Executive Summary

This report surmises that the Race Training Zone (RTZ) is one Unit. If the eastern side of Te Wanaka Road is not needed for its intended purpose then neither is the western side in order to enable effective implementation of residential development within the National Policy Statement on Urban Development Capacity (NPS-UDC) to fulfil housing demand. This report determines that because of the zones unique and niche characteristics, the RTZ needs distinct consideration from a planning perspective. It gives a legislated and robust view of proposed Plan Change C (PC C) under section 32 of the RMA. It enlightens readers about highly impactful aspects of scale and significance in relation to this proposal which essentially excludes affected residents as a major stakeholders. It is for an unknown reason that Council are not proceeding with a one-unit change to residential because affected residents agree with the zone-wide change. Furthermore, comprehensive consultation under section 32 was completed by a Consultant Senior Planner in 2008; consequently, both west and east were not-opposed to the entire unit becoming residential and commended this robust process. This report determines that because the zone carries very distinct planning considerations that proposed PC C is fundamentally flawed and residents have been entirely disregarded.

2 see: abbreviations and terms on page 2 within
3 see: abbreviations and terms on page 2 within
4 With reference to section 7, RMA (1991) referring to development and use
5 Undertaken by local planning consultancy with reference to Appendix 1
6 Te Wanaka Road
7 Te Wanaka Road
8 The Council decided not to continue with a planning change NOT the zones consulted east and west parties.
9 Impartial consultation process by Truebridge Associates in 2008 recommended a one-zone plan change to residential. See Appendix 1 for this document.
List of Abbreviations and Terms

The following are a list of abbreviations and terms used within this report:

ARG: “Affected Residents on the Western Side of Te Wanaka Road” also known as “affected residence” and “residence” who are signatories on the initial submission to Council.

SLW: Landowners Group that has been in existence since full one-zone consultation in 2008


NPS-UDC: National Policy Statement on Urban Development Capacity

PC C: Plan Change C called “Kakatangiata – Stage 1 Kikiwhenua Residential Area”

Western side meaning: Area of affected landowners who have supported zone-wide changes to residential since 2008. As major stakeholders of approximately ½ the zone they are still in support of zone-wide residential.

Eastern side meaning: Is the other major stakeholder of the zone

RTZ: “Race Training Zone” also known as “the Zone” and “zone” within District Plan Zone 21 and refers to a zone that is only suitable for zoning as race training or residential zoning

Unit: refers to the entire circa 40 Hectares of Race Training Zone unit (except Kamada Park on Te Wanaka Road) that is no longer needed and ought to have been within PC C.

PNCC: Palmerston North City Council”: also known as “Council” or “the Council”

Independent Planning: “Consultant report” also known as “local planning consultancy” and impartial “Consultant Senior Planner” see Appendix 1

Affected: Group required to be included in Councils consultation as part of One-Zone impacted s32 parties. (In accordance with planning law - RMA 1991).
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1. Introduction

The initial submission in relation to this report came from the affected residents on the western side of Te Wanaka Road. See appendix 1.

This group is made up of affected residents whom together own more than 15 hectares of land to complete the District Plan definition of what is contained within the unit - the “Race Training Zone” (RTZ).

Planning Setting

This report is situated within the Palmerston North City planning context.

Palmerston North City Council operates within the framework of the Local Government Act 2002 (LGA), the Resource Management Act 1991 (RMA), the National Policy Statement on Urban Development Capacity (NPS-UDC) and is required to consult with affected people in Palmerston North City under the District Plan.

A review of the contents of the District Plan shows that the “Race Training Zone” is a specialised unit for horse racing activities that are centralised on Te Wanaka Road; and there is a separate section contained within section 21 of the District Plan providing for this specialised activity\(^\text{10}\) which all affected residents on Te Wanaka Road agree that the whole zone be changed to Residential aside from Kamada Park.

There are significant lacking within PNCC evaluative reports in relation to proposed Plan Change C. This report therefore further examines Council consultation and reporting documents to assess the validity of Council’s proposed Plan Change C. Firstly under Council’s section 32 obligations; and, secondly through section 42A. In relation to this examination, no information has been found relating to any acknowledgement about the unique functioning of the unit and the heavily impacted residents left with dead land by not including it as proposed residential within this PC C.

\(^{10}\) District Plan Section 21: Race Training Zone, published November 2018
2. Submission Key Points

1. Have the properties on the western side of Te Wanaka Road, currently zoned Race Training, rezoned to Residential as part of Plan Change C.

2. If Council will not rezone the properties on the western side of Te Wanaka Road, currently zoned Race Training, to Residential, then the Residents object to Plan Change C and recommend the status quo remain.

Key Points and the RMA
The lack of analysis\textsuperscript{11} to inform this PC C is found specifically under section 2.21 of Council’s “Section 32 Report”. These reporting gaps are of major scale and significance\textsuperscript{12} to unidentified key stakeholders. It is clear that these inadequacies have major effect to the environmental, economic, social, and cultural fabric of racing unit and thematically relate to:

- robust and two-way discussions to inform a well-considered plan change
- identifying stakeholders and technical experts
- niche operation relating to purpose and function
- one-zone District Plan

Bottom line
Affected residents agree with the Council that the full unit should become residential except Kamada Park. The Council’s section 32 report is unfinished. All stakeholders within the current Race Training Zone are impacted by any change to land use. The zone functions as one unit, and agree as a unit, should have been considered as stakeholders within the key stakeholder section of Council’s section 32 report.

\textsuperscript{11} Section 32, RMA 1991
\textsuperscript{12} Section 32.1(c)
3. Our Advice
Under section 32 of the RMA, there is a mandate that Council must identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions of the proposed plan change. We note Council have included this requirement in their section 32 report on page 7 as follows:

“An assessment under subsection (1)(b)(ii) must –

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –
  • economic growth that are anticipated to be provided or reduced; and
  • employment that are anticipated to be provided or reduced; and
(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and
(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”

Advised Recommendation
As the next step, with regards to the Local Government Official Information and Meetings Act 1987, it would seem appropriate to lodge an Official Information and Meetings Act request. This request should spread more widely than proposed Plan Change C to include all information relating to the Race Training Zone.

4. Submission Concerns
The requirements for preparing and publishing evaluation reports are mandated in Section 32 of the Resource Management Act. To date, there are matters of major scale and significance that remain unaddressed by Council.

We wish to highlight points one and two from our submission (see Appendix 1). This concludes that there are only two valid options for the Race Training Zone under Section 32 provisions.

1. The properties on the western side of Te Wanaka Road, currently zoned Race Training, rezoned to Residential as part of Plan Change C.
2. If Council will not rezone the properties on the western side of Te Wanaka Road, currently zoned Race Training, to Residential, then the Residents object to Plan Change C and recommend the status quo remain.

Concerning points one and two above, we raise four key effects that are inadequately addressed; thus leaving large gaps in the analysis and formation of proposed Plan Change C. These effects\textsuperscript{13} come under the themes: consultation and robust planning changes; niche operation under purpose and function; the One-zone District Plan; identification of stakeholders and technical experts.

In particular, we highlight that section 32.1, part (c), requires that reports “contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects.”

More specifically, Section 32 evaluations and assessments provided by PNCC (as at the current day) fail to acknowledge that.

\textsuperscript{13} environmental, economic, social and cultural effect under Section 32 RMA, 1991.
5. Discussion

Within the following section, legislative planning and best practice are outlined with more detail. Themes of major scale and significance of this relate to:

1. Consultation and Robust Planning Changes
2. Niche Operation under Purpose and Function;
3. A One-zone District Plan; and
4. Identifying Key Stakeholders and Technical Experts

Point One: Consultation - Robust Planning Changes

It is acknowledged that Palmerston North City Council are required to operate within the local government context of the Local Government Act 2002 and provide for “democratic and effective local government.”

The forum “Quality Planning” is a portal available specifically for New Zealand Planners that offers best practice approaches to the plan development process.

Best practice in the area of planning consultation, notes

“While early consultation is important, councils should approach consultation as an ongoing iterative process through all stages of a plan development exercise. Make sure this is not a one-off event or series of disjointed encounters, and not perceived as a token effort.”

On the 27th November 2018, Council Officers were invited to an affected residence meeting which was attended by baffled western side residents.

It was frightening for western side residents to think that the very fabric of their niche’ zone had not been thought of in any kind of robust planning process. These residents have been completely ignored and information was not volunteered to assist this highly impacted group of non-planners. In relation to best practice noted above, western residence have been in no way of involved in an ongoing iterative process.

Best practice in the area of comprehensive consultation indicates, that:

“To enable effective and active participation in consultation throughout all stages of plan development, it is important that feedback is followed “by a process which confirms to participants that their comments have been considered in shaping a plan.”

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15 www.qualityplanning.org.nz
16 www.qualityplanning.org.nz/node/653
17 www.qualityplanning.org.nz/node/653
18 www.qualityplanning.org.nz/node/653
19 www.qualityplanning.org.nz/node/653
Best practice in the area of Section 42A reports:

“If particular issues arise from submissions (particularly unforeseen issues), consider entering informal or facilitated discussion with submitters on particular issues before finalising s42A reports.”

In the past 10 months the western community has been drip feed flashes of information. Residents’ concerns that have not been explored and entered in s42A reports. Now the Council is boxing ahead and will not engage with all concerns within their own Race Training Zone.

See Appendix 3 for Councils full response.

Point Two: Niche Operation under Purpose and Function

It seems logical to start by understanding what “race training” means in a “Race Training Zone” in light of proposed Plan Change C. Within the District Plan we find the planning equivalent of the dictionary for our city; including key information on the “Race Training Zone”.

The following points relate to what is set out within the District Plan under Section 21:

“An area of land adjacent to the rear of Awapuni Racecourse is an area of long-established race training establishments and activities centered on Te Wanaka Road and bordering Pioneer Highway”. p.1

A review of the District Plan shows that the “Race Training Zone” is (a zone for horse racing activities) centralised on Te Wanaka Road; thus providing a core safety-integrated corridor for this specialised activity.

The zones purpose is important because of the function it has. Therefore, this unit is for race “training”. Council agree we no longer need this unit in the City and that would mean there are only two rezoning options that are viable; either leave the unit as race training or zone it residential so the City is not grossly wasting land under the NPS-UCD.

As a baseline, because of the zones unique and niche unit characteristics, the “Race Training Zone” needs distinct consideration from a planning perspective.

The value of the zone is intrinsically linked to its niche operation and function. It would therefore be important that the unit’s purpose be established in relation to proposed Plan Change C; including, but not limited to Section 32 and Section 42A.

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20 Letter from Council on 10th July 2019 received by Grant Binns on behalf of the Te Wanaka Road Community
21 District Plan Section 21: Race Training Zone, published November 2018
22 District Plan Section 21: Race Training Zone, published November 2018
23 District Plan: Section 21, page 1
24 District Plan: Section 21, page 1
Point Three: One-zone District Plan
Since 2008\textsuperscript{25}, when robust consultation about the unit initially took place the affected residence have remained supporters of the one-zone land change and have been open to further consultation. On the 27th November 2018, western residents first heard details of Councils proposed plan to fragment the Race Training unit. As an example of the pre-work already agreed to, and a demonstration of this community’s unification, within 10 minutes of the residents meeting ending people in attendance agreed that this proposed Plan Change C was severely lacking in consultation and transparency. Ever since Council have minimised this group and still do not see that these residents are heavily impacted stakeholders and shareholders of the unit. Furthermore, these residents actually AGREE to the zone-use being change to residential.

Point Four: Identification of Stakeholders and Technical Experts
Within the Council’s Section 32 mandate to identify, examine and assess the benefits and costs of a proposed Plan Change; it is our planning perspective that Council have made no effort to identify, examine and assess the benefits and costs in relation to this unit. All directly affected stakeholders have not been recognised as part of this proposed Plan Change C.

Council Planners have had difficulty in identifying key stakeholders under section 2.21 of their “Section 32 Report”. It is agreed by resident’s that the current unit is no longer needed. Therefore through the NPS-UDC, and under this proposed change the commissioning of a “Race Horse Trainer” from within the training unit would be appropriate. This would mean that under section 2.25 of Council’s supporting evidence section within their “RMA s32 Report” a more comprehensive analysis of the unit could be provided. This PC C is fundamentally flawed because it should extend to commissioning an expert who is related to horse training and who lives and/or trains from within the Zone. This person would be perfectly placed to offer the Council a first-hand understanding of how the whole unit operates. We (ARG) are happy to provide assistance.

The landowners on western side of Te Wanaka Road are a significant stakeholders. If land on the eastern side of Te Wanaka Road is not needed for racing then neither is the western side. Consequently, if there is a partial change to one element of the zone then there are consequences of scale and significance for the rest of the unit. By way of proportion, proposed Plan Change C is not covering the whole training unit. Thus, this unit is proposed to be severely altered and the residents agree that the remainder of the unit should be changed because it is no longer required for its purpose.

5. Conclusions
The whole Race Training Zone unit agrees to a full zone change to Residential land use.

It has become evident that there is a clear lack of research, process and consultation over PNCC proposed Plan Change C. It is unclear why Council have proceeded without consulting affected residents. Furthermore, these residents agreed to change their land use to residential in 2008. All major stakeholders are in favour of one residential zone in support of the NPS-UDC.

Most of the Council’s work has already been done through previous Senior Consultant Planners. Therefore the Council will remain on track when they include associated residents as key stakeholders because this group effectively already agreed with facilitating quick implementation of this PC C to ease housing demand. It would not be foreseen that there would not need to be much more time spent in consultation in order for Council to fulfil their legislative requirements under s32. The One-zone timeframes are still agreed to by ARG and this group wants to assist in whatever way possible to support this proposed Plan Change C of the “Race Training Zone” Unit.

\textsuperscript{25} Consultation over the zone by Truebridge Associates (this report in Appendices)
6. Recommendations
These planning recommendations are made by ARG and directed towards commissioners who are the gatekeepers of this process.

- Council should fairly consider our submission and (their RMA obligations) by extending PC C to a one-zone change to residential land use.
- For our community to remain on track with the NPS-UDC the RTZ unit agrees to a one-zone change to residential (apart from Kamada Park). This recommendation is a great opportunity for Palmerston North City to gain the remaining 15 Hectares of residential land within the unit.
- The team of five technical experts commissioned by Council should extended to six because Council planners have been unable to successfully identify all stakeholders and therefore there is need for an expert in Horse Training who has a day-to-day and first-hand understanding of how the unit operates from a functional perspective.
- Promptly open submissions to a one-zone change – this would only delay the Council by one month in order to take further submissions and the Council would double the amount of land available to extend across the whole zone (almost double).
- Now is a good time to change to the residential one-zone because most residents were included in robust planning process back in 2008 and still agree with the full re-zone to residential.

Signed on behalf of and for,

[Signature]

Neil Wright

ARG
Key Stakeholder of Race Training Unit
All correspondence can be directed
arg.publicrelations@gmail.com
Appendices

Three appendices for this Planning Report are contained as references as follows:

**Appendix 1: Impartial and Professional Planning Consultation**
See Pages 12 – 15

**Appendix 2: Submission in Response to proposed Plan Change C**
See Pages 16-23

**Appendix 3: Planning Response from Council**
See Page 24
3 July 2008

Consultation Document for a Proposed Plan Change to rezone Race Training zoned land to Residential Pioneer Highway & Te Wanaka Road, Palmerston North

1. INTRODUCTION

1.1 Truebridge Associates Ltd has been engaged by the Manawatu Racing Club to prepare a Plan Change application that proposes to rezone Race Training zoned land to Residential zone on the corner of Pioneer Highway and Te Wanaka Road, Palmerston North.

1.2 A consultation document is being sent out to neighbours in the vicinity of the property seeking comments. The document being sent to yourself and approximately 13 other property owners differs slightly because you own land that is currently zoned for Race Training purposes.

1.3 If the land on the corner of Te Wanaka Road and Pioneer Highway was rezoned from Race Training to Residential, this would leave a strip of land on the south western side of Te Wanaka Road zoned for Race Training. This would be a small area of land and it is unlikely that the Council would see any sense in leaving this zoned for Race Training. The most likely scenario would be rezoning to either Rural or Residential. The reasons for the Racing Club seeking a rezoning are detailed below. I would be happy to meet with you to discuss your thoughts about this process. There is no guarantee that the Racing Club rezoning will be successful but we are proceeding as if it will be and there will be a public process for you to have your say.

1.4 The PNCC has been investigating new areas to rezone to residential for a number of years and is undertaking an Urban Growth Strategy to investigate options. Councillors have so far dismissed the previous top 3 options for residential growth recommended by PNCC staff and so new areas are being considered as possible options.

1.5 A plan showing the titles to be re zoned has been completed. The purpose of this document is to provide an opportunity for interested parties to provide feedback on the proposal. The application is in a
1.6 The Resource Management Act 1991 provides for any person or organisation to apply for a plan change. A plan change seeks to amend the District Plan to achieve an outcome sought by the applicant. In this case the plan change is seeking to rezone existing Race Training zoned land to a Residential zone under the Palmerston North City District Plan. At this stage the Manawatu Racing Club are not thinking of developing the land immediately but at some time in the next 10 years.

2. PROPOSED CHANGE

2.1 The land is owned by the Manawatu Racing Club and Christine Eales and initially was zoned Race Training for the Manawatu Racing Club.

2.2 The Manawatu Racing Club are attempting to move training facilities away from Pioneer Highway to avoid potentially hazardous incidents such as the horse escaping onto Pioneer Highway last year.

2.3 To achieve this the Manawatu Racing Club have purchased land at the end of Te Wanaka Road and Shirriffs Road to effectively replace the land that is currently zoned for Race Training purposes.

2.4 The Racing Club also have a draft agreement to lease land from PNCC between the landfill and the racecourse to enable the Racing Club to construct stables for 80 to 100 horses that would be stabled and trained on the track. The Racing Club have just constructed two large barns for the same purpose to accommodate 60 horses. The Racing Club would own the facilities and lease them to trainers.

2.5 Horse training around the country is becoming centralised onto strategic venues such as Awapuni. 6 or 8 locations have been identified by NZ thorough bred racing and Awapuni is one of them.

2.6 According to the Racing Club, trainers are saying that they want to be based as close as possible to the track to avoid the risk of the movement of horses. This also reduces the labour costs and time of staff walking horses to the track.

2.7 100 to 120 horses a day move to and from the racing track down Te Wanaka Road and the accident has highlighted the need to remove horses from major roads.

2.8 An indicative residential layout has been provided but this only serves the purpose of showing how many lots are likely in this area. Larger issues such as landscape design, roading layout and reserves have not been fully addressed.
3. THE PLAN CHANGE PROCESS

3.1 The key stages in a plan change process are as follows:

- Consultation Phase
- Preparation and lodgment of the plan change application
- Processing of request by Council (determining if further information is required)
- Provision of further information by the applicant
- Council consideration whether to:
  - Modify the request (only with applicants permission)
  - Adopt the request in whole or in part as a Council plan change
  - Accept the request in whole or in part
  - Deal with the request as a resource consent application
  - Reject the request
- Public notification of plan change stating whether Council agrees to adopt or accept the proposed plan change, allowing submissions to be made.
- Summary and notification of submissions
- Council hearing of submissions and decision on the plan change
- Applicant or other party can appeal the Council decision

4. SITE DESCRIPTION

4.1 The subject site consists of an area of 24.7 hectares. It is bordered by Te Wanaka Road, Pioneer Highway and the Mangaone Stream.

4.2 Currently race training activities are undertaken and there are dwellings and other buildings associated with the race training industry. The Race Training Zone only permits activities associated with the Race Training industry.

4.3 The subject site is zoned Race Training in the Palmerston North City District Plan. The District Plan explains that the area has been created to cater for race training activities.

5. COUNCILS

5.1 Discussions have been held with the Palmerston North City Council regarding changing the zone. They raised issues such as flooding and stormwater, access to the road network, servicing, how the proposal fits with the Urban Growth Strategy.

5.2 The Regional Council were contacted regarding flooding and stormwater disposal. They have provided information that the land
needs to be raised by up to 1.5 metres in some places and minimally in others so that the land is high enough to avoid becoming inundated by a 1 in 500 year return flood event. Normal subdivision works can achieve this.

6. INTERESTED GROUPS

6.1 Consultation has been undertaken with Transit NZ and local iwi groups.

7. CONSULTATION PHASE

7.1 This document represents the consultation phase of the project and we would appreciate any comments or questions that you have on this proposal. Please note that mitigation measures and controls proposed may be subject to change as a result of consultation. At this stage flexibility of the proposal is being maintained so that issues raised during consultation can be addressed and incorporated into the application if they fit within the scope of what the applicant is trying to achieve.

7.2 If you would like to make comment on this proposal or have any questions about it a separate submission page is attached or alternatively you can contact me directly at the contact numbers or email address listed below.

Craig Auckram  
Senior Planner  
Truebridge Associates Ltd

Ph (06) 357 9765  
Mob 027 256 4192  
Fax (06) 357 9762  
craig@truebridge.co.nz
SUBMISSION ON A PLAN CHANGE TO THE PALMERSTON NORTH CITY DISTRICT PLAN
CLAUSE 6 OF THE FIRST SCHEDULE | RESOURCE MANAGEMENT ACT 1991

TO: PALMERSTON NORTH CITY COUNCIL
PRIVATE BAG 11-034
PALMERSTON NORTH 4410
ATTENTION: TEAM LEADER GOVERNANCE AND LEGAL

Please read ALL instructions carefully.
Print clearly and complete ALL sections in this form (a number of people will read your submission, so please make sure if can be easily photocopied, read and understood).
Use separate submission forms for different plan changes.
Don't forget to provide a PHYSICAL ADDRESS, POSTAL ADDRESS AND CONTACT PHONE NUMBER.
Use additional sheets of paper if necessary, indicate above if you are doing so and attach them securely to this form.

Preferred Title (please delete inapplicable titles): Mr.

Full Name of Submitter: Grant Ronald Binns (For the Residents of Te Wanaka Road)

Plan Change Number and Plan Change Name: Plan Change C Kakatangiata

Your Physical Address (for courier purposes): 16 Te Wanaka Road, Palmerston North

Postal Address: PO Box 7036, Pioneer Hwy, Palmerston North 4443

Phone (Home/Mobile): 027 443 3099

Email: grant@mrbbuilders.co.nz

Signature: [Signature] Date: 29/1/19

Signature of the person making submission or the person authorised to sign on behalf of the person making the submission.
(NOTE: A signature is not required if you are making a submission by electronic means.)

1. Gain or affect

A. Could you gain an advantage in trade competition through this submission

Please indicate No
If Yes, go to 1b; if No go straight to 2.

B. I am directly affected by an effect of the subject matter of the submission that:

I. Adversely affects the environment; and
II. Does not relate to trade competition or the effects of trade competition

Please indicate: Yes or No
2. **The specific provisions of the Plan Change my submission relates to, are as follows:**
(Specify the page number, provision or map number in the Plan Change that your submission relates to:)

As Attached

3. **My submission is that:**
(State in summary the nature of your submission. Clearly state whether you support or oppose the specific provisions or wish to have amendments made, give reasons)

As Attached

4. **I seek the following decision from the Palmerston North City Council:**
(Give precise details)

As Attached

5. **Do you wish to be heard in support of your submission?**

| Please indicate: YES | Yes or No |

6. **If others make a similar submission would you be prepared to consider presenting a joint case with them at any hearing?**

| Please indicate: YES | Yes or No |

---

**NOTES TO PERSON MAKING SUBMISSION**

1. If you are a person who could gain an advantage in trade competition through your submission, your right to make a submission may be limited by clause 6(4) of the First Schedule of the Resource Management Act 1991.

2. If you are making a submission to the Environmental Protection Authority, you should use form 16B.

This submission should be received by the Palmerston North City Council BY THE CLOSING DATE for submissions to the Plan Change.

---

**PLEASE SEND YOUR SUBMISSION BY:**

<table>
<thead>
<tr>
<th>MAILING TO: Palmerston North City Council Private Bag 11-034, Palmerston North ATTENTION: Team Leader Governance and Legal</th>
</tr>
</thead>
<tbody>
<tr>
<td>FAX TO: 06 355 4115</td>
</tr>
<tr>
<td>DELIVERING TO: Council’s Contact Services Centre Te Manaakitanga o Hineaut Civic Administration Building The Square, Palmerston North</td>
</tr>
<tr>
<td>WEBSITE: <a href="http://www.pncc.govt.nz">www.pncc.govt.nz</a> to make a submission</td>
</tr>
<tr>
<td>EMAILING TO: <a href="mailto:submission@pncc.govt.nz">submission@pncc.govt.nz</a></td>
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</tbody>
</table>
Plan Change C: Kakatangiata Stage 1 Kikiwhenua Residential Area

This is a Joint Submission from the Residents on the western side of Te Wanaka Road whose properties are currently zoned “Race Training”. Jointly we would all like Council to:

1. **Have the properties on the western side of Te Wanaka Road, currently zoned Race Training, rezoned to Residential as part of Plan Change C.**

2. **If Council will not rezone the properties on the western side of Te Wanaka Road, currently zoned Race Training, to Residential, then the Residents object to Plan Change C and recommend the status quo remain.**

3. **See, before any construction work starts, the speed limit on Pioneer Hwy reduced from 100kph to 60kph starting at the Shirriffs Road intersection and continuing to the 50kph area at the City edge.**

4. **That Council place a maximum height restriction (equivalent to a typical single-story dwelling) on all houses in the new development fronting Te Wanaka Road to minimise their effect on the view for the existing residents.**

**1. Residential Zone Change**

The residents on the west side of Te Wanaka Road are directly affected by proposed Plan Change C (PC C).

The residents who have signed at the bottom of this submission all own land that is currently zoned “Race Training”.

We strongly object that Council is only proposing to rezone the eastern side of Te Wanaka Road when the PC C document, prepared by Council, provides all of the evidence required to justify zoning the “Race Training” zoned properties on the western side of Te Wanaka Road, to Residential at the same time.

Maintaining the Race Training zone is an inefficient use of the land (Council assessment PC C) and on that basis by not rezoning the western side, Council are disadvantaging the owners of these properties in favour of the owners on the eastern side.

The Policies associated to the Race Training Zone (section 21) are very restrictive and as such have the ability to penalise those who are not rezoned residential under PC C.

*Race Training Zone (section 21) Policy 1.2 to discourage activities from establishing in the zone, which are not related to race training activities.*
In our view, having to use the land for an activity that Council have researched and concluded there is no longer any requirement for such a use, would have to be seen as penalising the owner.

2. Maintaining the Status Quo

If Council cannot rezone all of the land currently zoned Race Training, excluding Kamada Park, the residents on the west side of Te Wanaka Road, currently zoned Race Training, require that none of the current Race Training Zone land be rezoned. This would ensure that the west side residents can still use their properties as provided for by the current Race Training Zone i.e. training racehorses in a somewhat protected environment.

If the east side only is zoned residential then in practice the option to train horses only on the west side is removed because the environment will be changed by the residential development and effectively become unsuitable for racehorse training.

Because of the Race Training Zone rules and policies, please refer to the objectives and policies of section 21: Race Training Zone of the PNCC District Plan, we believe the west side land will have substantially diminished potential use and, on that basis, will reduce in value.

At the same time the land on the east side of the road will increase in value with the new residential zone in place, this situation is very unfair.

If PC C proceeds without the residential rezoning of the Race Training zoned land on the west side of Te Wanaka Road, the land owners are left with very few options to enhance their property short of perhaps the establishment of a large Vet facility, (Because this is about the only permitted activity left that is remotely viable). This is only an option for one owner and we suspect that Council wouldn’t want such a facility in this location because the land is earmarked for residential development eventually.

PC C clearly demonstrates that the bulk of the land currently zoned Race Training (With the exception of Kamada Park) should be rezoned to residential because the land is no longer being used for the purposes that the zoning was originally established.

Using Councillors own research and conclusions, the Race Training Zone should be rezoned residential.

PC C provides several evidential references some of which are as follows:

a. Item 1.18 The land is considered surplus to requirement with the racehorse capacity that can be provided for at the Awapuni Racecourse itself and on RACE Inc partner facility Kamada Park at the south of Te Wanaka Road.

b. Item 1.20 -Aside from Kamada Park, no one else in the zone has been investing further into race training facilities.

c. Page 37 – The arguments presented under the headings ‘Costs’ and ‘Efficiency’ both support the zone change for property currently zoned race training.

d. Page 41 The section starting “With respect to the consideration of high class soils... the key points are:

   i. The land is not being productively used or zoned for productive use at present.
ii. The limited options for meeting residential land use needs across the city.
iii. The requirements under the NPS for Urban Development Capacity.

We believe all the comments above support our request to have the Race Training zoned land on the western side of Te Wanaka Road rezoned residential as part of Plan Change C. If this does not happen, these land owners will be severely penalised by this process.

2. Speed Reduction

We believe that Council need to arrange a reduced speed limit for Pioneer Hwy from Shirriffs Road to the Mangaone Stream of 60km per hour prior to development work starting on the subdivision.

The traffic reports contained in the Plan Change C document are in our view, somewhat flawed because they have not considered:

- The fact that peak traffic flows don’t necessarily create the most difficult time to exit Te Wanaka Road, especially a right turn.
- The additional traffic created by the construction process.

The report carried out some traffic movement monitoring at the so-called peak times in the morning and evening and while there is more traffic at these times, most of the vehicles are flowing in the same direction, either in or out of the City so generally one gap in traffic is enough to allow a road crossing.

From experience, it can be more difficult to make a right hand turn into Pioneer Hwy during the day when it is less busy but the flow is more consistent in both directions. In this situation you need a traffic gap in both directions at the same time and this, on some days, is much harder to find.

The development of this site is going to generate a lot of construction traffic movements for a very long time and much of this traffic will be heavy vehicles. At present there are only a few heavy traffic movements a day and because of the 100kph speed limit, some of these movements (Turning left or right into Pioneer) have to rely on the catching vehicles slowing down because while these trucks can move over (there is a large shoulder to start, for the right turn which soon narrows and a narrow shoulder for the left turn), passing these large vehicles is still an issue with oncoming traffic.

When turning right into Pioneer, most large trucks wouldn’t get close to getting up to speed before they must slow down again for the 50kph area, this means that the proposed right turn bay and acceleration taper will struggle to work for a truck when the merge speed is 100kph or even 70kph.

With the current level of heavy traffic, the existing setup works with the co-operation of the vehicles on Pioneer. Once the volume of truck movements ramps up, we don’t believe the intersection will be safe unless the Pioneer vehicles are slowed to 60 kph.
In a car, if you turn right onto Pioneer Hwy and accelerate hard to 100kph, you can remain at 100kph for around 8 seconds before you have to brake to 50kph. Most large trucks won’t reach 70kph by the time they reach the 50kph zone.

The following is our assessment of construction traffic during the construction period but because there are no proposed subdivision layout plans available, we have made the following assumptions to calculate potential truck movements during construction.

Assume 225 houses with say 20m of road frontage each produces 4500m/ 2 (On Both sides) = 2250m of road.

Some roads will be wider than others but if we assume the main roads have street parking and the minor roads don’t then assume and average width of 13.5m.

The total road area is 30,375m2 and because of the softer ground, we have assumed an aggregate pavement depth of 450mm.

This depth equates to 13,669m3 solid plus 20% bulking =16,402m3

And this equates to 2734 Truck movements (6m3 Truck) in and the same amount travelling off the site during construction. This does not include truck movements for the construction of:

- Road surfacing
- Kerb & Channel
- General earth works (Not sure if the pond excavated material will have to go off site)
- Drainage backfill (especially soakage backfill),
- Water supply,
- Sewer network
- Power, Gas & Telecom etc.
- Utility vehicles and small trucks

And then you add truck movements to build the houses, probably around 10 movements per house, another 4,500 truck movements through the intersection.

While there is no known time scale for the construction of the subdivision, this potential number of traffic movements will be frequent enough to create significant issues at the Te Wanaka/Pioneer Hwy intersection unless Council slow the traffic down to 60kph on Pioneer Hwy.

3. Height Restriction

The Isthmus assessment of Landscape and visual effects provides several references to the fact that that PC C will result in a fundamental change in landscape character.

The residents accept that city growth is necessary and with it comes change but it is hoped that Council can include a maximum height restriction (equivalent to a typical single-story dwelling) on all houses in the new development fronting Te Wanaka Road (only) to minimise
the new developments impact on the view for the existing residents. This height restriction will ensure that any retained trees and vegetation (as recommended by Isthmus) remain visible and are not blocked from the view of existing residents by two story buildings. The residents accept that other planting and screening will help to lessen the impact of the development, but this will take time to grow and develop.

8.15 Viewpoint 2: States “that retained mature vegetation will provide some screening, enabling the new development to appear well established” which we agree with providing of course that the view isn’t blocked by tall buildings.

The introduction of a height restriction for any new buildings fronting Te Wanaka Road would be in line with the Isthmus report, page 31, sec 9.8 states “which should follow a layout which relates visually to existing development on the opposite side of Te Wanaka Road.

In appendix B of the Isthmus report, page 27 – Possible Housing Typologies, shows several housing options for the area, none of which are single story. As existing residents, we believe none of the options shown on this page are acceptable solutions for a Te Wanaka Road frontage.

**Summary**

The residents on the western side of Te Wanaka Rd, currently zoned Race Training, strongly believe they will have been treated unfairly and are being penalised if their land is not zoned residential as part of Plan Change C unless the status quo remains.

The residents also believe that regardless of what physical work is done to the intersection, the only way to make it safe for all road users is to slow the Pioneer Hwy traffic down well before it reaches the Te Wanaka Road intersection. If construction traffic can’t get out easily and safely, there will be considerable holdups for everyone leaving including residents. The combination of exit difficulty and traffic volumes will create an unsafe situation at the Te Wanaka Rd intersection unless the speed along Pioneer Hwy is reduced to 60kph from Shirriffs Rd to the City edge.

The residents request that Council restrict the vertical height of houses fronting Te Wanaka road to single story to minimise the impact the development will have on their view.

**We wish to be heard during the submission process.**

Prepared On behalf of the affected residents on the western side of Te Wanaka Road By

Grant Binns Phone 027 443 3099
Postal Address
Box 7036, Pioneer Hwy
Palmerston North 4443

Delivery Address
16 Te Wanaka Road
Palmerston North

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108 Te Wanaka Road
Currently occupied on a long-term basis.
10 July 2019

Grant Binns
Milmac Homes Ltd
PO Box 7036
Pioneer Highway
Palmerston North 4443

By email: grant@mrbbuilders.co.nz

Dear Grant

IMPORTANT CORRESPONDENCE REGARDING YOUR SUBMISSION ON PROPOSED PLAN CHANGE C:
KIKIWHENUA RESIDENTIAL PLAN CHANGE

The Council’s reporting officers on Proposed Plan Change C: Kikiwhenua Residential Plan Change are currently preparing their evidence which will be presented to the Hearing Panel on the plan change.

This letter is to give you advance notice that the reporting officers have reached a view that there are parts of your submission that seek a decision outside the jurisdiction of the Hearing Panel to grant or allow — Specifically, your request for a decision that extends the proposed rezoning over the entire Race Training Zone is considered to be beyond the identified scope of the plan change area (being the Kikiwhenua Residential Area). The position of the reporting officers will be that these parts of your submission are not made on the proposed plan change, as it is described/defined in the plan change documents.

This issue is one of procedural fairness to the public and specifically other potential submitters who are not already involved in the plan change process. The reporting officers are obliged to raise this jurisdictional issue with the Hearing Panel.

Please note that the Hearing Panel will be required to determine whether the submissions are properly regarded as submissions on the plan change. Accordingly, you are certainly encouraged to remain involved in the plan change process and participation in the Hearing of submissions scheduled for 20 and 21 August 2019 where you will be welcomed to express your views to the hearing panel on the jurisdictional issue raised by this letter, and any other matter you wish to speak about in relation to your submission.

The reporting officers expressly acknowledge that your submissions seek an alternative decision from the Hearing Panel that the “status quo” of Race Training Zone remain in place. The reporting officers wish to be clear with you that maintaining the status quo of Race Training Zone in respect of the plan change area is certainly a decision that the Hearing Panel is entitled to make.

Yours sincerely

[Signatures]

David Murphy
CITY PLANNING MANAGER

Keegan Aplin-Thane
PLANNER

SMALL CITY BENEFITS | BIG CITY AMBITION