 The risk posed to the safety of vulnerable road users is an RMA effect and needs to be addressed as part of the assessment of the NoR.

3.3 My opinion, based on the transport evidence prepared by Mr. Read and the section 42A reports, is that further mitigation is required for vulnerable road users.

3.4 There is significant national, regional and local policy and planning direction regarding walking and cycling and the recreational and tourism potential of Te Āpiti and the Manawatū River. The content and volume of submissions asking for walking and cycling to be addressed in this location should not have come as a surprise to NZTA. The issue was also identified early in the NoR pre-application process.

3.5 I support the section 42A report's recommended condition requiring separated walking and cycling facilities, based on the relevant statutory and non-statutory policy and planning direction, and the technical evidence of Mark Read, Shane Vuletich, Harriet Fraser, Jeff Baker and Jonathan Kennett.

- 3.6** Had further work been undertaken on the benefits, costs and risks of walking and cycling options earlier, it may have enabled the more efficient inclusion of walking and cycling solutions within the project or assisted with a more specific condition.
- 3.7** While the old Manawatū Gorge road is a potentially attractive option for walking and cycling, NZTA identifies the risk of slips as extreme. Relying now on the possibility of the old Manawatū Gorge road may mean the opportunity for separated walking and cycling facilities is lost.

4. BACKGROUND

- 4.1** The PNCC submission can be summarised as follows:
- a) the urgency to reconnect the state highway should not mean the local community misses out on separated walking and cycling facilities.
 - b) PNCC favoured an alternative route but accepts the preferred route can connect to the proposed regional freight ring road around Palmerston North.
 - c) PNCC can only offer conditional support to the NoR due to the lack of commitment to separated walking and cycling facilities.
 - d) NZTA failed to adequately assess walking and cycling in the NoR.
 - e) a suite of policy and planning documents support separated walking and cycling facilities.
 - f) NZTA intimated to the region that it was unclear whether or not Te-Apiti is a regional priority for investment in walking and cycling facilities.
 - g) a suite of policy and planning documents make it clear Te Āpiti is a regional priority for investment in walking and cycling facilities.
 - h) NZTA committed to undertaking a full assessment of separated walking and cycling facilities prior to the hearing on the NoR.¹

¹ At the 4 December 2018 Te Ahu a Tūranga workshop on walking and cycling attended by regional leaders and NZTA.

- i) NZTA committed that *during the next phases of the project, we will look at including safe, appropriate, on-road and off-road walking and cycling facilities along the new route.*²
- j) there is a risk that land within the designation corridor could be relinquished before detailed consideration and design has been given to separated walking and cycling facilities.
- k) PNCC seeks that the Hearings Panel:
- Confirm the designation subject to conditions that address all environmental effects.
 - Confirm the designation subject to a specific condition that requires the provision of separated walking and cycling facilities alongside the entire length of the new Manawatu Tararua Highway.

4.2 These submission points are addressed in further detail in my evidence.

4.3 It is my understanding that NZTA has progressed Te Ahu a Tūranga to the NoR much earlier than similar projects it has recently pursued. For example, detailed design was not complete to inform the NoR.

4.4 While the closure of the Manawatū Gorge was somewhat unexpected and reconnecting the state highway as soon as possible will result in economic benefits, in my planning opinion it remains important that a project of this scale is assessed within the broader policy and planning framework and unique characteristics of the receiving environment.

4.5 Other than a brief acknowledgement of Draft Te Āpiti Master Plan as a section 171(1)(d) other matter, the NoR does not acknowledge the unique tourism and recreational potential of Te Āpiti and the Manawatū River. While a number of the policy and planning documents referenced in PNCC's submission are not documents prepared under the RMA, they are significant policy and planning documents in their own right, particularly the Regional Land Transport Plan which is prepared under the Land Transport

² Letter to PNCC from NZTA Chief Executive dated 8 November 2018.

Management Act 2003 (**LTMA 2003**). The documents cited in the PNCC submission are approved directions from central and local Government that the territorial authorities are required to have particular regard to under section 171(d) when making a recommendation to NZTA.

- 4.6** The description of the environment in Volume 2 of the NoR does not acknowledge the significance of Te Āpiti and the Manawatū River to the local community, as demonstrated in a suite of policy and planning documents. Section 5 of my evidence addresses these policy and planning considerations in further detail.

5. RELEVANT POLICY AND PLANNING CONSIDERATIONS

- 5.1** Volume 2 Assessment of Effects on the Environment, Part I: Statutory Matters of the NoR addresses the RMA statutory planning matters including national policy statements, the regional policy statement, regional plan and district plans. It also includes a subsection on section 171(1)(d) other matters.
- 5.2** Of the policy and planning documents referenced in the PNCC submission, the Statutory Matters section of the NoR includes a brief discussion on the Government Policy Statement on Land Transport 2018/19 – 2027/28; the Horizons Regional Land Transport Plan 2015 – 2025 (2018 Review); and Te Āpiti Master Plan.
- 5.3** There is no discussion of the PNCC 2018 Long Term Plan & Spatial Plan; Our Plan: The Government’s Priorities for New Zealand; the Manawatu River Framework; and Accelerate 25 Regional Economic Development Programme, which all send strong policy signals regarding Te Āpiti and regional economic development opportunities that are relevant to this project.

The Government Policy Statement on Land Transport 2018 (GPS)

- 5.4** Part I: Statutory Matters of the NoR summarises the purpose of the GPS and concludes that *the project is directly aligned with the GPS priorities through*

improved travel time, increased resilience, a safer journey and the provision of greater access for all road users.

- 5.5** The role of the GPS is to “*outline the Government’s strategy to guide land transport investment over the next 10 years. It also provides guidance to decision-makers about where the Government will focus resources.*” While the allocation of resources sits within the LTMA 2003, the business case process and associated evidence that informed the scope of the project and the NoR has not yet been fully tested. The section 171 RMA assessment provides that opportunity as it requires an assessment of alternative sites, routes, or methods of undertaking the work.
- 5.6** The ‘GPS at a Glance’ document records that *through the strategic priorities, objectives and themes, GPS 2018 demonstrates our commitment to safety, mode neutrality, liveable cities, regional economic development, protecting the environment, and delivering the best possible value for money.*
- 5.7** The GPS prioritises a commitment to safety in general, not simply making roads safer than was provided by the previous road or current routes. The project objectives include *to reconnect the currently closed Manawatū Gorge State Highway 3 connection with a safer connection than the Saddle Road and Pahiatua Track.* Aiming for a safer connection is quite a different outcome than achieving a safe connection.
- 5.8** Based on the transport evidence of Mark Reid³ and Harriet Fraser,⁴ in my view the NoR does not provide *greater access for all road users*⁵ as cited by NZTA. The NoR makes no mention of how a separated walking and cycling facility could add to the liveability of Palmerston North City, despite the Manawatū River network, including Te Āpiti, being identified as one of three top ‘city shaping’ moves in the PNCC Long Term Plan and Spatial Plan. Part of the success of Te Āpiti and the Manawatū River as a growing recreational hub is its proximity to a major urban area in Palmerston North. The NoR also makes no mention of how the Accelerate 25 Regional Economic Development Programme action plan identifies the Manawatū Gorge Cycle

³ Evidence of Mark Reid dated 15 March 2019, see executive summary.

⁴ Section 42A report, drafted by Harriet Fraser, see executive summary.

⁵ Volume 2, Part I: Statutory Matters, page 210.

Trail as a priority tourism and visitor opportunity. Separated walking and cycling facilities would advance the Government's commitment in the GPS to safety, liveable cities and regional economic development.

5.9 The four strategic priorities within the GPS are safety; access; environment; and value for money. The summary of the strategic direction within the GPS includes the following directions that are particularly relevant to the NoR and PNCC submission:

Safety

- *Drives improvements in safety outcomes for all road users, including increased investment in footpaths and cycleways to support access to, and uptake of, active travel modes.*

Access

- *Has a new focus that prioritises improving New Zealanders' access to economic and social opportunities. The increased focus includes:*
 - *urban areas (cities and towns).*
 - *regional development that supports thriving regions, for example through the Provincial Growth Fund.*

Environment:

- *Recognises the public health benefits of reducing harmful transport emissions and increasing uptake of walking and cycling.*
- *Recognises the importance of urban form for creating liveable cities that value public space and improve access.*

Value for money:

- *indicates that decision-makers should take into account the full range of benefits and costs over the whole life of investments, and be cognisant of possible future changes and uncertainty, so that investment is made in options that perform best across a wide range of different scenarios.*

5.10 While these are only extracts from the four strategic priorities within the GPS, there is a clear Government focus on safety for all road users, cycleways, access to economic and social opportunities, regional development, the

public health benefits of walking and cycling and taking account of the full range of benefits and costs.

The Regional Land Transport Plan 2015 - 2025 / 2018 Review (RLTP).

5.11 The NoR records that the RLTP sets out the strategic direction for land transport in the region and recognises a replacement route for the Manawatū Gorge is a key focus area. However, NZTA has not addressed other important policy directions within the RLTP in the NoR.

5.12 The RLTP includes the following package of objectives that inform the more specific components of the RLTP:

- 1. An optimised road, rail and public transport network that provides efficient, reliable access and movement for people and freight to and from key destinations, within and outside the region.*
- 2. Maximise the strategic advantage of central New Zealand through efficient and well-serviced hubbing and freight distribution activities, including better utilisation of rail corridors.*
- 3. A safe land transport system increasingly free of death and serious injury.*
- 4. A reliable multi-modal transport system with less modal conflict, including walking and cycling, that mitigates potential environmental effects and improves environmental outcomes.*
- 5. A resilient transport network with secure inter- and intra-regional routes that can perform following an unplanned event.*
- 6. A transport system that provides for the increase in low carbon emission vehicles and other practices to reduce carbon emissions and environmental effects associated with transport.*

5.13 While objectives 3, 4 and 6 are of most relevance to the PNCC submission points, a project the scale of Te Ahu a Tūranga should be striving to achieve all these objectives.

5.14 The RLTP also contains specific policy directions regarding walking and cycling and tourism opportunities, particularly policies 3 and 4. Policy 3 seeks to *cater for clearly defined tourism routes by promoting the role of*

*cycling tourism and recreation in the region (NZ Transport Agency, territorial authorities, regional tourism organisations).*⁶ The actions / measures identified to deliver on policy 3 include:

- *1. Year-on-year growth in the use of the National Cycle Trail routes in the region.*
- *2. To advocate for the development of new cycle trail routes, including the Manawatū Gorge and Feilding to Palmerston North cycle routes.*
- *5. Increased tourism spend in the region.*

5.15 Policy 4 seeks to *encourage the uptake of walking and cycling as transport modes and for recreation* by:

- *Policy 4.1 Providing new infrastructure that caters for safe walking and cycling, where appropriate (NZ Transport Agency, territorial authorities);*
- *Policy 4.5 Developing and promoting recreational walkways and cycleways where appropriate (NZ Transport Agency, territorial authorities).*
- *Policy 4.6 Promoting the role of cycling in tourism and recreation in the region (Horizons Regional Council, territorial authorities).*
- *Policy 4.7 Encourage the adoption of cycle ways and walkways as a preferable mode of transport through transport planning (territorial authorities, NZ Transport Agency, Horizons Regional Council).*

5.16 The actions / measures identified to deliver on policy 4 include:

- *4. Increased uptake of walking and cycling counts.*
- *5. Increased level of investment in walking and cycling facilities.*
- *6. Integrate regional and local facilities with national programmes and projects, such as Te Araroa.*

6 Regional Land Transport Plan 2015 – 2025, Policy 3.2.

- 5.17** Section 5.3 of the RLTP provides direction on an appropriate network of tourism routes and includes an explicit case study on the Manawatū Gorge:

Case Study 2: An emerging area of tourism is the Manawatū Gorge. Due to a number of recreational developments over the past 10 years, the Gorge now attracts almost 100,000 annual visitors. In 2006, just 15,000 visitors were recorded. The Gorge walk is now regarded as one of the top 10 walks in New Zealand by the NZ Automobile Association. Opportunities exist to promote and grow visitors to the mountain biking and walking tracks within the eastern end of the Manawatū Gorge. Developing a business case for the construction of the Manawatū Gorge Cycle Trail has been identified by the Accelerate25 Action Plan as a key priority.

- 5.18** The RLTP provides explicit direction that the Manawatū Gorge is a significant tourism and recreational opportunity and is a priority for investment in walking and cycling facilities. The RLTP is approved by the Regional Transport Committee and its membership includes a representative of NZTA.
- 5.19** Walk / cycle improvements to the Manawatu River bridge at Ashhurst is identified as a prioritised project in section 8.1 of the RLTP with a start year of 2022. This project is now recommended as a condition of the NoR by both Ainsley McLeod and Phillip Percy / Anita Coplestone, which gives effect in part to the requirements of the RLTP.

Draft Te Āpiti Master Plan

- 5.20** The NoR correctly records that a Te Āpiti Master Plan is being prepared at the direction of the Manawatū Gorge Governance Group, which includes councils, iwi and the Department of Conservation. The Governance Group was established prior to the closure of the Manawatū Gorge road. The Te Āpiti project also has its own website www.teapiti.com.
- 5.21** The Accelerate 25 regional economic development programme action plan identifies tourism and visitor services as one of nine regional opportunities. One of the *immediate priorities* identified is the Manawatū Gorge Cycle Trail, led by the Manawatū Gorge Governance Group.

- 5.22** I am not familiar with the finer detail of the Draft Te Āpiti Master Plan, but it has been addressed by Jeff Baker who prepared a section 42A report. I am aware that the Draft Master Plan looks at opportunities to better connect Te Āpiti with the Manawatū River shared pathway, Te Araroa trail and New Zealand Cycle Trail (Heartland Rides) and other destinations and activities in the area. For example, the Ashhurst Domain and wind-farms.
- 5.23** While the Te Āpiti Master Plan is yet to be finalised, it signals a strong desire by the region to exploit the unique opportunities on offer at Te Āpiti.

PNCC 2018 Long Term Plan & Spatial Plan (PNCC LTP)

- 5.24** The PNCC LTP was adopted in June 2018, following consultation in early 2018. The PNCC LTP represents a step change in the strategic direction for Palmerston North and was based on five new strategies. It also contains the first spatial plan for Palmerston North. The PNCC LTP is based around a new vision *small city benefits, big city ambition* and contains three top 'city shaping' moves, one of which is the Manawatū River network. Six catalyst projects are identified for the Manawatū River network, most notably in terms of the NoR, the He Ara Kotahi bridge and shared pathway, the Manawatū River shared pathway (Ashhurst to city) and the Manawatū Gorge (Te Āpiti) biodiversity and recreation.
- 5.25** The Manawatū River network is identified in blue on the spatial plan contained within the PNCC LTP. A copy of the spatial plan is attached as **Appendix A** to this evidence. The spatial plan shows that separated walking and cycling facilities at Te Āpiti would be an extension to the existing / planned network along the Manawatū River from the city to Ashhurst. The network also includes an existing connection to Longburn and a soon to be complete connection to Linton. There is also the potential to connect the city to Feilding via the Mangaone stream. A separated walking and cycling facility through Te Āpiti has the potential to connect Woodville to form part of an extensive off-road network connecting Palmerston North with all surrounding villages and Te Āpiti and the Manawatū River. In my view, the potential benefits of this opportunity have not been appropriately assessed as part of the NoR.

PNCC Creative and Liveable Strategy

- 5.26 The PNCC Creative and Liveable Strategy that informed the preparation of the PNCC LTP records the following respect to the Manawatū River:

For many decades the city turned its back on the Manawatū River. Over the past 10 years, the city has begun to embrace the Manawatū River as a significant recreational asset that allows people to connect with the natural environment and extend their physical activity. Locals increasingly regard the river as a great place or series of great places. The change has also provided opportunities for Rangitāne o Manawatū to express their unique relationship with the Manawatū River. The shared path network was the catalyst for this change.

Plans are in place to extend the network to Ashhurst and Linton and to better connect Massey University, FoodHQ and Linton via a new pedestrian/cycle bridge due to be completed in late 2018. The Manawatū River Park attracts people from across the city and Council will consider classifying it as the next city reserve. The Manawatū River Park has potential to attract a significant number of visitors seeking active recreation-based travel and events. The Manawatū River Framework provides strategic direction for new investment at the river and recognises the river's importance for the city and Rangitāne o Manawatū. Opportunities include using the river as an off-road connection to the significant recreational and biodiversity hub at the Manawatū Gorge and Ashhurst Domain. The prospect of being able to travel off-road from Linton to the upstream extent of the Manawatū Gorge, with stop-offs at places such as the Esplanade, is exciting and achievable.

Te Āpiti/Manawatū Gorge, sites of significance to Rangitāne o Manawatū, Ashhurst Domain, the Esplanade, Massey University, FoodHQ and Linton, are significant destinations along the Manawatū River Park. Smaller or temporary places of interest could be provided along the riverside to help build a sense of place, such as mobile traders, markets, recreational events, artwork, water access, informal play activities, and pump tracks. If more people spend more time doing more things at the river each year, the community will develop a greater appreciation of the natural values of the

river, particularly its water quality. This is likely to increase people's willingness to pay for water quality improvements in the future.

Our Plan: The Government's Priorities for New Zealand.

5.27 Supporting thriving, sustainable regions is an identified priority within the recently released document 'Our Plan: The Government's Priorities for New Zealand'. The document records that the Government *want our regions to flourish as much as cities, which we're helping through the Provincial Growth Fund, the One Billion Trees programme and tourism and infrastructure.* While reconnecting the state highway is critical to the success of the region and is a significant investment, the additional or new opportunity is that presented by unlocking the tourism and recreational potential of Te Āpiti, which is supported in multiple regional policy and planning documents that are relevant to the NoR.

Manawatu River Framework (MRF)

5.28 The MRF is a PNCC document adopted in February 2016. It provides a strategic vision for development near the river, and recognises the importance of the river to the city. The MRF vision statement is *Palmerston North's Great Linear Park. Each year there will be more things to do, and more people will spend more time at the Manawatū River Park.*

5.29 The MRF contains six key directions that provide a strategic approach to guide existing and future initiatives in close proximity to the Manawatū River. These key directions help to clearly communicate the aspirations and priorities for the river. The first key direction is '*Build the network first – Connectivity*' that includes the following descriptors:

- *Develop the shared path network.*
- *Better connect the river with the wider city.*
- *Creation of way-finding elements.*
- *The river walkway is a shared pathway, and should continue to be designed to accommodate a range of uses including walking, recreational cycling, skating, wheelchairs and so on.*

- 5.30** The MRF contains a section on the 'current state' which includes the following commentary regarding the Te Apiti/Manawatū Gorge Biodiversity Project:

The projects goal is to 'preserve, sustain and enhance the biodiversity, scenic, recreational and cultural values of this unique site.' Its focus is to eliminate pests, add planting, create better recreational spaces, improve access-ways and emphasise the cultural significance of Te Apiti Manawatū Gorge. The project also involves restoration planting of which some has already been completed. A new mountain bike trail has also been completed. This is a collaboration between the Department of Conservation, Horizons Regional Council, Palmerston North City Council, Tararua District Council and KiwiRail, NZ Transport Agency and Rangitaane. Numerous other partners participate on specific components within the project area. The project is governed collaboratively by a Board of representative and Independent members

- 5.31** The MRF contains a section on Rangitāne and their cultural connection with the Manawatū River. This section of the MRF contains the following commentary regarding Te Āpiti:

The Manawatū Gorge is a significant source of mauri for Rangitāne o Manawatū. It is the scenic divide between Tararua and the Ruahine ranges that border the Manawatū region. The name 'Te Apiti' means 'the narrow passage'. Many of the sites of significance in this stretch of the River relate to the identification and preservation of mauri in the River. Historically one of the manifestations of mauri was the seasonal flood waters spreading out from the gorge distributed a fresh load of nutrient rich sediment to the river side mara kai of Rangitāne thus sustaining the tangata whenua.

- 5.32** While the majority of Te Āpiti is located outside of the PNCC jurisdictional boundary, the MRF recognises the important gateway function of the Manawatū River Park to Te Āpiti. The scope section of the MRF records that:

The scope primarily focuses on land within the City boundary but it is important to recognise that the river connects two rural areas and is

therefore suitable for linking urban dwellers with rural lifestyles, recreation and heritage providing 'from the doorstep' recreation for rural activities such as horse riding. The area includes some significant regional assets such as the Manawatū Gorge.

5.33 The MRF has four distinctive environments *rural west; urban; rural east; and gateway*. The 'gateway' environment includes Ashhurst Village, Manawatū Gorge, McCraes Bush and the Ashhurst Domain. It includes several important assets including the entry to Te Āpiti, the start of the Manawatū Gorge walk, cafes and the village of Ashhurst. A playground, campground, café, toilets and sport fields are all located within Ashhurst Domain. There is also a popular swimming spot located under the Ashhurst Bridge and at the confluence of the Pohangina River and Manawatū River. The objective of the gateway environment is *to embrace the area as the hub of outdoor pursuits that makes the most of the natural landscape features contained within this environment.*

5.34 The 'making it happen' section of the MRF also includes the following relevant actions:

- *Support NZTAs proposal for the construction of a walking and cycling facility at Ashhurst Bridge.*
- *Manawatū Gorge Mountain Bike Track.*
- *Create a series of bike oriented activities along the river pathway.*
- *Create a shared path on the left bank of the Manawatū River.*

5.35 Like the PNCC LTP and Spatial Plan, the MRF signals the significance of the Manawatū River to Palmerston North and the strong physical and cultural connections that exist between the river and Te Āpiti. The MRF, like the PNCC LTP and Spatial Plan, see Te Āpiti as a natural extension of the Manawatū River shared path. A separated walking and cycling facility at Te Āpiti would be a natural extension of the current and planned investment delivered by the local community at the Manawatū River.

5.36 While the MRF records that it has a limited ability to address the water quality of the Manawatū River, it does seek to promote a stronger emotional

connection with the Manawatū River, which in time will assist with driving improvements to water quality as people are more likely to be willing to pay or provide support for improvements to something they use and value. For example, as part of the upcoming PNCC wastewater treatment plant best practicable option assessment.

Accelerate 25 Regional Economic Development Programme (A25)

5.37 The A25 website (www.accelerate25.co.nz) describes the programme as:

In July 2015, Central Government, in consultation with Horizons Regional Council and district and city councils, commissioned a Regional Growth Study which identified a number of opportunities and key enablers to help realise economic prosperity in our Region. The implementation programme from this study is known as Accelerate25.

Under this implementation programme, the Manawatū-Whanganui Economic Action Plan was created by business, iwi, local and central government with the purpose of unlocking the potential within the region to create opportunities through the means provided by enablers, identifying priorities to implement and key agencies to work with.

To succeed, Accelerate25 will need the whole region behind it. The programme is about realising a short and long-term vision for a prosperous, strong and vibrant Manawatū-Whanganui region.

5.38 The A25 lead team consists of business, political and iwi leaders who oversee progress on the Manawatū-Whanganui Economic Action Plan. The lead team includes the Mayor of Palmerston North and Chairperson of the Horizons Regional Council.

5.39 The A25 action plan identifies tourism and visitor services as one of nine regional opportunities. One of the *immediate priorities* identified is the Manawatū Gorge Cycle Trail led by the Manawatū Gorge Governance Group.

- 5.40 Like the other policy and planning documents referenced in the PNCC submission, the A25 action plan highlights the regional priority afforded to Te Āpiti as a tourism and recreational opportunity.

Statutory Directions – Walking and Cycling

- 5.41 The statutory matters section of the NoR addresses a long list of planning directions, including a number that reference support for walking and cycling. Key walking and cycling statutory directions include:

- Regional Policy Statement Policy 3.7: *Territorial authority decisions and controls on subdivision and land use to ensure that sustainable transport options such as public transport, walking and cycling can be integrated into land use development.*
- PNCC District Plan City View Objective 24: *All forms of transport, including public transport, walking, cycling and private vehicles are adequately provided for to assist with sustainable energy use and a healthy lifestyle.*
- PNCC District Plan Transportation Section Policy 1.6: *Encourage the development of safe and accessible pedestrian paths and cycleways, as well as convenient and accessible cycle parking, to support the opportunity for people to use active and non-vehicular modes of transport throughout the City.*
- MDC District Plan Transport Policy 3.3: *To support and encourage walking and cycling as alternative modes of transport.*
- TDC District Plan Transport Policy g: *To encourage the use of ‘environmentally friendly’ forms of transportation through the provision and enhancement of safe cycling and pedestrian facilities, particularly in town centres.*

- 5.42 Despite the statutory directions that seek to provide for all modes of transport and encourage walking and cycling, and a suite of non-statutory documents that recognise the tourism and recreational potential of Te Āpiti, the statutory matters assessment of the NoR, like the Business Case, takes the approach that the Saddle Road and Pahiatua Track will suffice.

5.43 There is a strong encouragement theme across the statutory directions. Based on the transport evidence of Mark Read and Harriet Fraser and the evidence of Jonathan Kennett, my understanding is that while the proposed highway is likely to be preferable to the Saddle Road or Pahiatua Track, it is unlikely that the proposed highway configuration, the Saddle Road or Pahiatua Track could be said to encourage cycling.

6. BUSINESS CASE, PROJECT OBJECTIVES & CULTURAL DESIGN FRAMEWORK

Business Case

6.1 The Business Case process and evidence that informed the scope of the project and the NoR has not been fully tested. The section 171 RMA assessment provides that opportunity. Section 171(b) of the RMA requires the territorial authorities to have particular regard to whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work. The Business Case process forms the basis of assessing alternative sites, routes and methods.

6.2 The Business Case for Te Ahu a Tūranga on the NZTA website dated 31 May 2018 is approximately 1100 pages. A search of the Business Case for cycling revealed two main references:

- (a) The first, which made its way into the NoR, and is referenced in the NZTA⁷ and GHD reports⁸, is that the Pahiatua Track and Saddle Road will adequately cater for cyclists again once the new road is open.
- (b) The second, which did not make its way into the project scope and NoR, is a recommendation within a WSP Opus Road Safety report that NZTA *consider providing a high quality / high-speed off-road path separated from the highway or widen the shoulders in accordance with best practice.*⁹ Neither the Business Case or the

⁷ Pages 10 and 52 of the NZTA Business Case for Implementation 31/5/2018.

⁸ Page 12 of the GHD Long List Option Assessment.

⁹ Page 13 WSP Opus Road Safety Report April 2018.

NoR provide any further analysis or response to this recommendation, other than that the Pahiatua Track and Saddle Road will suffice.

- 6.3** A search of the Business Case reveals little analysis of the tourism and recreational potential of Te Āpiti. An internal memo¹⁰ to Carey Morris of GHD (NZTA agent for shortlisting process) attached as Appendix P to the Business Case details future management options for the current SH3 route through the Manawatū Gorge and records the following:

Tourism opportunities – the project could provide for future development of a Manawatu Gorge Cycle Trail (and/or other recreational facilities), a potentially significant regional tourism opportunity.

- 6.4** The same memo recommends *that a detailed management plan be developed to address the potential risks (environmental, geotechnical/geological, safety) associated with the works proposed as well as discuss future liability and ongoing maintenance issues and expectations.* The Business Case provides no alternative on how to leverage this potentially significant regional tourism opportunity

Project Objectives

- 6.5** Chapter 3 of the AEE sets out the objectives for the Project:

- a) *To reconnect the currently closed Manawatū Gorge State Highway 3 with a more resilient connection.*
- b) *To reconnect the currently closed Manawatū Gorge State Highway 3 connection with a safer connection than the Saddle Road and Pahiatua Track.*
- c) *To reconnect the currently closed Manawatū Gorge State Highway 3 with a more efficient connection than the Saddle Road and Pahiatua Track.*

¹⁰ GHD Memo dated 18 May 2018.

- 6.6** With respect to objective b) and c), the executive summary of the transport evidence of Mark Read records that:

I disagree that the Transport Agency's proposed shoulder width of 2m for the Project is adequate for cyclists or meets recommended best practice. Should a separated facility not be provided, the sealed shoulder width should be increased to comply with recommended best practice.

I consider recommended best practice shoulder width where cyclists are expected to ride and there is a speed limit of 100km/h is 3.5m plus a 0.2-0.5 clearance to any side barrier or structure.

- 6.7** The executive summary of the s42A report of Harriet Fraser records that:

I agree that there will be benefits for cyclists using both the Pahiatua Track and Saddle Road after opening as a result of reduced traffic flows but I am of the view that given the vertical and horizontal alignments of both routes with frequently limited forward sight distances, high vehicle speeds and very little, if any shoulder provision, neither route comes near to meeting the requirements for a safe cycling route; and

I disagree that the proposed shoulder cyclist provision along the Project route is adequate.

- 6.8** Based on the evidence of Mark Read and Harriet Fraser, it is unclear how the project meets objective b) and c) with respect to cycling given that the NoR documentation simply directs users to the Saddle Road and Pahiatua Track and neither route comes near to meeting the requirements for safe cycling. It appears the focus in delivering on these objectives has been on vehicles rather than all modes of transport.

Environmental & Cultural Design Framework (ECDF)

- 6.9** The ECDF forms part of the NoR. The role and purpose section of the ECDF records that it is a 'living document' in that it continues to be expanded and refined throughout the life of the project.

6.10 Project principles within the ECDF include:

- *Connect people to the landscape*
- *Connect people to existing trails, greenways and recreational facilities.*
- *Walking, cycling and access for recreation should be considered.*

6.11 In my view, these principles support the provision of separated walking and cycling within the project, and the idea that the ECDF is a living document suggests that there needs to be flexibility as to how this could be provided even if it was not part of NZTA's initial plan. Recommended condition 11 by Ainsley McLeod requires that prior to the commencement of construction, NZTA must review and update the preliminary ECDF.

7. DISCUSSIONS WITH NZTA TO DATE

7.1 PNCC has been in ongoing discussions with NZTA since the closure of the Manawatū Gorge in April 2017. I have been a party to many of these discussions in my role as City Planning Manager. These discussions were relatively light during the long list evaluation in the second half of 2017 but increased as NZTA progressed the short list evaluation in late 2017 and early 2018. As noted in the PNCC submission, of the four options shortlisted by NZTA, the city favoured the southernmost route which resulted in a direct connection with Stoney Creek Road as the eastern alignment of the proposed regional freight ring road. While PNCC favoured the southernmost route, it is accepted that the preferred route within the NoR can connect to the proposed regional freight ring road, including an eastern alignment at Stoney Creek Road or Ashhurst - Bunnythorpe Road.

7.2 While I was not involved in any of the pre-application NoR meetings, I am aware that representatives of the three territorial authorities raised the lack of separated walking and cycling facilities as an issue at pre-application meetings during the second half of 2018. PNCC formally expressed its concerns to NZTA in October 2018. The Chief Executive of NZTA responded in a letter dated 8 November 2018 noting that *during the next phases of the project, we will look at including safe, appropriate, on-road and off-road walking and cycling facilities along the new route.*

7.3 Regional leaders and NZTA senior managers participated in a Te Ahu a Tūranga workshop on walking and cycling on 4 December 2018. As noted in the PNCC submission, NZTA made a commitment at the workshop to undertake a full assessment of separated walking and cycling facilities prior to the hearing on the NoR.

7.4 As a submitter to the NoR, PNCC was invited by NZTA to two workshops in February 2019 to discuss walking and cycling and assist NZTA with an assessment being prepared by NZTA expert Jonathan Kennett.

7.5 At the first February workshop, Jonathan Kennett detailed the following criteria he uses to determine the likely success of a path:

- *Level of Service (LOS) = width of path + surface conditions*
- *Population (more people nearby = more use)*
- *Destinations such as cafes, playground, historic sites*
- *Connectivity to other cycling facilities (i.e., Manawatu River Path)*
- *Grade of difficulty, which is decided by LOS and gradient (Build the Path would meet GRADE 3, Intermediate NZCT criteria.)*
- *Immediate surroundings – scenery and noise levels.*
- *Safety – both perceived and real.*

7.6 I provide the following comments on the criteria cited by Jonathan Kennett:

| Kennett Criteria | Comment |
|--|---|
| Level of Service | The facility could be considered an extension of the Manawatu River Shared Path, which is a 3m wide path and a combination of seal and limestone. |
| Population | A facility will be accessible to the main urban centre of Palmerston North via the Manawatu River Shared Path, which is also planned to connect with Linton, Longburn and Ashhurst, and has the potential to connect with Bunnythorpe and Feilding. |
| Destinations such as cafes, playground, historic sites | The relevant planning and policy documents I have cited contain useful explanations of the |

| | |
|---|---|
| | significant value of Te Āpiti and the Manawatū River to the local community. Section 3 Existing Environment of the s42A tourism and recreation evidence by Jeff Baker provides a useful summary of an extensive range of interesting destinations near Te Āpiti. It also references the cultural, geological and landscape significance of Te Āpiti. |
| Connectivity to other cycling facilities | The relevant planning and policy documents I have cited contain useful explanations of the level of connectivity that already exists and that is planned in the vicinity of the Manawatū River and Te Āpiti. Section 3 Existing Environment of the s42A tourism and recreation evidence by Jeff Baker provides a useful summary of a wide range of nearby walking and cycling facilities. |
| Grade of difficulty, which is decided by LOS and gradient | Jonathan Kennett identified that a route alongside the new highway would be Grade 3 (Intermediate). The uptake of electric bikes is likely to make it accessible to a wider range of users, particularly given it will be accessible to the Palmerston North population via the Manawatu River Shared Path. |
| Immediate surroundings – scenery and noise levels. | The relevant planning and policy documents I have cited contain useful explanations of the significant value placed on Te Āpiti by the local community. Section 3 Existing Environment of the s42A tourism and recreation evidence by Jeff Baker also provides a useful summary of the quality of the immediate surroundings. |
| Safety – both perceived and real. | Addressed in the s42A report by Harriet Fraser and the PNCC traffic evidence by Mark Read. |

7.7 The conclusion presented by Jonathan Kennett at the second workshop was that *walking and cycling facilities wanted are out of the scope but on the face of it would be well used. A facility alongside the road would not be well used.* This conclusion generally aligns with the conclusion at paragraph 23 of the evidence of Jonathan Kennett dated 8 March 2019.

7.8 Jonathan Kennett's final assessment was provided to me by way of email on 4 March 2019. It looked at four route options, user types, key

assumptions, projected use, cost estimates and risks. The assessment concluded that:

A number of key assumptions or inputs have been identified to inform this initial market analysis. These establish parameter and drivers for use of facilities and help assess the projected user numbers. While some involve quantitative inputs, other assumptions would need to be tested robustly and worked through with stakeholders in order to complete an evaluation of options.

At this stage it seems likely that a multi criteria analysis of the options would rank a route through Manawatu Gorge on the old highway highest, and a path right beside the new highway lowest. However, as noted above, there are a number of options in between a path beside the highway and a recreational trail well away from the highway, but these have not yet been considered.

7.9 This assessment by Jonathan Kennett was not reported back to the regional leaders or Regional Transport Committee prior to the hearing but is reflected in his evidence dated 8 March 2019. The PNCC submission requested that a full assessment of walking and cycling is undertaken and provided to all submitters prior to the hearing.

7.10 Paragraphs 21-23 of the evidence of Jonathan Kennett records that further work is required to analyse the risks and benefits of the various options. The recommended condition by Phillip Percy and Anita Coplestone allows for this work to occur alongside the delivery of the new highway. The evidence of Shane Vuletich has assessed the economic benefits of the options identified by Jonathan Kennett. I understand that NZTA is currently progressing detailed design for the project which presents an opportunity to address a shared path efficiently now rather than revisiting it later.

8. RESPONSE TO SECTION 42A REPORT

Planners Report by Phillip Percy & Anita Coplestone

- 8.1** I have reviewed the planning report by Phillip Percy and Anita Coplestone, particularly sections 6.9 Relevant Other Matters, 8.2 Traffic and Transportation Effects and 8.4 Recreation and Tourism.
- 8.2** Similar to my own evidence, the report identifies a number of relevant statutory and non-statutory directions that encourage safe walking and cycling and recognise the tourism and recreational potential of Te Āpiti and the Manawatū River. The report also recognises a significant number of submissions that point to these important policy and planning directions and refers to relevant technical evidence from Harriet Fraser and Jeff Baker.
- 8.3** The PNCC submission sought to confirm the designation subject to a specific condition that requires the provision of separated walking and cycling facilities alongside the entire length of the new Manawatu Tararua Highway.
- 8.4** For the reasons outlined in my evidence and the PNCC submission, I support the recommendation for a new condition to require the provision of a separated, sealed, shared cycling and walking facility as part of the project at the point of road commissioning.
- 8.5** Jonathan Kennett of NZTA at paragraphs 20-22 of his evidence indicates that further work is required with respect to benefits, costs and risks to determine the optimal solution to address walking and cycling. Had this work been completed prior to the NoR it could have informed a more specific condition, but in any event the way recommended condition 26D is worded would enable those matters to be considered before settling on a precise design for a facility that would meet the outcome required by the condition.
- 8.6** I support recommended condition 26D in Appendix 7 of the planners' report and have no suggested improvements. I also support the amendment to condition 26 that requires the network integration plan to address the new shared path.

Recreation Evidence by Jeff Baker

- 8.7** I have reviewed the tourism and recreation technical evidence by Jeff Baker, particularly sections 2.5 Statutory Context and 3 Existing Environment.
- 8.8** Similar to my own evidence, the report identifies a number of relevant statutory and non-statutory directions that encourage safe walking and cycling and recognise the tourism and recreational potential of Te Āpiti and the Manawatū River. The evidence also provides useful summary of submitters' views on separated facilities.
- 8.9** The technical evidence of Jeff Baker provides an informative and detailed description of the Manawatū Gorge, the designated corridor, the broader Te Āpiti area, the tourism context and opportunities to enhance tourism and recreation. Jeff Baker is well placed to address these matters as a local planner responsible for providing advice to the Manawatū Gorge Governance Group.
- 8.10** For the reasons outlined in my evidence and the PNCC submission, I support the recommendation by Jeff Baker that conditions should be included requiring a separated shared path to accommodate cyclists and walkers.

9. RESPONSE TO NZTA EVIDENCE

- 9.1** The NZTA evidence does not address all the concerns raised in the PNCC submission. It does formally commit NZTA to providing walking and cycling facilities on the existing Ashhurst Bridge and to the Manawatū Gorge Scenic Reserve carpark. However, the recommended amendment to condition 26 by Ainsley McLeod to give effect to this commitment does not provide the same level of specificity as recommended condition 26B and 26C by Phillip Percy and Anita Copplestone, which specifically references separated pedestrian and cycle facilities. I support the condition recommended by the section 42A planning report.

Sarah Downs

- 9.2 At Paragraph 46 Ms Downs records that *a number of the Transport Agency's stakeholders (including local authorities), submitters, and the expert authors of the Section 42A materials are forcefully advocating for the Project to be broader in scope than that described above, and to incorporate additional elements.*
- 9.3 While the PNCC submission seeks a specific outcome, this has been based on the suite of statutory and non-statutory policy and planning directions which I have outlined in my evidence, which I consider to be relevant to the assessment under section 171 of the RMA.
- 9.4 I also record that my support for the recommended condition for separated walking and cycling facilities is based on the statutory and non-statutory direction I have referenced in this evidence, and the relevant technical expert evidence of Mark Read, Shane Vuletich, Harriet Fraser and Jeff Baker.
- 9.5 Paragraph 47 states *that NZTA recognises the importance of future proofing the Project's design so as not to preclude future initiatives.* Despite this statement, the proposed new bridge across the Manawatū River does not have separated walking and cycling facilities, so it will preclude safe access to future initiatives identified in the Draft Te Āpiti Master Plan.
- 9.6 Paragraph 55 records that NZTA *does not consider that a separate footpath and cycleway alongside the new road will attract sufficient usage or realise other benefits to warrant the very significant costs.* Jonathan Kennett identifies that certain scenarios would attract a significant number of users, but NZTA has not completed the further work suggested.
- 9.7 Paragraph 57 records that low usage *may be one reason why a new, sealed cycle path across the Ranges has not been signalled to the Transport Agency before, to my knowledge, as a priority by any of the relevant local authorities or cycling groups.* The policy and planning documents cited in the PNCC submission and my evidence provide useful signals that do not appear to have been considered by NZTA during the preparation of the NoR.

- 9.8** In terms of community signals to NZTA, while I accept the initial focus from the region was on the shortlisting process, once the preferred route was selected the priority for the region quickly turned to supporting NZTA to progress the project efficiently whilst also seeking walking and cycling opportunities. I am advised that walking and cycling facilities was raised in pre-application meetings with NZTA during the second half of 2018 prior to PNCC formally raising the matter with NZTA in October 2018.
- 9.9** Paragraphs 60 and 61 appear to downplay the significance of the Draft Te Āpiti Master Plan. The Draft Master Plan was reported to the Manawatū Gorge Governance Group in December 2018 and is subject to further public consultation. As indicated earlier, the Governance Group includes representatives of all major stakeholders, including iwi. NZTA were represented at the December 2018 Governance Group meeting by Ross l'Anson and Lonnie Dalzell. Development of Draft Master Plan has been a long process involving various stakeholders that commenced prior to the NoR process. While Jeff Baker is an employee of PNCC, he has been reporting directly to the Governance Group and has been supported by technical consultants.
- 9.10** While Jonathan Kennett signals the potential to re-use the old Manawatū Gorge road for walking and cycling, Sarah Downs signals the risk associated reopening the old Gorge Road at paragraphs 64, 87 and 99 of her evidence, where she describes *the ongoing 'extreme' risk of slips*. Relying the old Gorge road to address walking and cycling facilities is therefore problematic.
- 9.11** Paragraph 110 expresses disappointment regarding the lack of recognition of the benefits of the project in the section 42A reports. While my evidence focuses on the walking and cycling opportunity, I was involved in the shortlist assessment process on behalf of PNCC and am generally aware of the significant transport benefits of the project that are summarised in paragraphs 14 – 16 of the evidence of David Dunlop. I am also conscious of the urgent need to reconnect the highway as soon as possible and the importance of the project to Palmerston North as a freight and distribution hub. These significant benefits should form part of the overall section 171 evaluation and recommendation.

9.12 The PNCC submission recognises that Te Ahu a Tūranga *is a significant project for New Zealand, the region and Palmerston North*. It also acknowledges that *while it is important that NZTA move fast to construct the new highway and reconnect SH3, this sense of urgency should not mean that the local community misses out on significant opportunities such as separated walking and cycling facilities*. As detailed in my evidence, this submission point is supported by the outcomes sought in a suite of relevant section 171 policy and planning documents and the further mitigation recommended in the transport evidence of Mark Read and Harriet Fraser.

Jonathan Kennett

9.13 I generally support the assessment completed by Jonathan Kennett but note that he indicates that further work is required with respect to benefits, costs and risks to determine the optimal solution. The economic evidence of Shane Vuletich looks at the benefits associated with provision of a separated cycleway.

9.14 Had further work been undertaken on the benefits, costs and risks of walking and cycling options it could have informed the project scope, detailed design or assisted with a more specific walking and cycling condition. As noted earlier, the detailed design stage provides the opportunity to incorporate the optimal solution.

9.15 While Jonathan Kennett favours the old Manawatū Gorge route, as noted above, the problem with this option is the extreme risk associated with the slips.

Ainsley McLeod

9.16 I have considered the planning evidence prepared on behalf of the NZTA by Ms McLeod. Paragraphs 48 and 49 discuss the statutory directions relating to walking and cycling. I disagree with the conclusion that the project encourages cycling as cyclists are directed to the existing routes which are identified as unsafe by Mark Read and Harriet Fraser. I agree that the recommended walking and cycling facilities on the existing Ashhurst bridge

and to the Manawatū Gorge Scenic Reserve carpark will encourage walking within the existing facilities at Te Āpiti.

9.17 Paragraphs 76 – 96 address section 171(d) other matters. The analysis references the NoR and provides specific comments on the GPS, National Land Transport Programme, RLTP, Te Āpiti Master Plan and Queen Elizabeth the Second National Trust Act 1977. The analysis does not address the PNCC 2018 Long Term Plan & Spatial Plan, PNCC Creative and Liveable Strategy, Manawatu River Framework or Accelerate 25 Regional Economic Development Programme

9.18 I agree with the explanation of the relationship between the NLTP and the GPS. Paragraph 82 concludes that *the inclusion of the Project in the NLTP is a direct expression of the GPS*. I would be comfortable with this conclusion if I was confident with the way in which the project was scoped prior to inclusion in the NLTP. In my view, the scoping of the project should have had an eye to the relevant section 171 policy and planning directions cited in my evidence. The transport evidence of Mark Read and Harriet Fraser also identified that further mitigation is required to achieve the commitment to safety outlined in the GPS, not a solution that is just safer than the old highway or alternative routes. Significant infrastructure projects should be managed in a sufficiently agile manner to adjust to the effects and benefits identified at subsequent stages, including the business case and assessment of environmental effects.

9.19 Paragraphs 83-91 address the RLTP and conclude that *in my view Objectives 4 and 6 should be given little to no weight because the issues, objectives and strategic priorities that are relevant to the Project are clearly stated in the RLTP and these do not include Objectives 4 and 6*. I disagree with this conclusion. Section 1.1 of the RLTP describes Part 1: Strategic Direction as follows:

Part One of this document sets out the strategic direction for the region. It identifies the key transport issues (problems) that face our regional land transport system over the next 30 years. Objectives (benefits) have been formulated in response to these issues and are the outcomes being sought for the transport network.

- 9.20** In my opinion the objectives are the broad outcomes sought for the entire transport network. I agree that as you progress through the RLTP the policy direction becomes more specific. However, I disagree with the suggestion that the correct approach is to start at the end of the RLTP with a project and work backwards to identify the relevant objectives. Under that scenario, very broad objectives such as *a safe land transport system increasingly free of death and serious injury* may not apply to certain projects. The objectives should not just shape the priority projects identified, they should also shape the way in which the priority projects are scoped and delivered. Put another way, the RLTP and higher order policy direction such as the GPS require integrated transport projects, not standalone projects that deliver on certain components of the transport network. As noted above, Significant infrastructure projects should be managed in a sufficiently agile manner to adjust to the effects and benefits identified at subsequent stages, including the business case and assessment of environmental effects.
- 9.21** Paragraphs 92-96 address the Te Āpiti Master Plan. As noted above, the Draft Master Plan was reported to the Governance Group in December 2018 and is subject to further public consultation. While I accept the Master Plan is a draft and that limits the weight than can be given to it, the Master Plan does build on a suite of other approved policy and planning documents that reference the tourism and recreational potential of the Te Āpiti and the Manawatū River.
- 9.22** Paragraphs 107 to 120 address traffic and transport effects and is largely a summary of the evidence of David Dunlop. I agree that as a result of the recommended conditions, the safety of walkers and cyclists accessing the Manawatū Gorge Scenic Reserve carpark will be improved. However, based on the evidence of Mark Read and Harriet Fraser, the Saddle Road and Pahiatua Track are unsafe for walking and cycling and the new highway requires further mitigation in order to be safe, as opposed to just being safer than the old road or existing alternatives.
- 9.23** Paragraphs 123 to 130 address tourism and recreation and conclude that *the recommendation that the Project include a shared path cannot reasonably be a proportionate response to a situation where there are no*

adverse effects, and only positive effects have been identified. I disagree as the transport evidence of Mark Read and Harriet Fraser identifies potential effects on cyclists.

9.24 Paragraph 129 address 'opportunities' and concludes that *section 171 of the RMA does not provide a framework for the consideration of opportunities, rather it directs a consideration of the effects on the environment of allowing the requirements.* I disagree as the RMA meaning of effect includes any positive effect and section 171(1)(b) requires an assessment of alternative methods. As demonstrated in the evidence of Jonathan Kennett, a full assessment of alternative methods of addressing cycling options is yet to be completed.

10. CONCLUSION

10.1 I support recommended condition 26D by Phillip Percy and Anita Copplestone that requires the provision of a shared path along the project route for the following reasons:

- a) the transport evidence of PNCC and the section 42A reports conclude that the proposed route is unsafe and that further mitigation is required for vulnerable users.
- b) the transport evidence of PNCC and the section 42A reports conclude that the Saddle Road and Pahiatua Track are not safe cycling routes.
- c) the risk to the safety of vulnerable road users is an RMA effect that needs to be addressed as part of the assessment of the NoR under section 171(1) of the RMA.
- d) there is significant national, regional and local policy and planning direction regarding walking and cycling that is required to inform the assessment of effects on the environment under section 171(1)(a) and (d) of the RMA.
- e) there is significant regional and local policy and planning direction regarding the recreational and tourism potential of Te Āpiti and the

Manawatū River that is required to inform the assessment of effects on the environment under section 171(1)(d) of the RMA.

- f) Te Āpiti and the Manawatū River are highly valued by the local community and this is reflected in a suite of regional and local policy and planning documents that are required to inform the assessment of effects on the environment under section 171(1)(d) of the RMA.
- g) the condition provides enough flexibility for further analysis to occur on the benefits, costs and risks of a range of potential shared path options which assists with satisfying the requirements of section 171(1)(b) of the RMA that requires consideration to be given to alternative sites, routes, or methods of undertaking the work.
- h) as demonstrated in the evidence of Jonathan Kennett, Jeff Baker and Shane Vuletich, there are potential shared path options that will be well used and provide a range of positive effects (benefits) that are required to be considered under section 171(1) of the RMA.

David Richard Murphy

15 March 2019

APPENDIX A: PALMERSTON NORTH CITY SPATIAL PLAN

Our Integrated Plan

