

## **FS 5-1**

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### **BEFORE THE PALMERSTON NORTH CITY COUNCIL**

Under the Resource Management Act 1991 ('the Act')

In the matter of **Palmerston North City Council's  
Proposed Plan Change G: Aokautere Growth Area**

**to the Palmerston North City Council  
Operative District Plan**

**Heritage Estates 2000 Limited  
("HEL")**

*The Further Submitter*

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**Further Submission to the Palmerston North City Council**

**Proposed Plan Change G: Aokautere Growth Area**

Dated 10 December 2022

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## FS 5-2

Further Submission to the Palmerston North City Council **Proposed Plan Change G: Aokautere Growth Area**, which is subject to public notification by the consent authority pursuant to Clause 6 First Schedule – Resource Management Act 1991

**To:** Palmerston North City Council  
Private Bag 11034,  
Palmerston North 4410

**Name of the Further Submitter:** Heritage Estates 2000 Limited (“HEL”)

1. The Council notified **Proposed Plan Change G: Aokautere Growth Area**, on the Palmerston North City Council website, the submissions opened on the 8<sup>th</sup> of August 2022 and closed at 4 pm on Monday the 5<sup>th</sup> of September 2022. The Council did not notify the submitter Heritage Estates 2000 Limited, [REDACTED], [REDACTED], contact person, [REDACTED] as the service address for further submissions until 2 December 2022.
2. The Council has advanced PC-G in a form for the Aokautere Growth Area which amends multiple parts of the operative district plan for all areas outside the specific plan change area and directly affects the land interests of the Submitter. The submitter has an interest in the proposal that is greater than the interest of the public because the proposed changes to the operative district plan affect their interests in land holdings throughout Palmerston North. In addition, the submitter has a public interest in the fairness of the PCG process.
3. The submitter Heritage Estates 2000 Limited (“HEL”) makes a further submission.

Submission Point Number	Plan provision	FS Support/oppose	Reasons	Decision requested (Relief sought)
S45.001 PN Industrial and Residential Developments Limited	Whole Plan Change	Oppose in part	The submitter supports the intent of PCG to release a supply of housing, but not that it is an immediate supply. The submitter opposes the imposition of the Structure Plan for the area as it embeds an urban design-led outcome that is likely to require revisiting during the life of the plan. There is a benefit to the city in enabling developer-led and/or private-public partnerships for the supply of infrastructure inclusive of modification to Structure	That PCG enables modifications and alternatives to the Structure Plan notified for the area, through the wording of the plan where the alternatives and modifications demonstrate integrated infrastructure.

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			Plans to enable better outcomes.	
S48.001 Bruce and Marilyn Bulloch	Whole Plan Change	Oppose	There is no notice of requirement (NOR) or other designation notified. The s32 at 10 (e) states: <i>The vesting and rezoning of the gully network to the Conservation and Amenity zone which provides for their protection, maintenance, and enhancement. The boundary of the Conservation and Amenity zone presently aligns with the indicative 5m no-build setback<sup>3</sup> boundary adjacent to the gully edge, which will be confirmed on subdivision.</i>	That the submission is declined. The submitter is concerned that the planning approach advocated through the masterplan/structure plan seeks to rezone private land (limiting the use of the land for any other function), then appears to require enhancement to mitigate the effects of PC-G and then requires that the landowner vest the land with Council for a public purpose at the earliest time in the subdivision process.
S58.001/ 58.002 / 58.003 S58.057 CTS Investments Limited, Woodgate Limited, and Terra Civil Limited	Whole Plan Change	Support	The submitter agrees that PC-G seeks to impose a specific design solution through its Structure Plan and that such an imposition is unnecessary.	That the submission is accepted.
S60.001 Horizons	Whole Plan Change	Support in Part, Oppose in Part	The submitter agrees that the plan change aligns with the Council's strategic growth areas signalled in non-statutory documents in the sense that this gives effect to the One Plan Objective 3-3 and Policy 3-4, however, the submitter disagrees that (and opposes) the structure plan as notified achieves One Plan Objective 3-3 and Policy 3-4 without modification.	That PCG enables alternatives and modified outcomes to the notified structure plan through the wording of the plan where integrated infrastructure is demonstrated to achieve a similar outcome.
S61.001 /S61.002 /S61.003	Whole Plan Change Zoning Maps	Support	Although the notified summary of the submission states that submission 61	That these submissions be accepted. That the Public Works Act process for the

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/S61.004 Ngawai Farms Limited			supports PC-G in part, the submission speaks to opposition to the PC-G, particularly the rezoning mapping/structure plan	Council to acquire the land of private landowners to mitigate the effects of PC-G and repurpose the land for public use is unresolved.
S63.001 Waka Kotahi	Whole Plan Change	Neutral	Waka Kotahi advises through its submission that PC-G that they oppose the plan change because it is inconsistent with the strategic direction established by Palmerston North Integrated Transport Initiative ('PNITI') which has been accepted in principle by PNCC	That the statutory weight of PNITI is confirmed prior to the call for evidence. The submitter seeks a decision on PC-G consistent with the integrated growth initiatives for Palmerston North that have statutory weight in decision-making.
S45.012 PN Industrial and Residential Development Limited	Zoning Maps	Support	The submitter opposes aspects of the zoning maps and seeks clarity for consenting on the rural overlay proposed as part of PC-G.	That the submission is accepted. That PCG enables modifications and alternatives to the Structure Plan (and therefore the zoning map) notified for the area, through the wording of the plan where the alternatives and modifications demonstrate integrated infrastructure for growth.
S50.005 PNCC	Zoning Maps	Oppose	The plan change seeks to impose a specific design solution, this imposition is unnecessary.	That PCG enables modifications and alternatives to the Structure Plan (and therefore the zoning map) notified for the area, through the wording of the plan where the alternatives and modifications demonstrate integrated infrastructure for growth.
S77.004 Rangitāne o Manawatū	General – No specific	Oppose in part	PC-G introduces accidental discovery protocols to manage Rangitāne o	Rangitāne o Manawatū has established rights under section 6(e) of the

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	provision reference		Manawatū cultural expectations as part of a subdivision into the district plan.	RMA 1991, statutory acknowledgment within the Rangitāne o Manawatū Claims Settlement Act (2016) and under the New Heritage New Zealand Pouhere Taonga Act 2014, accidental discoveries and archaeology through these provisions are currently inherent to the ODP. The proposed duplication through new protocols in the plan is considered unnecessary and should not be included in the plan.
S17.001 Inga Hunter/ S30.001 Ee Kheng Ang/ S39.006, S39.007, S39.008 Anthony and Rosemary Gear/ S41.008 Brett Guthrie / S49.004, S49.005, Gill Welch/ S54.002 Barry Scott/ S55.002 Christine Scott / S65.003, S65.005 Steve Welch/ S80.001 Elizabeth Fisher / S90.002 Colin Perrin / S92.002 Tracey Yung/ S98.003 Sara Burgess /	General Stormwater erosion and flooding	Support	This group of submitters generally oppose PC-G on the basis that the effects of the proposed plan change on the environment are unclear based on the technical information available to submitters in the notified documents. Note: The flood modelling information provided to the submitters does not contain sufficient base information to enable the submitter to brief and engage a stormwater expert to peer review the accuracy of the flood model relied on for PC-G. The parameters and inputs into the flood modelling have not been available to the submitter.	That these submissions be accepted. The technical information relied on to produce the erosion, geotechnical, and stormwater reports in support of PC-G provide insufficient base information to enable the submitter to peer review the interrelated effects of erosion, geotechnical and stormwater and its effects on ecology prior to the call of evidence for PC-G.
S58.004 CTS Investments Limited, Woodgate Limited, and Terra Civil Limited	S32 Report Appendix 11: Stormwater Management Strategy	Support	Fundamental errors in some of the supporting technical reports that underpin the plan change. The effects of	That the submission be accepted. The reports do not contain sufficient base information to enable the submitter to brief and

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/S85.001 Gaylene Tiffin			PCG cannot be quantified in the notified documents.	engage a stormwater expert to peer review, the effects of stormwater are interrelated with erosion, Geotech and ecology/planting
S60.002 Horizons Regional Council	General Stormwater Erosion and Flooding	Support in part	The submitter supports Horizon's requested relief that flood management gives effect to the One Plan Policy 9-2. However, the submitter opposes That PCG's Structure plan as notified gives effect to the One Plan Policy 9-2 based on the information available in the notified PCG technical reports. The Horizons submission disclaims any accuracy of the flood model.	That PCG enables modifications and alternatives to the Structure Plan notified for the area, through the wording of the plan where the alternatives and modifications retain integrated infrastructure for growth based on accurate flood modelling.
S58.009 CTS Investments Limited, Woodgate Limited, and Terra Civil Limited / S45.002 PN Industrial and Residential Developments Limited/ S43.007, S43.010, S43.0012, S43.0014 Chris Teo-Sherrell/ S39.003 Anthony and Rosemary Gear/ S44.001 Sonia Park/ S72.001 Kerry Park	Structure Plan Maps	Support	These submission points are in oppose elements of the Structure Plan and Zoning Maps based. The submitter is opposed to a specific design solution being imposed through its Structure Plan without flexibility to respond if the effects PCG generates are different in nature to those envisaged by the masterplan process/structure plan - without a Schedule 1 RMA process.	That the submission is accepted. That PCG enables modifications and alternatives to the Structure Plan (and therefore the zoning map) notified for the area, through the wording of the plan where the alternatives and modifications demonstrate integrated infrastructure for growth.

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- The submitter wishes to be heard in support of these further submissions. If others make a similar submission, the submitter will consider presenting a joint case with them at a hearing.

[REDACTED]

[REDACTED], [REDACTED], with delegated authority to sign this submission on behalf of the submitter **Heritage Estates (2000) Limited (HEL)**

Date: 10 December 2022

Electronic address for service of submitter:

**Heritage Estates 2000 Limited ("HEL")**

[REDACTED]

Email: [REDACTED] and jointly provide all correspondence to HEL's consultant [REDACTED] : [REDACTED] at the same time.