Hearing for Plan Change C: Kikiwhenua Residential Plan Change

Additional Supporting Information

Introduction

Name: Grant Binns (NZCE Civil, REA)
Position: Contract Manager

MilMac Homes Ltd is a small property development business owned by my son Michael Binns who also owns MRB Builders Ltd which is a small building company that employs 6 full time and 2 part time staff. The businesses are based in Palmerston North.

We have developed sections for our own builds as well as sections to sell to other small builders.

Opening Statement

Unfortunately, as property owners in the race training zone of Te Wanaka we believe we have been treated unfairly and have been backed into a corner by the process used by Council to develop Plan Change C.

The Council process has completely ignored us and other street residents during the preparation phase of the Plan Change by providing us no opportunity to be involved in the process prior to the plans release.

We now find that Council want to restrict our comments to the land on the other side of the road which we also find very unfair. We need a chance to outline our concerns and this is the only opportunity we have been given.

We believe we are Key Stake Holders because the Race Training Zone is unique and being left behind in the RTZ will create major disadvantages for us, some of which we hope to demonstrate during this presentation.

For some reason Council Staff have completely failed to see or comprehend the impact of the situation they propose to create with the current Plan Change C.

We have no objection to the residential development of the land on the eastern side of Te Wanaka Road, but we have no option but to Claim that Council have failed in their due process while developing Plan Change C and by leaving the western side of Te Wanaka Rd zoned RTZ, and making the other side of the road residential, they are doing the opposite to what the RTZ was originally setup for.
Council then provide evidence, in Plan Change C to say the RTZ is no longer required, but the proposal they develop leaves the land owned by the bulk of the landowners in the RTZ still in the RTZ, Why?

And then Council don’t appear to realise that the management rules within the RTZ are extremely restrictive, even though they wrote them, and that by establishing residential development on the other side of the road which would remove the safety features for horses etc, they have effectively ruled out the use of the land on the western side for RTZ activities should any of the current land owners want to train horses.

We are left with no option but to object to Plan Change C until Council treat the entire zone fairly and rezone it all to residential at the same time.

Comments on our Submission

Evidence on the restrictive nature of the zone

Ref 1: A Copy of the title plan for 16 Te Wanaka Road – noting a vacant section which under the RTZ rules cannot be built on unless it is for a horse trainer or a jockey and we have been told that they have to be working with horses on our property.

Ref 2: Consent application and Plans for a proposed relocatable office building and temporary yard at 16 Te Wanaka Road for our building and property development business.

Ref 3: Correspondence from PNCC including rejection of the proposal because it does not comply with the RTZ. Council also comment:

a. That the District Plan under methods note the following: ‘The small size of the Zone and the importance of retaining its race training role, make a strict regulatory approach the only appropriate and effective approach to managing the land’

b. The above letter is dated the 15 April 2019, is signed by a Senior Planner and is approximately 6 months after Plan Change C was made public and included comments that the RTZ was no longer required.

Ref 4: Response from us including an option for a Horse rehabilitation facility and seeking comment on suitability for the site.

Ref 5: Follow-up email requesting comment on our alternative horse rehabilitation facility. Please note – We still have not received comment on this proposal.

Traffic Assessment

Traffic Volumes - We are surprised by the traffic assessment commissioned by the PNCC which only looked at the impact of the subdivision once it was complete and that it did not consider the impacts of construction traffic during the subdivision build process. From our assessment, the effects of construction traffic would be a lot more than minor.
This is another example where Council have failed to assess the impacts of the plan change proposal on residents of Te Wanaka Road.

**Peak Flows and Speed Assessment** – As outlined in our first submission, the peak times investigated in the report don’t match the most difficult times to exit Te Wanaka Rd towards the city. We also note trucks leaving Te Wanaka Road towards the City, create the biggest problem for traffic on Pioneer Hwy due to the speed differential. This situation will get considerably worse once construction work starts. If the speed limit on Pioneer Hwy isn’t substantially reduced before work starts on the site, we believe someone will die at this intersection.

**Developer Supplied Network Services**

Council need to table the expected level of Development Contributions if there is an expectation that the developer is going to contribute to network services, as indicated in some of the services reports.

Developers pay Development Contributions to Council for every new section developed and Council policy states that this fund is to be used to provide new infrastructure necessary for further development.

Based on some of the infrastructure reports in the Plan Change document, it looks like Council are proposing to deviate from their own policy and if this is so, developers need to know the overall impact this will have on project costs at a very early stage.

**Council Letter Dated 10 July and the reply from The Residents.**

We are very disappointed that Council have recommended that some of the comments made by the residents and ourselves are out of scope for this hearing process. If Council had fully researched the impacts of their proposal and communicated with the residents during the preparation of Plan Change C, we are sure we would not be in this situation now.

We submit another copy of the residents reply to the Council letter of the 10th of July as support for the statements they have made.

We too believe the Council process is flawed in that they failed to Consult with all affected parties and by not rezoning the Western side of Te Wanaka Rd to Residential, these landowners will be severely disadvantaged.

Ref 6: Copy of the resident’s letter
Previous Plan Change Processes
Ref 7: Copy of a letter from Truebridge Associates Ltd dated 3 July 2008 which shows that when the Racing Club first looked at this project, they treated the other RTZ landowners differently from the other neighbours (Para 1.2).

a. They also promoted the most likely sensible scenario, being the residential rezoning of the western side of Te Wanaka Road.

b. And as can be seen in the letter, they consulted with everyone early in the process, not after the process was complete.

The current PNCC process hasn’t considered or promoted either of the above options.

In 2010, the Council’s own Residential Growth Review identified this area through to Shirriffs Road as a preferred area for residential development, but Plan Change C stops well short of that.

Council have had various residential growth reviews over the last 10 years and while some land packages have been converted to residential in that time, demand is still well ahead of supply to a point where many smaller builders are struggling for work, they have clients but no land to build houses on.

Urban Growth
Ref 8: In a letter from Council dated 30 October 2018, titled ‘Urban Growth’, it was stated that the City was likely to be short 4600 houses over the next 10 years. Milmac Homes Ltd responded to this letter and met with Council staff to discuss the issues we were aware of and to hopefully provide some helpful feedback.

The key to solving a housing shortage is to ensure there is enough suitable land available that is serviced with good infrastructure.

To achieve this result, you need to make land available at a faster rate than it is being built on and this isn’t happening and hasn’t been happening for some time.

Why aren’t Council making the most of this opportunity? The Western side residents with significant land holding have 15.23 hact which would equate to around 160 sections. We believe this would provide a valuable deduction to the city’s predicted shortfall in housing rather than waiting another 5 to 10 years.

This reason has some major projects starting or about to start and these will stretch local resources which could slow down property development and put further stress on the housing market.

Making land available as fast as possible will provide major benefits in getting land development projects across the line.

Major projects include:

- Turitea North Wind Farm
- Turitea South Wind Farm
Other projects which may also have an impact on local resources include:

- Waverly Wind Farm
- Hawkes Bay Windfarm

These are just the projects we are aware of.

The city is in despite need for residential land and we would have thought the more land that Council can change to residential, better.

Central government has put demands on local government to provide land for housing so that supply exceeds demand.

We believe this Council has a long way to go despite the recent news article from Mr Murphy.

Thank-you for the opportunity and we look forward to your response.

Yours faithfully

Grant Binns
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Milmac Homes Ltd
MRB Builders Ltd.
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11 March 2019

To: Palmerston North City Council
    Private Bag 11-034
    Palmerston North 4410

Resource Consent Application for Relocatable Offices and Temporary Yard at 16 Te Wanaka Road.

Introduction
Milmac Homes Ltd own 16 Te Wanaka Road which is a land package of 12,200m2 in size and we want to make better use of this land while accepting that at some stage in the future, the area will be zoned residential.
Council has stated, in the Plan Change C document, that “Maintaining the Race Training zone is an inefficient use of the land” and we agree.
We would therefore like to obtain a “term” resource consent for the establishment of relocatable offices and a relocated garage on the separate title (Lot 1 DP 19592) within the property and a metalled yard, perhaps with a 4 bay implement building to be constructed on the larger block of land as an accessory building for the existing house which is on the same title. This building, if constructed would be just on the other side of the small lot boundary to ensure the overall development remains compact. Please refer to the attached drawing (Which could be subject to change to fit in with existing trees).
We fully understand that eventually this area will be rezoned residential and that the surrounding environment won’t be suitable for the operation that we are proposing so we are quite prepared to relocate the operation when that time comes. In saying this, the proposed plan change C will retain Kamada Park and its activities and this operation generates considerably more traffic than we propose and all of their traffic travels past existing residents whereas none of our proposed traffic will travel past any of the existing residents.
Our proposal is to simply make better use of our land to minimise the holding costs.

Site Description
The site consists of two titles:
Pt Lot 1 DP8486 1.1162 Hectares
Lot 1 DP 19592 1012m2
The site is essentially flat with a mound at the front and the rear.
The larger lot contains a house and two sheds with a metalled drive and yard at the rear.
The proposed office and yard layout is described in more detail below and can be seen on the attached plan.
Offices
The offices will consist of two buildings, 2.952m x 8.972m and they will be facing each other and joined by a deck, approximately 2.5m wide which will be covered with a Clearlite roof. The buildings will have Linea weatherboard and Linea Oblique cladding to improve their street appeal. They will be framed with 90x45 timber on 125x100 skid type bearers. The building will be setup on a level compacted aggregate base to ensure stability. Each building will have the ability to be fitted with loading hooks so the building can be picked up and transported by truck. This size of building is the largest we can construct and still move without a special permit.

At this stage the new offices will be rented to MRB Builders Ltd (a sister company).

Services
The new office buildings will be fitted with a a toilet and a small kitchen. No other facilities will be required.
The offices will require:
1. A new power connection.
3. A sewer connection, either direct into the existing main on the street or via the existing house connection.
4. A water connection to the existing bore
5. Stormwater will be managed on site.

Site Access
Site access to the offices and the new yard will be via the existing vehicle crossing on the small lot. This is beside the entrance into the existing house. This vehicle crossing is 90m from the Te Wanaka Rd – Pioneer Hwy intersection.

Yard Development.
We propose to construct approximately 500m2 of metalled yard which will be used as an equipment storage area and vehicle park.
All stripped topsoil will be retained for spreading back over the site once it is returned to natural ground.
We propose to install a relocated garage on the site as shown in the plan. This garage is 7.5x5.5m and will be used for the secure storage of small plant and equipment when it is not being used on the job. The building will be relocated onto a concrete footing but would only have a compacted aggregate floor.
Subject to the conditions on this consent, should it be approved, we may want to install a four-bay pole shed, for larger equipment storage. It is known in the industry that garaging plant out of the weather substantially lowers plant maintenance costs. The possible pole shed will be a standard kitset shed with 3.6m wide bays, 6m deep and we would close in one of the bays. The back of the shed will face the road frontage which screen other equipment in the parked in the yard.
We will apply for the necessary building consents when and if this part of the project is approved to proceed.
We will construct onsite parking for office staff and some site staff cars, should they be working out of town.

Assessment of Environmental Effects
We don’t believe the proposed operation will result in any major adverse effects on the environment. We believe the nominated site is suitable for the proposed operation and it has an existing vehicle crossing. The proposed buildings are in-keeping with the local rural outlook and the pole shed, should it proceed, would be a permitted activity based on the current rules as would the other buildings if we intended to train horses.
All vehicle movements to and from our proposed site don’t involve travel past any of the existing residents.

We believe the impact of the proposed operation will be less than minor.

Once the yard is established, there will be no other building activities on the site. We are not proposing to build any surfaces that would be suitable for the manufacture of house frames etc. There is usually only office staff on site during the day and they both work part time as indicated below. The site has a mound along the front fence which provides visual screening from the road and the neighbours (if any) across the road. Any noise from the site would only be vehicles leaving in the morning and returning late afternoon.

Beside the mound at the front of the property, another mitigation measure is to surface the proposed yard with a compacted layer of AP40 basecourse rather than leaving an AP65 surface. This material will provide a smoother surface and help reduce vehicle noise.

We have not consulted the neighbours at this time because we believe any impact on them will be less than minor.

Our immediate neighbour on Te Wanaka Rd is a driveway to a back section (No 44) that has no dwelling on it. As far as we know the land is leased and the owner lives in Australia.
The next neighbour on Te Wanaka road is at No 40 and their dwelling is at least 70m from the proposed office and at least 60m from the centre of the proposed metalled yard. Our operation and traffic movements described in our application will create less disruption in the form of traffic noise than the existing activities on Te Wanaka Road, which is 31m away.
The property to the rear, 100 Pioneer Hwy, is owned by the applicant and the dwelling is more than 100m away from the proposed yard.

We don’t believe the scale of the proposed activity is significant and would warrant any kind of monitoring.

The proposed activity will have no adverse effects on any customary right.

Because the existing zoning includes commercial operations linked to horse training activities which include truck operations and the movement of staff vehicles, our proposed yard activity is in keeping with existing activities within the area. The offices will not operate any differently to the houses in the street or the offices within the Racing Club or Kamada Park. The effects of our proposed operation will be less than minor when compares to other activities in the street and as previously stated, vehicles from our site will not travel past any of the existing residences in the street.
Most of this proposed activity won't be visible from the street. We have also stated that the proposed offices will be clad with typical housing materials so they will not look out of place. Should we proceed with the pole shed, the appearance of this type of building, in this essentially rural looking area would not be out of place with its surrounds. Under the current zoning, offices and accessory buildings are a permitted activity providing they comply with the performance standard. We also note that policy 1.2 of section 21 uses the word “discourage”, it does not say restrict and Council have acknowledged in the proposed Plan Change C that the current zoning is no longer appropriate for the bulk of the land with the zone.

We are also proposing that the entire setup is temporary.

**Occupation Numbers**

MRB Builders office staff are part time.
Nicky works Monday & Tuesday for 7 hr per day and Wednesday, Thursday and Friday for approx. 4.5 hr per day.
Grant works Monday & Tuesday for 9 hr per day.
The other staff (6) are usually only on site for 1 – 2 hours per week. These staff generally go straight to site. The exception is a Friday when staff come into the office for a meeting. This would involve 6 people for an average of 1 hour ea. So, all up 8 hours per week total across all field staff.

**Traffic Movements**
The office staff will create an average of 10 movements per week in 2 private vehicles.
The field staff generally go straight to the job but they may need to come back to the yard at odd times to collect specialist tools. They usually also come back on a Friday for a meeting.
On this basis we would assume 10 traffic movements per week 3 with private vehicles and 7 trips with company vehicles (1 utility and 2 vans).
We have one light truck and one heavy truck doing foundation and other work. These vehicles are usually based in the yard but will stay on site if they are working out of town.
We should assume that these vehicles will create an average of 10 movements per week (in and out each day).

Prepared By: Grant Binns
Grant Binns  
P O Box 7036  
Palmerston North 4443

grant@mrbbuilders.co.nz

Dear Grant,

RETURN OF INCOMPLETE RESOURCE CONSENT APPLICATION PURSUANT  
TO SECTION 88 OF THE RESOURCE MANAGEMENT ACT  
16 TE WANAKA ROAD, PALMERSTON NORTH  
LU 5006

Thank you for the information provided on 9 April 2019 as a result of the meeting and my letter dated 25 March 2019. I do note that the information provided is still considered insufficient to formally accept and process the resource consent application.

Section 88 of the RMA 1991 notes that ‘the application must contain an assessment of the activity against—

(a) any relevant objectives, policies, or rules in a document; and

(b) any relevant requirements, conditions, or permissions in any rules in a document; and

(c) any other relevant requirements in a document (for example, in a national environmental standard or other regulations).

I note that the Race Training Zone (operative zone of the site) has the following objective and policies:

To encourage and promote the long term use and development of the land in the vicinity of Te Wanaka Road for race training activities.

Policies:
- To enable the establishment and operation of a range of race training and related activities.
- To discourage activities from establishing in the Zone, which are not related to race training activities.
- To recognise established residential uses in the Zone.
- To avoid, remedy or mitigate any adverse effects on any residentially used properties in the Zone.
To maintain the safe and efficient operation of the land transport and state highway network with regard to movements of vehicles and horses within the Zone.

To recognise the specialised requirements for access to the Awapuni Racecourse on race days and the potential for conflict between high speed traffic, other vehicles and horses on the State Highway.

To avoid, remedy or mitigate any adverse effects on the land transport and state highway network arising from activities operating within the Zone.

I also that the District Plan under methods note the following: 'The small size of the Zone and the importance of retaining its race training role, make a strict regulatory approach the only appropriate and effective approach to managing the land'.

For Council to formally accept the proposal, the application will need to make reference and assess the proposed activity against the objectives and policies of the District Plan. As noted in the voicemail message left on your phone that such an activity is not anticipated by the current objectives and policies. We do note that the current plan change in the system is unable to taken into account for the processing as it is not considered to be relevant to the site at the moment. Therefore to consider such an activity on the site in question, the proposal has to be unique to the site or there are special circumstances that is unique. If this is the case, then this will need to be well elaborated/ emphasised in the application.

You are entitled to formally object to the return of this application pursuant to Section 357 of the Resource Management Act 1991. If you wish to object then the objection must be made in writing and served on the Council, to the attention of the Head of Planning Services, within 15 working days of the receipt of this letter. The objection must state the reasons for objecting.

Should you have any queries in relation to the above information or information that needs to be supplied as part of your application please contact Swastika Nadan on 06 3568199 or alternatively email swastika.nadan@pncc.govt.nz.

Yours sincerely,

Swastika Nadan
SENIOR PLANNER
16 April 2019

Swastika Nadan
Senior Planner
Palmerston North City Council
Private Bag 11034
Palmerston North

**Te Wanaka Road – Temporary Office & Yard**

Dear Swas,

Thanks for your letter dated 15 April in response to our request to establish a relocatable office and temporary yard on land, owned by the company, at 16 Te Wanaka Road.

We are extremely disappointed in the Council response and we struggle with the need to fully comply with the rules in the District Plan for the “Race Training Zone” when Council have prepared a report (contained in Proposed Plan Change C) which states that the “Race Training Zone is no longer required” and “That the Race Training zone is an inefficient use of land”.

We considered our request for a “temporary consent” was in keeping with the proposed changes for the area as detailed in Plan Change C in that once our operation posed an issue for the new residents in the area, we would pack up and move.

Because Council have required us to justify our proposal with total regard to the existing plan rules for the area (Race Training Zone), we are forced to reconsider our options for the site because we know this requirement is impossible to match with the temporary land use we proposed.

We need to create a more productive use for the land, we own at 16 Te Wanaka Road and 100 Pioneer Highway and this use will obviously need to be a race training related activity as we now know we will not obtain consent for anything else.

The down side of having to use our land for a race training linked activity is that we will need to vigorously oppose Plan Change C because any investment we make on race training activities on our property will be wasted if the land on the other side of the road becomes residential.

A major residential development on the other side of the road will be a big issue for our property because as you are aware, our property is the first in the street and the furthest from the
racecourse, so we are the most effected by any residential development on the other side of the road.

We have looked at other options for the site in the past that are linked to race training such as a new vet facility (which was mentioned in our submission on Plan Change C) but after taking advice from people involved in the horse and racing industry, we would like to get an opinion from Council on the following.

Would the following proposal, in principle be acceptable to Council and meet the requirements of the current Zone?

**MilMac Equine Rehabilitation Facility**

We, along with some other interested partners are proposing the establishment of a rehabilitation facility for race horses and others who have been injured and require a controlled rehabilitation programme to get them back to full fitness.

The site is ideally located with access to:

- Totally Vets
- Manawatu Race course
- Massey University Veterinary School.

We are proposing to establish facilities for up to 20 horses on a live-in basis plus the facilities and staff will be available for other clients on a casual basis.

The site will have:

- Stables
- Walking yards
- Exercise paddocks
- Plunge pool
- Water treadmill
- Hay Barn
- Feed Shed
- Waste Bunkers
- Office Block
- Vet Block
- On Site accommodation

Some of the above facilities are available at the racecourse and these will be used initially while the full site is developed. Because the race track is available at the end of the road, and there is a bridle track running the full length of Te Wanaka Road, the race track will also be used for full workouts to build up stamina and fitness.

The site will have offices, live in accommodation for an onsite Vet, and 2 stable hands to enable 24/7 care of the horses.
Additional staff will include a site manager and additional stable hands, jockey’s etc for the rehabilitation programmes as they progress.

**Horse Re-homing**

We also acknowledge that the Racing Industry in New Zealand and overseas is investing considerable sums of money in “Re-homing” horses once they are retired from racing, so it is our intention to also provide facilities to cater for this role. This will involve providing space for retraining horses and housing them while new owners are found.

This side of the operation will also employ one person.

**Horse Breaking Inn**

While we have considered providing this service, at this time we don’t believe we will have enough space to provide the necessary facilities for this operation. We believe this will be an area of potential growth.

We hoped Council would be **caring** and **innovative** in their decision-making process while allowing our business to be **sustainable** and **prosperous** by making better use of the land we own. (As you will be aware, the four words highlighted above feature at the bottom of the PNCC letterhead).

As Council are insisting that we use the site as required by the current zoning and not as indicated in their Plan Change C report, we hope we will get a favourable response for the above proposal.

Yours faithfully,

Grant Binns
Business Manager
Hi Swas,
Further to your letter from last week, can you please provide comment on the alternative use enclosed in the attached letter.

We look forward to your reply.

Regards

Grant Binns
NZCE Civil, REA
Contracts Manager
9 August 2019

David Murphy  Keegan Aplin-Thane
City Planning Manager  Planner
Palmerston North City Council  Palmerston North City Council

Dear David, Keegan,

**Important Correspondence Regarding the Council Position on Our Joint Submission on Plan Change C: Kikiwhenua Residential Plan Change**

Based on further advice, we respond to Council's letter 10 July 2019 as follows:

We note Council's key statement as follows:

"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."

If the above is in fact correct, when do the balance of the landowners and rate payers in the Race Training Zone (RTZ) get their chance to have a say on being left out of the proposed plan change?

Our advice indicated that under section 32 of the RMA 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:

"(2) 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 -
(i) economic growth that are anticipated to be provided or reduced; and
(ii) 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."

While Council may have considered the above requirement for the current proposed Plan Change Area, it is our view that Council have made no effort to consider any of these impacts on the immediate area surrounding the proposed site and in particular the balance of the land within the current RTZ, this is grossly unfair and undemocratic.

Based on the Council comment in their letter dated 10 July, it appears Council now want to exclude our concerns from the public process.

As Council's own report outlines:

1. The RTZ is a special purpose area with highly restricted land use.
2. Investment has not been made within the RTZ for horse training activities for many years
3. Maintaining the RTZ is an inefficient use of land.

All the above have been outlined in our submission.

We believe Council should have focused on the RTZ, not just the parcel of Land they wished to change, because being left out of that zone change means that we now own land that can’t be used for the purpose that it is currently zoned for (if we wanted to) and because of the restrictive nature of the RTZ the land can’t be used for much else.

The main reason for the change to the RTZ in the first place is outlined on page 10 of the Section 32 report prepared by Council namely:

"1.22 Pre-existing residential land use is provided for as a permitted activity, but new residential buildings and subdivision is discouraged to manage reverse sensitivity effects on race training and agistment activities that:
   a. Predominantly operate earlier in the morning than residential activities;
   b. House noise sensitive activities; and
   c. Require horse cartage and riding to and from the Racecourse in a safe manner."

While we note on page 6 of the section 32 report, Council believe

"the Te Wanaka Road corridor provides a buffer between horse training and residential land use to avoid noise sensitivity effects."

We would like to know what technical expertise Council sought before making this statement as our technical horse training expert believes this is a long way short of correct. Noise and track access were the main reasons for the RTZ in the first place and now Council are effectively saying that it is acceptable to maintain the RTZ on the balance of the properties without either a suitable separation from noise and the general public (20m) and without a specific access to the track to help control horses should they bolt, as happens and in the worst case, caused a death on Pioneer Highway.

It would appear from the stance outlined in Councils letter of the 10th July that they want to give the west side RTZ residents no opportunity at all to put forward their concerns about being left in the RTZ and the disadvantages that this creates.

It is hardly the fault of the west side residents:

1. That Council has chosen not to consult with them during the development phase of Plan Change C or
2. That Council has completely ignored the impacts of Plan Change C on the west side properties.

It would appear Council didn’t want to deal with all the RTZ landowners because Council believed it was easier to draw the line on the eastern side of Te Wanaka Road and deal with fewer landowners. Council however made no effort to engage with the Western side RTZ residents or any residents through to Shirriffs Road to determine how difficult or easy it might be.

Council have however approached the residents in the entire area in the past in 2010 when they prepared the Residential Growth Review – Issues & Options information, and since with other proposals, so to many of the residents, the proposal for residential rezoning wasn’t going to be new.
While the Council report states they have consulted with key stakeholders during the preparation of the Plan Change, we would vigorously dispute that claim. They appear to have forgotten to consult with the people who are affected the most by what is proposed in the Current document.

The letter of the 10 July also states:

“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.”

We find it interesting that Council are now concerned with procedural fairness when from the resident’s perspective, we believe the process has been anything but fair by excluding the residents completely from the preparation process and now trying to exclude their concerns from the hearing process.

Council staff were invited to attend our first local residents meeting so they could outline the proposed Plan Change C, what it would mean for the local residents and how the process worked. At this meeting the residents were told by Council staff, that if they want to be involved in the process, they had to be involved from the start. They will be unable to join the process at a later date.

Council ignoring the impacts of Plan Change C on the western side RTZ residents is unacceptable, as is assuming it would be too difficult to deal with a larger area without obtaining supporting data. And now Council are wanting to censor what we have to say about being left out when they have given us no previous opportunity to comment.

Because Council:

- Appear to have a total lack of understanding of their own Race Training Zone policy, the reasons for it and the impacts of it.
- Have completely failed in their duty of care to all affected residents.
- Want to ignore the impacts this proposal will have on the RTZ West side residents.
- Have not fully evaluated the economic and social impacts the proposed plan Change C will have on the western side RTZ landowners.
- Have not consulted with all affected parties as part of their process in developing the PC C Proposal.
- Expect the west side landowners to live with the very restrictive conditions of the RTZ and probably lose value because the land will no-longer be fit for the zone.

We recommend to the Hearing Panel that the process be put on hold until Council meet all their obligations and develop an acceptable solution to the west side RTZ residents that will not impact on their land values or future operations of their land.

Signed by

[Signature]

Neil Wright
For
The Race Training Zoned Significant Landowners, West Side of Te Wanaka Road
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
rezzoned 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 rezzoned 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
conceptual stage and we would welcome the opportunity to address any issues that are suggested by the community with the possibility of incorporating them within the structure of the application.

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 Shiriffs 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 roading 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
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Truebridge Associates Ltd

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Resonant  
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Palmerston North, 4440

Dear Kevin,

URBAN GROWTH

This letter has been sent to you because Palmerston North City Council (PNCC) is required to seek the input of the development community, infrastructure providers and iwi groups with development interests in the city, as part of our reporting obligations under the National Policy Statement for Urban Development Capacity.

Your feedback will help us to better understand projected demand and assist us in planning for the future growth of the city. Feedback from infrastructure providers will also assist us in understanding any potential constraints and/or opportunities related to servicing identified future growth areas.

Palmerston North City is classified by Central Government as a medium-growth area under the National Policy Statement for Urban Development Capacity. This means that PNCC is required to more proactively plan for anticipated growth in the short, medium and long terms. Growth projections for Palmerston North anticipate the need for an additional 4,600 houses over the next 10 years.

Enclosed with this letter is a map of areas where PNCC has identified future growth in its Long Term Plan. We invite feedback on whether these areas are capable supporting future development. We also welcome feedback on alternative locations where growth could be provided.

Yours sincerely,

[Signature]

Jono Fergusson-Pye  
CITY PLANNING MANAGER
Urban Growth

Thank-you for your letter dated 30th October 2018 entitled “Urban Growth” (forwarded to us by Kevin Judd of Resonant) and we are glad that Council is looking for feedback to assist with future growth of the city.

Milmac Background
Milmac Homes Ltd is a small property development business based in the city and we are trying to meet the demands of our clients and the local market.
In recent times we have developed:

- 4 new lots on the corner of Pioneer & Cardiff Street. These were sold as house & Land packages.
- 6 new lots in Waimarama Court (at the end of Alfred St). 3 were sold as house & Land packages and 3 were sold as land only.
- 5 new lots at 109 Gillespies. These were sold to local builders to create opportunities for them.
- 10 new lots at the end of Heathcote Place. To date this have been sold as house & Land packages but some may be sold as section only.

Milmac Future Development
We currently own land at 16 Te Wanaka Road and 100 Pioneer Hwy and we are excited to see that Te Wanaka Road falls inside the short-term development phase of the Councils plan. Our plan is to develop this site in such a way that we can extend into 100 Pioneer as the zone changes take place during the next phase of the Council Plan.

Obtaining suitable land is extremely difficult for small developers like Milmac Homes Ltd so we rely heavily on comments and information supplied by Council.

While your letter and plan don’t provide a time line for each of these stages (S,M,L), if 4600 houses are required over the next 10 years then to make this happen, even the long term areas would need to be a maximum of 5 years out for a zone change to take place. Holding on to the Pioneer property for this period of time should still be economic.

Comments on the Market
Based on our property development experience, to find a suitable site (which means locating a property, draft layout design, costing and valuation), make a purchase, final
design and consent, takes about 12 months if there are no major issues. It then takes about 9 to 12 months to construct the development and get it ready for building depending on the start date and the weather.
While spec homes can be ready in around 6 months, a client build takes about another 3 months in planning and discussion.
From our perspective, the market is still very buoyant and looks like remaining this way for some time yet.
However, to achieve a build of 460 new houses a year for the next 10 years Council should also consider that with the current housing demand there is a shortage of tradesmen across the board and then add to this, a shortage of materials, for example, recently, 6 to 8 weeks for Linear weatherboard and in some cases 2 to 3 weeks for windows.
From our experience, the developer does not set the price for a section, that is done by a valuer at the start of a project. The developer’s job is to make sure that he can bring the completed project to the market for a price that will allow him to make a profit. If the numbers don’t stack up, the subdivision won’t get built.

Developing Infrastructure
From an infrastructure perspective the Te Wanaka end of town would have to offer some benefits for Council because of the proximity to the waste water treatment plant. Development in this area will only impact on a small section of the city’s existing network compared to developments at the other end of town or across the river.
Installing new underground infrastructure at the Te Wanaka end will however pose its own difficulties due to unstable ground and a potentially high-water table. Pipework etc should be kept as shallow as possible to minimise high excavation costs.
Deep excavation costs and potentially high house foundation costs will need to be factored into the overall cost of any development and these costs could be significant enough to impact on project profitability and therefore viability of a development in this area.

Going Forward
We are keen to work with the Council to develop ideas for the site we own and perhaps look at providing houses for a specific target market as we did at Gillespies line.

We hope these comments are helpful and we look forward to seeing the rezoning proposal.

Thank-you for the opportunity and we look forward to your response.
Yours faithfully

Grant Binns
Business Manager
Milmac Homes Ltd
MRB Builders Ltd.
0274 433 099
grant@mrbbuilders.co.nz

CC. Grant Smith – Mayor, Palmerston North.