

RESOURCE MANAGEMENT ACT 1991

PROPOSED HOROWHENUA DISTRICT PLAN

HEARING OF SUBMISSIONS

DECISION OF HEARING PANEL

TOPIC: Report on District Plan
Urban Environment (Including Residential,
Industrial and Commercial Zones)

HEARING PANEL: Jane Black (Chair)
Cr Garry Good
Cr David Allan

HEARING DATE: 22nd & 23rd April and 28th May 2013

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1. INTRODUCTION

- 1.1 We were appointed by the Horowhenua District Council to consider submissions on the Proposed District Plan relating to the Urban Environment and Residential, Industrial and Commercial zones.
- 1.2 A hearing into the submissions received on the Urban Environment and Residential, Industrial and Commercial zones was held on the 22nd and 23rd of April 2013. A separate hearing was held to hear the submission of Mr Philip Taueki on a range of hearing topics on 28th May 2013. This hearing was heard by all members of the District Plan Review Hearing Panel. The hearing was closed on the 13 September 2013.

Abbreviations

- 1.3 In preparing this decision we have used the following abbreviations:

Chorus	Chorus New Zealand Ltd
DoC	Department of Conservation
EPFNZ	Egg Producers Federation of New Zealand Inc
Ernslaw One	Ernslaw One Limited
Federated Farmers	Federated Farmers of New Zealand
Future Map	Future Map Limited
HAL	High Amenity Landscapes
HDC	Horowhenua District Council
Higgins	Higgins Group Holdings Ltd
Homestead	Homestead Group Limited
Horizons	Horizons Regional Council
Horticulture NZ	Horticulture New Zealand
House Movers	House Movers Section of NZ Heavy Haulage Association Inc
NZHPT	New Zealand Historic Places Trust
HRC	Horizons Regional Council
KiwiRail	KiwiRail Holdings Ltd
McDonalds	McDonalds Restaurants (New Zealand) Ltd
Muaupoko	Muaupoko Co-operative Society
NPSET	National Policy Statement on Electricity Transmission
NPSREG	National Policy Statement on Renewable Electricity Generation
NZDF	New Zealand Defence Force
NZECP	New Zealand Electrical Code of Practice
NZHPT	New Zealand Historic Places Trust
NZ Pork	The New Zealand Pork Industry Board
NZTA	New Zealand Transport Agency
Officer's report	Report evaluating the submissions prepared by Ms. Claire Price and Ms. Sheena McGuire for our assistance under s42A(1) of the RMA
ONFL	Outstanding Natural Features and Landscapes
PIANZ	Poultry Industry Association of New Zealand Inc
Progressive	Progressive Enterprises Ltd
Proposed Plan	Proposed Horowhenua District Plan
Rayonier	Rayonier New Zealand Ltd
S42a	Section 42a
Telecom	Telecom New Zealand Ltd
The Act	Resource Management Act
Transpower	Transpower New Zealand Ltd
WBPR	Waitare Beach Progressive and Ratepayers Association

2.0 OFFICER'S REPORT

- 2.1 We were provided with and had reviewed the Officer report prepared by consultant planner Claire Price and Horowhenua District Council Policy Planner Sheena McGuire pursuant to s42A of the Act prior to the hearing commencing. The officer's report evaluated each submission point and made a recommendation on it, clearly stating the reasons for each recommendation.

- 2.2 The officers also provided a written statement dated 27 May 2013 as a right of reply to our questions in relation to the tabled evidence of House Movers Section of NZ Heavy Haulage Association Inc. This issue and the relief sought is relevant to all zones but as the submitter presented evidence to the Urban Environment Hearing, it is addressed as part of this decision. The right of reply is attached as Appendix A
- 2.3 The officers provided a further written statement dated 27 May 2013 as a right of reply and response to our questions in relation to the following matters raised in submissions and tabled evidence:
- a. Residential Subdivision
 - b. Odour
 - c. Unsightly Buildings
 - d. Future Map
 - e. Assessment Criteria – Building Setbacks

3.0 SUBMITTER APPEARANCES

3.1 The following submitters made an appearance at the hearing:

- Horizons Regional Council
- Future Map
- NZ Defence Force
- House Movers Section of NZ Heavy Haulage
- Gary Spelman
- Graham Halstead

3.2 In addition, written submissions for presentation at the hearing was received from:

- KiwiRail
- Horowhenua Astronomical Society
- Powerco
- The Oil Companies
- Progressive Enterprises Limited

3.3 On the 28th May we heard Philip Taueki.

3.4 For the sake of brevity we do not repeat the above material in this Decision but we refer to the matters raised by the submitters as appropriate.

4.0 EVALUATION

4.1 The relevant statutory requirements were identified and described in Section 3 of the officer's report. We accept and adopt that description and have had regard to or taken into account the identified matters as appropriate.

Objective 6.1.1 and Policies - Overall Form, Activities and Servicing of Urban Settlements

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
41.00	Powerco	Retain Objective 6.1.1 without modification	

Sub No.	Submitter Name	Decision Requested	Further Submissions
41.01	Powerco	Amend Policy 6.1.4 to read as follows Ensure that all developments within the urban settlements provide: Water supply suitable for human consumption and fire fighting; Facilities for the collection, treatment, and disposal of sewage and other wastes in a manner that maintains community and environmental health; and For the collection and disposal of surface-water run-off in a way which avoids worsening any localised inundation; <u>and</u> <u>The ability to connect to a secure gas and / or electricity supply.</u>	
55.14	KiwiRail	Retain Policy 6.1.17	

4.2 The above submissions were evaluated by the reporting officer in section 4.1.2 of the officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The officer also recommended amendments to Policy 6.1.4 (inserting a new bullet point in relation to the provision of an energy supply for urban settlements) of the Proposed Plan. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

4.3 The support for Objective 6.1.1 by Powerco is noted and their submission is accepted.

4.4 The support for Policy 6.1.17 by KiwiRail is noted and their submission is accepted.

4.5 We have reviewed the recommended amendments and consider them to be appropriate. We therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Policy 6.2.4 - Tararua Road Growth Area

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
94.28	NZ Transport Agency (NZTA)	Retain Policy 6.2.4 as notified.	

4.6 The support for Policy 6.2.4 from the NZ Transport Agency is noted and their submission is accepted.

Policies 6.3.37 and 6.3.38 (Commercial Zone)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
5.00	Elaine Gradock	No specific relief requested. Inferred: Amend the identified area for larger scale retail development in Levin to include the commercial town centre.	
94.29	NZ Transport Agency (NZTA)	Retain Policy 6.3.38 as notified.	

4.7 The above submissions were evaluated by the reporting officer in section 4.3.2 of the officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.8 The support for Policy 6.2.4 from the NZ Transport Agency is noted and their submission is accepted.

Objective 6.3.3 (Industrial Zone)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
37.01	Homestead Group Limited	Amend Objective 6.3.3 as follows: ..., and the character and amenity values of adjoining areas are protected <u>maintained</u> .	

4.9 The above submissions were evaluated by the reporting officer in section 4.4.2 of the officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA

Chapter 6, Urban Environment Chapter – General Matters Raised

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
11.24	Philip Taueki	No specific relief sought. Inferred: Acknowledge and reference Hokio Beach as a former Maori township and the issues associated with this.	519.19 Charles Rudd(Snr) - Support
60.18	Muaupoko Co-operative Society	No specific relief requested. Inferred: Acknowledge and reference Hokio Beach as a former Maori township and the issues associated with this.	519.37 Charles Rudd(Snr) - Support
101.59	Director-General of Conservation (DoC)	Include an issue and policy outlining the importance of treating any pollutants on-site in the aforementioned zones so that they don't impact on off-site or downstream environments for example; <u>While urban and commercial zones do not</u>	

Sub No.	Submitter Name	Decision Requested	Further Submissions
		<u>generally have significant natural values; activities in these areas can have effects on other natural systems; especially water bodies. The main effect comes from storm water runoff and associated contamination for the large number of hard surfaces. Ensuring that this water is clean before it enters water bodies should be a priority. Natural hazard protection works at coastal townships will have regard for the intrinsic values of the site's ecosystem.</u>	
110.05	Fraser	No specific relief request. Inferred: Amend the Commercial Objectives, Policies and Methods to achieve a balance outcome that will not degrade property values or lifestyle of the adjacent residential precinct and at the same time advance the economic well-being.	
110.06	Fraser	No specific relief request. Inferred: Include a new method that provide for the establishment of a Design Panel or mechanism to study and advise with some authority, Council on the best practice design standards for any new retailing activity.	

- 4.10 Mr Taueki spoke to his submission and the hearing panel asked him if he was satisfied with the rewording proposed by the officer in their report that provided a more comprehensive description of Hokio Beach. Mr Taueki responded that he was disappointed that he had not been consulted or had the opportunity to contribute to this. We consider that the additional description is helpful and accept Mr Taueki's concerns. We therefore accept in part submissions 11.24 and 60.18 and further submissions 519.19 and 519.37
- 4.11 Mr Fraser sought the establishment of a design panel or similar mechanism to ensure that 'best practice' design standards were adhered to with the development of large format retailing. The officer commented that the objectives and policies of the Plan address the compatibility of commercial development with local character and amenity. Specific development standards implement this direction. They also agreed with the submitter that consideration should be given to seeking expert urban design advice on large format retailing developments. We agree with this recommendation as the effects of this type of development can have an effect on the character and amenity of the area and assessment of these effects and modification of designs should improve the outcomes where necessary. Accordingly we accept in part submissions 110.05 and 110.06.
- 4.12 DoC sought greater recognition of the effects of urban activities on the natural environment and requested a specific issue and policy to address this. The officer commented in their report that Chapters 3 and 6 do

recognise natural values in the urban environment and that this matter is adequately addressed. We agree with this recommendation and accept in part submission 101.59.

Chapter 15 Residential Zones – Permitted Activities (Rule 15.1)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.02	New Zealand Defence Force (NZDF)	Retain Rule 15.1(o) as notified	
40.13	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 15.1 to include <u>“The placement of any Relocated building and/or accessory building on any site subject to the conditions at [rule ref]”.</u>	
108.09	HDC (Planning Department)	Amend Rule 15.1(c) as follows: Visitor accommodation for up to four persons <u>per site within a any residential dwelling unit and/or family flat.</u>	
40.39	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 15.1(f) as follows: “The construction, alteration of, addition to, <u>removal, re-siting</u> and demolition of buildings and structures for any permitted activity”.	
51.03	Waitarere Progressive Association (WBPRA)	No specific relief requested. Inferred: Amend the District Plan to make relocatable housing comply with the same standards as new dwellings.	
119.00	Graham Halstead	Add Primary Production Activities’ to the list of Permitted activities in the residential zone.	

4.13 The support for Rule 15.1(o) by NZ Defence Force is noted and their submission is accepted.

4.14 In respect of submission 51.03 we agree with the officer’s evaluation in section 4.6.2 and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.15 Mr Halstead attended the hearing and spoke in support of his submission 119.00. He reiterated that he wishes to continue farming and constructing buildings when required without having to go through a resource consent process to do so. We understand from the officer that as part of Plan Change 21, the land was rezoned from Rural to Residential to provide for the district’s urban growth. Mr Halstead can rely on existing use rights to continue to undertake farming activities which includes making changes to buildings and activities provided they are of the same scale, character and intensity as existing. It would not be appropriate to provide for rural activities in a residential zone as these activities would potentially conflict with the

amenity and character of the residential zone. We agree with the officer's evaluation in section 4.6.2 in that farming activities are able to be continued on land zoned residential and that it would be inappropriate and contrary to the objectives and policies of the residential zone to allow rural activities in the residential zone. We therefore reject submission 119.00.

- 4.16 Submission point 108.09 seeks clarification of Rule 15.1 (c) so that visitor accommodation can be established in family flats as well as residential dwellings. We agree with the officer's evaluation in section 4.6.2. No submitters expressed any opposition to that evaluation and we adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The officer recommended amendments to Rule 15.1 of the Proposed Plan to provide for visitor accommodation in family flats. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.
- 4.17 House Movers submission requests that the relocation of buildings is a permitted activity rather than a controlled activity as provided for in the Proposed Plan. There are a number of submission points by House Movers that are consequential to this request and all the submission points have been made across all zones of the Plan. This decision relates to all submission points made in all zones.
- 4.18 House Movers presented evidence to support their submission. Their evidence relied heavily on the decision of the Environment Court in relation to New Zealand Heavy Haulage Association Inc and the Central Otago District Council 2004. In this decision the Court ruled that the Restricted Activity Status proposed by the Council could not be justified. It held that there was no difference in effects between a new building in situ and the siting of a relocatable building and therefore a permitted activity status was appropriate. Fundamental to this decision was that the Council were unable to establish that the siting of relocatable buildings had caused problems regarding the effects on amenity in the previous few years.
- 4.19 Paul Britton from House Movers presented evidence on his experience in relocating buildings and provided photos of successfully relocated and completed dwellings in the district. Both Mr Britton and counsel for House Movers – Rowan Ashton - contended that the costs of compliance under the provisions of the Proposed Plan are likely to exceed the benefits. The costs that they identified were costs in time and money to make an application and for Council staff to administer, the bond, and costs of Appeal to the Environment Court. They were of the view that notification of an application as provided for was not necessary as it was inappropriate for neighbours to comment on the type and style of adjacent housing. The submitter argued that a permitted activity status provided greater certainty to a building owner than a controlled activity. They considered that the use of performance standards provided greater clarity than conditions imposed on a resource consent and were more effective in achieving the outcomes sought.
- 4.20 We asked the officer to report back to us about the matters raised by House Movers and on the 28th May they provided a right of reply report addressing the issues. In response to our question regarding how big an issue this is for the district and the Council, the officer stated that in the last 14 years there have been nearly 400 relocated buildings sited in the district. The district is particularly attractive for relocatable buildings as a large number are former NZ Defence Force buildings which have been made surplus from nearby bases in Waiouru, Linton and Ohakea. Adding to this there are a number of companies operating in the lower North Island who store and supply relocated buildings to the district. Therefore there has been a ready supply of buildings for relocation in relatively close proximity to Horowhenua.
- 4.21 While there may be a large number of relocated buildings, we asked the officer to explain whether there was an issue in terms of the effects on amenity. The officer demonstrated that they had canvassed the opinions of the community on this matter as part of the District Plan Review process in order to understand whether the community were concerned and to obtain some guidance on the appropriate rule framework to apply. Through a discussion paper prior to the notification of the Proposed Plan the officer asked the following questions:
- *Should Council be concerned about relocated buildings being upgraded or reinstated once they have been transported to their new location?*

- *Is it the architectural style and features of the relocated buildings that are more of concern or is it the finishing and landscaping of these buildings which is more the problem?*
- *What is an appropriate timeframe for any reinstatement or upgrade of the exterior to be undertaken for relocated buildings?*
- *Should Council have the discretion to decline applications for relocated buildings if they are out of character for the area or are in poor condition?*

4.22 A large number of responses were received. More people thought that Council should be concerned about relocatable buildings than not, most considered that the architectural merits were less of a concern than the finishing and landscaping and most considered that it was appropriate for Council to be able to decline applications. The Council concluded that the management of relocatable buildings was a resource management issue for the district. From their own experience, the reporting officer reported that as a result of compliance monitoring the effects on visual amenity have been an issue. In support of this, it was reported that approximately two thirds of relocated buildings did not complete reinstatement within the required 12 month period or breached other conditions. The Council time spent on monitoring and ensuring compliance is charged to the building owner and not a cost to the ratepayer.

4.23 In considering the effectiveness and efficiency of a permitted activity or controlled activity status, the reporting officer concluded that a controlled activity status was more effective and efficient. This is because the compliance monitoring of a resource consent would be replaced with a reactive regime based on responding to complaints, the resolution of which would be at the cost of the ratepayer. It was also considered that the controlled activity status was likely to be more effective in controlling the effects though the imposition of conditions. These include a timeframe for completing the works, the taking of a bond and the application of a compliance monitoring regime. These would not apply to a permitted activity.

4.24 While we consider that the reuse of buildings should be encouraged as a method for providing affordable housing, we accept that managing the effects of relocatable buildings is an issue for this district in particular. We think that a permitted activity status would not provide Council with an adequate framework for managing the effects but rather place the reporting officer in a reactive role when complaints were received. We also agree that the costs of compliance should be borne by the building owner and not the ratepayer.

4.25 We agree with the submitter and the reporting officer that a non-notification clause should be added to the all building relocation rules as there is no justification for applications to be notified and the effects can be adequately managed through the administration of the controlled activity rules.

4.26 We agree with the reporting officer that smaller relocated buildings of 40m² have less effects than dwellings or other larger buildings and could therefore be permitted activities.

4.27 In conclusion, we consider that a controlled activity status is necessary to provide the Council with the necessary framework to manage the effects of relocatable buildings with the exception of buildings less than 40m² which are permitted. We therefore accept in part submission 40.13.

Chapter 15 Residential Zones – Controlled Activities (Rule 15.2)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.11	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 15.2(a)	

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.06	New Zealand Historic Places Trust (NZHPT)	No specific relief requested. Inferred: Retain Rules 15.2(b), 15.3(f), 15.7.2 and 15.8.11	
70.07	Future Map Limited	Delete Rules 15.2(e), 15.3(d), 15.5(a), 15.6.4(c), 15.8.3(v), 15.8.7, 15.8.8.	

- 4.28 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. In summary, we agree with and adopt the reporting officer's evaluation and recommendation as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. We found the reporting officer's right of reply provided further information and clarification to assist us in coming to this decision. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.
- 4.29 The decision relating to the submissions by Future Map are in section 4.93-4.102. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.
- 4.30 The support for Rules 15.2(b), 15.39f), 15.7.2 and 15.8.11 by NZHPT is noted and their submission is accepted.
- 4.31 The decision relating to Future Map is included in section 4.93-4.102 in relation to the rezoning of land in the Tararua Road Growth Area Overlay. The provisions in this section are consequential of the overall decision found in section 4.93-4.102 and we agree with and adopt the reporting officer's evaluation and recommendation as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer recommended that as the area zoned Residential is to be rezoned Industrial, the provisions of the Residential Zone in relation to this area, become redundant. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Chapter 15 Residential Zones – Discretionary Activities (Rule 15.4)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
81.01	Phillip Lake	Amend Rule 15.4(e) as follows: New community facilities or additions and alterations to existing community facilities (including education facilities and grounds) for community activities including services having a social, community ceremonial, educational, recreational, worship, or spiritual purpose.	
117.20	New Zealand Historic Places Trust (NZHPT)	Amend Rule 15.4 to include subdivisions that negatively impact on the heritage values of any sites listed in Schedule 2.	
108.11	HDC (Planning Department)	Amend Rule 15.4(c) Two or more residential units/ <u>family flats</u> per site.	

Sub No.	Submitter Name	Decision Requested	Further Submissions
108.38	HDC (Planning Department)	Amend Residential Dwelling Unit definition as follows: Residential Dwelling Unit means a building which accommodates one (1) household unit, and can include a dwelling house, a flat, a home unit, an apartment, or a town house, <u>but excludes a family flat.</u>	
116.01	Truebridge Associates Limited	Delete Rule 15.4(d) as a discretionary activity and insert as a controlled activity.	

4.32 The above submissions were evaluated by the reporting officer in section 4.8.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments to Rule 15.4(d) and the definition of Residential Dwelling Unit (clarifying provision for family flats) of the Proposed Plan. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Chapter 15 Residential Zones – Non-Complying Activities (Rule 15.5)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
94.24	NZ Transport Agency (NZTA)	Retain Rule 15.5(a) as notified.	Reject
70.07	Future Map Limited	Delete 15.2(e), 15.3(d), 15.5(a), 15.6.4(c), 15.8.3(v), 15.8.7, 15.8.8.	Accept

4.33 The submission by Future Map is addressed in the decision relating to the rezoning of land within the Tararua Road Growth Area Overlay section 4.93-4.102. The provisions in this section (4.9.2 of the reporting officer's report) are consequential of the overall decision found in section 4.93-4.102 and we agree with and adopt the reporting officer's evaluation and recommendation as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer's recommended that as the area zoned Residential is to be rezoned Industrial, Rule 15.5(a) becomes redundant in managing vehicle access on State Highway 57. Managing new access from industrial activities is however appropriate and a consequential amendment is made by the insertion of a new Non-Complying Activity rule in the Industrial Area 16.5(b) We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Conditions (Rule 15.6) - General

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
25.03	Michael White	Amend Permitted Activity Conditions 15.6 to include rules that control the emission of outdoor lighting at and above the horizontal and to limit the level and timing of lighting in the Residential zone.	504.01 The Oil Companies - In-Part 525.19 Maurice and Sophie Campbell - Support
26.09	Horowhenua Astronomical Society Inc.	Amend Permitted Activity Conditions 15.6 to include rules that control the emission of light at and above the horizontal and to limit the level and timing of lighting in the Residential Zone.	
27.17	Horizons Regional Council	Amend the Permitted Activity Conditions to provide for soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council as a permitted activity; and Provide for this criterion to be carried over to all other activity types in the Proposed Plan regarding soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf supervised by of Horizons Regional Council.	
40.14	House Movers Section of NZ Heavy Haulage Association Inc.	Include the following performance standards/conditions (or to the same or similar effect) for relocated buildings: Permitted Activity Standards for Relocated Buildings <u>i) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</u> <u>ii) A building pre-inspection report shall accompany the application for a building consent for the destination sit. That report is to identify all reinstatement works that are to be completed to the exterior of the building.</u> <u>iii) The building shall be located on permanent foundations approved by building consent, no later than [2] months of the being moved to the site.</u> <u>iv) All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any</u>	

Sub No.	Submitter Name	Decision Requested	Further Submissions
		<p><u>relocated dwelling shall be completed with [12] months of the building being delivered to the site. Without limiting (iii) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p><u>v) The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the [12] month period.</u></p>	
95.17	New Zealand Defence Force (NZDF)	Retain the removal of conditions as notified	

4.34 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.35 The support for Rule 15.6 by NZ Defence Force is noted and the submission accepted.

4.36 The above submissions were evaluated by the reporting officer in section 4.10.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments to the Residential Permitted Activity Conditions by inserting a new condition in relation to light spill. We have reviewed the recommended amendments and consider them to be appropriate and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Condition (Rule 15.6.8) – Accessory Buildings

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
51.04	Waitarere Progressive Association (WPBRA)	<p>No specific relief requested.</p> <p>Inferred: Amend the District Plan to provide for accessory buildings large enough for a couple of vehicles, boat and gear.</p>	

4.37 The above submissions were evaluated by the reporting officer in section 4.11.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Permitted Activity Condition (Rule 15.6.9) –Fences

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
116.02	Truebridge Associates Limited	Delete Rule 15.6.9(a)(i).	

4.38 The above submissions were evaluated by the reporting officer in section 4.12.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Permitted Activity Condition (15.6.10) – Home Occupations

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
108.00	HDC (Planning Department)	Amend Rules 15.6.10(a) and 15.8.5(b)(i) as follows: 15.6.10(a) A Home occupations shall not exceed 50m ² of total floor area dedicated to this activity. 15.8.5(b)(i) A Home occupations shall not exceed 70m ² of total floor area dedicated to this activity.	

4.39 The above submissions were evaluated by the reporting officer in section 4.13.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments to the Residential Permitted Activity Condition 15.6.10 – Home Occupations to provide clarity to the total space allowed to be used for home occupations on a site and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Condition (15.6.11) – Noise

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.26	New Zealand Defence Force (NZDF)	Amend Rule 15.6.11(d) as follows: The noise limits in Rule 15.6.11(a) <u>and the provision of Rule 15.6.11 (b)</u> shall not apply to... Temporary Military Training Activities.	

Sub No.	Submitter Name	Decision Requested	Further Submissions
5.02	Elaine Gradock	No specific relief requested. Inferred: Retain proposed Rule 15.6.11(a)(i) noise limits.	

4.40 The above submissions were evaluated by the reporting officer in section 4.14.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments to the Residential Permitted Activity Condition 15.6.11 –Noise to provide consistency between exemptions and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Condition (15.6.12) – Vibration

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.36	New Zealand Defence Force (NZDF)	Retain Rule 15.6.22 as notified (conditionally).	

4.41 While originally being neutral in respect of this rule, NZ Defence Force sought an exemption from the vibration standard following a technical review carried out after they lodged their submission. Mr Hunt the acoustician for NZDF advised that as the provisions that they were proposing managed noise and vibration together, temporary military activities could be exempt from the vibration standards. The reporting officer considered that this could be outside the scope of the original submission and recommended that the vibration standards should still apply. In her evidence, Ms Grace stated that NZDF accepts the reporting officer's recommendation and that they would not pursue this exemption. We therefore accept in part submission point 95.36.

Permitted Activity Condition (15.6.20) – Surface Water Disposal

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
15.01	Charles Wallis	Include a clause which ensures that when Council staff are made aware of a surface water disposal issue affecting another property that a report is made to Council and a follow up report be completed every six months outlining the action taken to resolve the issue.	511.09 HDC (Community Assets Department) - Oppose

4.42 The above submissions were evaluated by the reporting officer in section 4.16.2 of the reporting officer's report. We agree with the reporting officer's report that the relief sought is a Council operational matter and not a District Plan matter. The issue raised has however been referred to the Council's Community Assets Department for further consideration.

Permitted Activity Condition (15.6.27) – Signs

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
108.02	HDC (Planning Department)	Amend Rule 15.6.27(b) as follows: Any temporary sign shall be displayed for no longer than two (2) calendar months in every calendar year <u>of a 12 month period</u> and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.	

4.43 The above submissions were evaluated by the reporting officer in section 4.17.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments to the Residential Permitted Activity Condition 15.6.27 –Signs in order to clarify the intent of the standard and we therefore adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Condition (15.6.31) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.12	New Zealand Defence Force (NZDF)	Retain as notified	
95.07	New Zealand Defence Force (NZDF)	Retain Rule 15.6.31(a)(i) as notified.	
95.50	New Zealand Defence Force (NZDF)	Retain Rule 15.6.31(a)(ii) as notified.	
95.21	New Zealand Defence Force (NZDF)	Retain as notified [15.6.31(a)(iv)(v)] (conditionally)	
95.31	New Zealand Defence Force (NZDF)	Include provisions from the District Plan in regards to night time noise, which states; <u>Impulse Noise Resulting from the use of explosives and small arms is not to exceed 122 dBC</u>	

4.44 NZDF made this submission across a number of zones (Open Space, Urban Environment and Rural Environment). The submission is discussed in detail in the decision of the Hearings Panel dealing with the Open Space and Water Bodies. The submission point is accepted and the consequential changes are detailed in Appendix A.

Controlled Activity Condition (15.7.1) – Relocated Buildings

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.12	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 15.7.1	
40.32	House Movers Section of NZ Heavy Haulage Association Inc.	Delete any provision in the Plan for a performance bond or any restrictive covenants for the removal, re-siting, and relocation of dwellings and buildings. Inferred delete Rule 15.7.1(a)(iii).	

4.45 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Controlled Activity Standard (15.7.4) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.41	New Zealand Defence Force (NZDF)	Retain Controlled activity status. Amend Rule 15.7.4 by clarifying matters for control, especially in regards to noise.	

4.46 NZDF made this submission across a number of zones (Open Space, Urban Environment and Rural Environment). The submission is discussed in detail in the decision of the Hearings Panel dealing with the Open Space and Water Bodies. The submission point is accepted and the consequential changes are detailed in the Appendix A.

Controlled Activity Standard (15.7.5, Table 15-3) – Subdivision of Land

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
116.03	Truebridge Associates Limited	Delete Rule 15.7.5(a)(i).	
55.27	KiwiRail	Retain Rule 15.2(e). Inferred: Retain Rule 15.7.5(a)(iii)	

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.14	New Zealand Historic Places Trust (NZHPT)	Amend Rule 15.7.5(a) (vi) as follows: Effects on significant sites and features, including natural, cultural, <u>archaeological</u> and historical sites.	
27.23	Horizons Regional Council	Amend Table 15-3 (Rule 15.7.5(b)) to change the minimum net site area/minimum average site areas reflect the minimum lot sizes specified on page 19-27(Rule 19.7.3).	
116.04	Truebridge Associates Limited	Amend Table 15-3 to allow for a running cool off period of 10 years from the date of title issue.	
116.05	Truebridge Associates Limited	Amend Table 15-3 to specify one parent lot size of 2025m ² .	
116.06	Truebridge Associates Limited	Amend Table 15-3 to specify the minimum area in order of 4000m ² to 5000m ² where a sewage disposal system is not available.	

4.47 The above submissions were evaluated by the reporting officer in section 4.21.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation in respect of submissions 116.03, 55.27, 117.14, 116.04, 116.05, 116.06. We have reviewed the reporting officer's evaluation in respect of these matters and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. In doing so the recommended change from 8000m² to 5000m² by the reporting officer to the minimum net site area standards applying to residential allotments in Ohau East is accepted. The reporting officer made a recommendation that a change be made to acknowledge the concerns raised by NZHPT and that the effects of subdivision on archaeological sites should be included.

4.48 Horizons Regional Council submitted that the provisions for residential density for areas where there are no reticulated services were inconsistent with the Proposed One Plan. In response to this, the reporting officer stated in their report that the provisions of section 91 of the RMA enabled the Council (HDC) to put the consent process on hold until the necessary discharge consents were obtained from Horizons. At the hearing, Pen Tucker from Horizons pointed out that the subdivision consent from HDC, would still have to be granted (as a controlled activity) and the inconsistency between the two documents would lead to uncertainty for the applicant. In response, the reporting officer agreed that it was necessary to avoid creating false expectations through the provisions of the proposed plan and that the activity status should be elevated to Restricted Discretionary for subdivisions where reticulated wastewater is not available. They also recommended that the Controlled Activity Status for subdivisions would be appropriate where the density is consistent with the Proposed One Plan. A further recommendation was made that boundary adjustments could be provided for as Controlled Activities. We adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Matters of Discretion and Conditions for Restricted Discretionary Activities (15.8.7 and 15.8.8) – Subdivision and Land Use within Tararua Road Growth Area Overlay

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
94.25	NZ Transport Agency (NZTA)	Retain Rule 15.8.7(a)(v) as notified.	
94.26	NZ Transport Agency (NZTA)	Retain Rule 15.8.8(a)(i) bullet point 3 as notified.	

4.49 The above submissions were evaluated by the reporting officer in section 4.22.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. As Future Map has sought the removal of the residential component from the Tararua Growth Area (the decision relating to this matter is in section 4.93-4.102) the relief sought by NZTA is now redundant. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer recommended that rules 15.8.7 and 15.8.8 Matters of Discretion and Conditions be deleted and we adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Matters of Discretion and Conditions for Restricted Discretionary Activities (15.8.9) – Medium Density Development

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
116.07	Truebridge Associates Limited	Delete Rule 15.8.9 as matters of discretion and insert as matters of control.	
116.08	Truebridge Associates Limited	Delete parts of Rule 15.8.9(a) that require on-going monitoring after completion of consent.	
116.09	Truebridge Associates Limited	Delete Rule 15.8.9(b)(i).	
116.10	Truebridge Associates Limited	Delete Rule 15.8.9(b)(vii).	
51.02	Waitarere Progressive Association (WBPRA)	Amend the District Plan to plan for smaller plot sizes in an area of undeveloped land to allow for more appropriate design of plots rather than infill development.	

4.50 The above submissions were evaluated by the reporting officer in section 4.23.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended deletion of 15.8.9 condition (viii) which required the provision of a utility space for each medium density unit on the basis that this is a matter more appropriately dealt with

in the Design Guide. We adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Matters of Discretion and Conditions for Restricted Discretionary Activities (15.8.13) – Signs

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
94.21	NZ Transport Agency (NZTA)	Retain as notified	

4.51 The support for Rule 15.8.13 by the NZ Transport Agency is noted and their submission is accepted.

Chapter 15 Residential Zone Rules – General Matters Raised

Submissions Received - Earthwork Provisions on Heritage Sites

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.25	New Zealand Historic Places Trust (NZHPT)	Amend Chapter 15 to include earthworks rules that apply to historic heritage sites. Any earthworks within these sites should be restricted discretionary or discretionary activities dependent on the effects of the proposed earthworks on the heritage values of the sites.	

4.52 The above submissions were evaluated by the reporting officer in section 4.25.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received - Air Quality Issues

Sub No.	Submitter Name	Decision Requested	Further Submissions
3.01	Matthew Thredgold	Include a provision that prohibits the installation of new solid fuel wood burners, solid fuel stoves and heaters and have provisions for phasing out and eventually prohibiting the use of solid fuel wood burners, solid fuel stoves and heaters in the Residential Zone.	

4.53 The above submissions were evaluated by the reporting officer in section 4.25.6 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received - Cross Reference to National Environmental Standards

Sub No.	Submitter Name	Decision Requested	Further Submissions
93.19	The Oil Companies	Retain the cross reference to national environmental standards in Chapter 15.	

4.54 The support for the cross reference to the National Environmental Standards by The Oil Companies is noted and their submission is accepted.

Submissions Received – Network Utility Rules

Sub No.	Submitter Name	Decision Requested	Further Submissions
78.07	Telecom New Zealand Ltd	Delete all Network Utility Rules and Standards within the Residential Chapter, other than specific cross referencing to particular standards in the zone chapters where relevant and reasonably applicable to network utilities.	
79.07	Chorus New Zealand Ltd	Delete all Network Utility Rules and Standards within the Residential Chapter, other than specific cross referencing to particular standards in the zone chapters where relevant and reasonably applicable to network utilities.	

4.55 The above submissions were evaluated by the reporting officer in section 4.25.14 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Relocated Buildings

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.06	House Movers Section of NZ Heavy Haulage Association Inc.	Amend the Proposed District Plan to provide for the relocation of dwellings and buildings as a permitted activity subject to the following performance standards/conditions (or to the same or similar effect): <u>Relocated buildings are permitted where the following matters can be satisfied:</u> <u>a) Any relocated building can comply with the relevant standards for Permitted Activities in the District Plan</u> <u>b) Any relocated dwelling must have been previously designed, built and used as a dwelling;</u> <u>c) A building inspection report shall accompany the building consent for the building/dwelling. The report is to identify all reinstatement work required to the exterior of the building/dwelling; and</u> <u>d) The building shall be located on permanent foundations approved by building consent, no later than 12 months of the building being moved to the site.</u> <u>e) All work required to reinstate the exterior of</u>	

Sub No.	Submitter Name	Decision Requested	Further Submissions
		<u>any relocated building/dwelling, including the siting of the building/dwelling on permanent foundations, shall be completed within 12 month of the building being delivered to the site.</u>	

4.56 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer’s evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Chapter 16 Industrial Zone – Permitted Activities (16.1)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.17	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 16.1 to include <u>“The placement of any Relocated building and/or accessory building on any site subject to the conditions at [rule ref]”.</u>	
110.02	Fraser	Amend Rule 16.1(b) to include retail activities as permitted activities.	523.00 Future Map Limited
40.40	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 16.1(k) as follows: “The construction, alteration of, addition to, <u>removal, re-siting</u> and demolition of buildings and structures for any permitted activity”.	
95.03	New Zealand Defence Force (NZDF)	Retain Rule 16.1 (s) as notified	

4.56 The support for Rule 16.1 by NZ Defence Force is noted and the submission accepted.

4.57 The decision on the submissions by House Movers Section of NZ Heavy Haulage Association Inc is in section 4.17-4.27. The decision in relation to the provisions for relocated buildings in all other zones also applies to the Industrial Zone. We agree with the reporting officer’s evaluation that the permitted activity status is not appropriate to control the effects of relocated buildings. The submission points 40.21 and 40.41 are consequential to the main decision and we agree with the reporting officer’s evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.58 In respect of submission 110.02 and further submission 523.00, we have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Controlled Activities (16.2) – Industrial Zone

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.15	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 16.2(c)	
70.03	Future Map Limited	Amend Rule 16.2(g) as follows: Within the Tararua Road Growth Area Overlay, all activities identified in Rule 16.1 shall be controlled activities subject to complying with the conditions in Rule 16.6 (apart from Rule 16.6.2(a)(ii) and Rule 16.7.7(b)(iii)) and complying with conditions in Rule 16.7.7. (Refer Rule 16.7.7).	

4.59 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.117-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.60 The decisions on the submissions by Future Map Limited are included in section 4.93-4.102. This submission point is a consequential amendment and we have reviewed the reporting officer's evaluation in 4.27.2 and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer recommended that rule 16.2 Controlled Activities be amended and we adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Discretionary Activities (Rule 16.4) – Industrial Zone

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.21	New Zealand Historic Places Trust (NZHPT)	Amend Rule 16.4 to include subdivisions that negatively impact on the heritage values of any sites listed in Schedule 2.	

4.61 The submission point by NZHPT was raised in relation to the Residential and Commercial Zones and the decision in section 4.15 addresses this matter.

Permitted Activity Standards (16.6) - General

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
25.04	Michael White	Amend Permitted Activity Conditions 16.6 to control the emission of outdoor lighting at and above the horizontal and to limit the level and timing of lighting in the Industrial zone.	525.20 Maurice and Sophie Campbell - Support
26.10	Horowhenua	Amend Permitted Activity Conditions 16.6 to	

Sub No.	Submitter Name	Decision Requested	Further Submissions
	Astronomical Society Inc.	include rules that control the emission of light at and above the horizontal and to limit the level and timing of lighting in the Industrial Zone.	
27.19	Horizons Regional Council	<p>Amend the Permitted Activity Conditions to provide for soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council as a permitted activity; and</p> <p>Provide for this criterion to be carried over to all other activity types in the Proposed Plan regarding soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf supervised by of Horizons Regional Council.</p>	
40.18	House Movers Section of NZ Heavy Haulage Association Inc.	<p>Include the following performance standards/conditions in (or to the same or similar effect) for relocated buildings:</p> <p>Permitted Activity Standards for Relocated Buildings</p> <p><u>i) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</u></p> <p><u>ii) A building pre-inspection report shall accompany the application for a building consent for the destination sit. That report is to identify all reinstatement works that are to be completed to the exterior of the building.</u></p> <p><u>iii) The building shall be located on permanent foundations approved by building consent, no later than [2] months of the being moved to the site.</u></p> <p><u>iv) All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed with [12] months of the building being delivered to the site. Without limiting (iii) (above) reinstatement work is to include connections to all infrastructure services and closing in and ventilation of the foundations.</u></p> <p><u>v) The proposed owner of the relocated</u></p>	

Sub No.	Submitter Name	Decision Requested	Further Submissions
		<u>building must certify to the Council that the reinstatement work will be completed within the [12] month period.</u>	
95.18	New Zealand Defence Force (NZDF)	Retain the removal of conditions as notified	

- 4.62 The support for Rule 16.6 by NZ Defence Force is noted and the submission accepted.
- 4.63 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.
- 4.64 In respect of the submissions 25.04 and further submission 525.20, submissions 26.10 and 27.19, we have reviewed the reporting officer's evaluation in 4.29.2 and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer recommended that a condition be added to control light spill from activities in the Industrial Zone onto any site within the Residential Zone and we adopt those recommendations as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.1) – Maximum Building Height

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
70.04	Future Map Limited	Amend Rule 16.6.1 as follows: (a) No part of any building shall exceed a height of 18 metres. <u>(b) Any building within the Low Impact industrial area of the Tararua Growth Area Structure Plan shall not exceed a height of 10 metres.</u>	

- 4.65 At the hearing, Mr Harford presenting evidence for Future Map said that a height of 10m for the Low Impact Industrial Zone provides the capacity and capability for efficient operation. It also provides for a scale of development that is consistent with the character of the area and allows for good amenity adjacent to the open space and at the point of transition to the residential area. The reporting officer supported this height limit and the hearing panel agreed that it was an appropriate height
- 4.66 Mr Harford said that Future Map sought a 18m height limit in the Industrial Zone to allow for internal gantries and loading facilities in higher buildings. He argued that this was more efficient use of land avoiding the need for larger building footprints. He said that the residential zone to the north was approximately 130 metres away and would not be visually impacted. The Low Impact Industrial Zone and open space area also provided a transition to the residential area. He produced a visual assessment and cross sections to demonstrate the effects of 18m high buildings. These also showed planting in the open spaces are to provide screening. Mr Harford said that 12m was too low to achieve the aim of providing for covered space through height rather than buildings with large footprints. He did however comment that he considered a 15m height would provide the space required and would be consistent with the adjacent Rural Zone. The reporting officer considered that the 12m height limit was appropriate and consistent with the Industrial Zone throughout

Horowhenua. Subsequent to hearing the evidence the reporting officer further considered the height limit for this area. They reviewed the heights of other industrial buildings in the region and beyond and reported that the most of the recently constructed buildings appeared to be less than 12m and used for a range of uses. This did not appear to support Future Map’s view that there is a trend towards taller buildings driven by the logistics of storage. The reporting officer was concerned that there would be adverse visual effects of 18m high buildings from within the Industrial area and the residential and rural areas albeit that there will be change in this area once development occurs. They considered that the planting as shown on the visual assessment provided by Future Map would take a long time to be an effective screening of 18m high buildings. Looking at a 15m height, the reporting officer commented that while this is permitted in the Rural Zone, this is generally used for one-off buildings such as silos rather than sheds and farm buildings. In the Industrial Zone buildings up to this height would be likely to occupy about 70 -100% of the site. They acknowledged that the design guide would require some modification of the built form but they still considered that 15m was too high and not supported by the policy direction for the Industrial Zone. The Hearing Panel was not convinced that the height of buildings at 18m or 15m could be adequately mitigated by the planting and setbacks proposed. We did not agree that the “line of sight” as portrayed on the visual assessment could be assumed but rather the buildings would be highly visible and out of scale with surrounding development. We accept that the design guide would provide some moderation of the built form but would not address the impact of the height on adjacent activities. We consider that the 12m height limit is consistent with the policy for height in the Industrial Zone and that it is appropriate in the context of the Tararua Growth Area and surrounding land uses. We therefore accept in part submission 70.04.

Permitted Activity Standard (16.6.3) – State Highway 1 Frontage

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
37.02	Homestead Group Limited	Delete Rule 16.6.3(a)	

4.67 The above submission was evaluated by the reporting officer in section 4.31.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.4) - Signs

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
108.03	HDC (Planning Department)	Amend Rule 16.6.4(a)(iv) as follows: Any temporary sign shall be displayed for no longer than two (2) calendar months in every calendar year <u>of a 12 month period</u> and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.	

4.68 The above submission was evaluated by the reporting officer in section 4.32.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to the temporary signs provisions to

clarify the intent of the rule and we adopt this recommendation as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.5) - Noise

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.27	New Zealand Defence Force (NZDF)	Amend Rule 16.6.5(d) as follows: The noise limits in Rule 16.6.5(a) <u>and the provision of Rule 16.6.5 (b)</u> shall not apply to... Temporary Military Training Activities.	
97.01	Lowe Corporation Ltd & Colyer Mair Assets Ltd	No specific relief requested. Inferred: Amend Rule 16.6.5 so that the noise limits set in the permitted activity conditions are applied to the properties situated in the adjacent zones, rather than to the Industrial Zone.	
5.03	Elaine Gradock	No specific relief requested. Inferred: Retain proposed Rule 16.6.5(a)(i) noise limits.	
108.34	HDC (Planning Department)	Amend Rule 16.6.5(e)(iv) as follows: Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), or within a site as part of or compatible with a normal residential <u>industrial</u> activity.	

4.69 Submissions 97.01, 5.03 and 108.34 were evaluated by the reporting officer in section 4.33.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer recommended amendments be made to Rule 16.6.5 Noise and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.6) - Vibration

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.37	New Zealand Defence Force (NZDF)	Retain Rule 16.6.6 as notified (conditionally).	

4.70 While originally being neutral with respect to this rule, NZ Defence Force sought an exemption from the vibration standard following a technical review carried out after they lodged their submission. Mr Hunt the acoustician for NZDF advised that as the provisions that they were proposing managed noise and vibration

together, temporary military activities could be exempt from the vibration standards. The reporting officer considered that this could be outside the scope of the original submission and recommended that the vibration standards should still apply. In her evidence, Ms Grace stated that NZDF accepts the reporting officer's recommendation and that they would not pursue this exemption. We therefore accept in part submission point 95.37.

Permitted Activity Standard (16.6.7) - Odour

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
97.02	Low Corporation Ltd & Colyer Mair Assets Ltd	No specific relief requested. Inferred: Amend Rule 16.6.7 (a) so that the permitted activity conditions relating to offensive odour is more precise and reflects the FIDEL factors.	

4.71 In their evaluation in section 4.35.2, the reporting officer recommended that amendments to the permitted activity standard 16.6.7 – Odour, were not necessary and that the Proposed Plan provided reference to the Proposed One Plan thereby indicating that this Plan also has to be considered. At the hearing, Pen Tucker from Horizons sought improved consistency between both Plans and in their right of reply, the reporting officer agreed that amendments to the Rule were appropriate to provide greater consistency. The reporting officer provided wording to address this. This amendment would apply across all zones. We agree with the reporting officer's evaluation in their right of reply and we adopt the recommended amendments as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.9) Unsightly Buildings

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.13	New Zealand Historic Places Trust (NZHPT)	No specific relief requested. Inferred: Delete Rule 16.6.9.	
37.04	Homestead Group Limited	Delete Rule 16.6.9(a)	

4.72 The reporting officer recommended that the submissions be rejected and that the standard relating to Unsightly Buildings be retained. We asked the reporting officer for further advice on the vires of the condition and its enforceability as it appeared to us to be open to excessive subjectivity. In their right of reply, the reporting officer reported that they had received legal advice that some subjectivity in the application of the condition is acceptable provided that there is a threshold to constitute what is and what is not permitted. The reporting officer also commented that the rule does contribute to the amenity controls in the Plan and it is appropriate that it be retained. They recommended that the condition be reworded to improve the certainty and objectivity of the rule and we adopt the recommended amendments as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.11) – Wastes Disposal

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
110.03	Fraser	Amend Rule 16.6.11 to include reference to petroleum and other hazardous chemicals	

4.73 The above submission was evaluated by the reporting officer in section 4.37.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to the standard to include transporting and disposing of hazardous substances and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (16.6.23) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.13	New Zealand Defence Force (NZDF)	Retain as notified	
95.08	New Zealand Defence Force (NZDF)	Retain Rule 16.6.23(a)(i) as notified.	
95.51	New Zealand Defence Force (NZDF)	Retain Rule 16.6.23(a)(ii) as notified	
95.22	New Zealand Defence Force (NZDF)	Retain as notified (conditionally)	
95.32	New Zealand Defence Force (NZDF)	Include provisions in the District Plan in regards to night time noise, which states; <u>Impulse Noise Resulting from the use of explosives and small arms is not to exceed 122 dBC.</u>	

4.74 Support for Rule 16.6.23 by NZ Defence Force is noted and the submission accepted. In respect of submission point 95.32 NZDF made this submission across a number of zones (Open Space, Urban Environment and Rural Environment). The submission is discussed in detail in the decision of the Hearings Panel dealing with the Open Space and Water Bodies. The submission point is accepted and the consequential changes are detailed in Appendix A.

Controlled Activity Matters of Control and Conditions (16.7.1) – Subdivision of Land

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
117.15	New Zealand Historic Places Trust (NZHPT)	Amend Rule 16.7.1(a) (vi) as follows: Effects on significant sites and features, including natural, cultural, <u>archaeological</u> and historical sites.	
41.37	Powerco	Amend Rule 16.7.1(a)(iv) as follows The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity <u>and, where applicable, gas.</u>	

4.75 The above submission was evaluated by the reporting officer in section 4.39.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to the Matters of Control for Subdivision and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Controlled Activity Matters of Control and Conditions (16.7.3) – Relocated Buildings

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.16	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 16.7.3	
40.33	House Movers Section of NZ Heavy Haulage Association Inc.	Delete any provision in the Plan for a performance bond or any restrictive covenants for the removal, re-siting, and relocation of dwellings and buildings. Inferred delete Rule 16.7.3(a)(iii).	

4.76 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Controlled Activity Matters of Control and Conditions (16.7.6) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.42	New Zealand Defence Force (NZDF)	Retain Controlled activity status. Amend Rule 16.7.6 by clarifying matters for control, especially in regards to noise.	

4.77 NZ Defence Force sought clarification of the Matters of Control for Controlled Activities. The reporting officer agreed and recommended changes so that they were more specific to temporary military activities. Ms Grace, appearing for NZDF agreed with changes made but sought that (iii) be reworded to make the meaning clearer. The reporting officer agreed with this matter and the redrafted wording of 16.7.6 was provided in their final right of reply dated 28th May 2013 which had been reviewed and agreed to by Ms Grace. We concur with the recommended changes as they directly address the effects of non-compliance.

Controlled Activity Matters of Control and Conditions (16.7.7) – Tararua Road Growth Area Overlay

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
70.05	Future Map Limited	Amend Rule 16.7.7 as follows: (b) Conditions (ii) Any building fronting onto Tararua Road, or adjoining or facing across a road from the Tararua Road Growth Area Overlay residential area shall be set back from the boundary by not less than: · 10 metres from Tararua Road. · 8 metres from Tararua Road Growth Area Residential Area.	
70.06	Future Map Limited	Include new subclauses to Rule 16.7.7(b) as follows: ...16.7.7(b) (iii) <u>Any building located within the Low Impact Industrial Area overlay within the Tararua Growth Area shall be limited to offices, commercial activities and service activities including warehousing, storage and distribution activities but excluding the maintenance and refuelling of vehicles.</u> <u>16.7.7(b) (iv)</u> <u>All development undertaken within the Tararua Growth Area Structure Plan shall be in accordance with Design Guide contained in Schedule 5 of the Proposed Horowhenua District Plan.</u>	

4.78 The main decision on the submission points of Future Map is in section 4.93-4.102. Submission point 70 .05 is a consequential amendment as a result of the main decision and we agree with the reporting officer’s evaluation in section 4.42.2 and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. Amendment to Rule 16.7.7 is appropriate to remove reference to setbacks from the Tararua Road Growth Area Overlay residential area as the residential area has been removed. The reporting officer agreed that setback from the residential area is no longer relevant and that the 10m setback from Tararua Road should be applied. Future Map and the reporting officer agreed that this setback should now also be applied to

Arapaepae Road. The hearing panel agreed that the setback from the residential area is redundant but that it is relevant and appropriate to have a 10m setback from these two roads.

4.79 In respect of submission point 70.06, Mr Harford responded to the reporting officer's report that commercial activities would be inconsistent with the objectives for the Industrial Zone. Mr Harford said that it was not their intention that provision be made for specific retail outlets but rather commercial activities ancillary to the Low Impact Industrial activities. They cited the example of an outdoor power equipment centre that offers servicing as part of the business that sells parts and equipment. They considered that this type of activity would be compatible within the Low Impact Industrial Zone. Following the hearing of evidence Mr Harford provided an example of a rule that he considered would be appropriate:

i) Retail Activity in the Industrial or Low Impact Industrial zone is limited to the following:

• Retail display and sales associated with a service or industrial activity shall be limited to goods produced or serviced/processed/manufactured on the site and may include only ancillary products to goods produced or serviced/processed/manufactured on the site.

The size of the retail area shall not

exceed a maximum gross floor area of ??m² located within buildings, except that this limitation shall not apply to:

- Outdoor display and sales including vehicle and machinery sales;

4.80 The reporting officer evaluated the rule in their reply and found that this rule was from the (Partially Operative Ashburton District Plan. The reporting officer pointed out that in fact this type of retailing is permitted in association with service activities.

Industrial Activity means the use of land or premises for the purpose of manufacturing, fabricating, processing, repair, packaging, storage, collection, or distribution of goods; and **includes the wholesale or retail sale of goods manufactured on the site.**

Commercial Garage/Vehicle Sales Yard means land or any premises where motor vehicles are sold, leased, hired, repaired, maintained, cleaned, re-fuelled, panelbeaten, overhauled, painted, or housed; **and includes the retail sale of motor vehicle accessories ancillary to that activity**, but excludes any garage or building used for the storage of any vehicles which is incidental to and secondary to the principal activity on the site and which is not operated for commercial reward.

Wholesale Trade means business engaged in sales to businesses, **and may include sales to general public**, but wholly consists of sales in one (1) or more of the following categories:

(a) Automotive and marine supplies

(b) Buildings supplies

(c) Garden and landscaping supplies

(d) Farming and agricultural supplies

(e) Hire services (excluding hire of books, DVD and video)

(f) Office furniture, equipment and systems supplies.

4.81 We agree that the Plan provides for retailing as requested and described by Future Map as it provides for service activities and retailing ancillary to these activities.

4.82 The reporting officer also recommended heavy industrial activity be a non-complying activity in the Tararua Road Growth Area Overlay Low Impact Industrial Zone as they are incompatible with the adjoining residential area and other activities in the Low Impact Industrial Area. Future Map agreed with this approach and the recommendation that a list of heavy industrial activities be appended to the Plan.

4.83 Future Map also sought a condition that development will be in accordance with the Design Guide for the Tararua Growth Area. The reporting officer commented that this is better applied as a matter of control as already provided for in the Plan. We concur with this as matters covered by Design Guides are subject to

interpretation as opposed to conditions which are fixed and measurable. We therefore accept in part submissions 70.05 and 70.06.

Matters of Discretion and Conditions for Restricted Discretionary Activities (16.8.4 and 16.8.5) – Land use and Subdivision Tararua Growth Area Overlay

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
70.08	Future Map Limited	Retain Rule 16.8.4.	
70.09	Future Map Limited	Retain Rule 16.8.5.	

4.84 The main decision on the submission points of Future Map is in section 4.93-4.102. In relation to submission points 70.08 and 70.09, these were evaluated by the reporting officer in section 4.43.2 of the reporting officer's report. At the hearing the submitter agreed with the reporting officer's evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to the Matters of Discretion for land use activities in the Tararua Road Growth Area Overlay and we adopt this recommendation as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Chapter 16 Industrial Zone Rules – General Matters Raised

Submissions Received - Cross Reference to National Environmental Standards

Sub No.	Submitter Name	Decision Requested	Further Submissions
93.20	The Oil Companies	Retain the cross reference to National Environmental Standards in Chapter 16.	

4.85 The support for the cross reference to the National Environmental Standards by The Oil Companies is noted and their submission is accepted.

Submissions Received – Relocated Buildings

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.07	House Movers Section of NZ Heavy Haulage Association Inc.	Amend the Proposed Plan to provide for the relocation of buildings/dwellings as no more restrictively than a restricted discretionary activity (in the event that it is not a permitted activity) and that such application e expressly provided for on a non-notified, non-service basis and subject to the following assessment criteria: <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u>	

		<u>i) proposed landscaping</u> <u>ii) the proposed timetable for completion of the work required to reinstate</u> <u>iii) the appearance of the building following reinstatement</u>	
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4.86 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Tararua Road Growth Area Overlay

Sub No.	Submitter Name	Decision Requested	Further Submissions
110.04	Fraser	No specific relief requested: Inferred: Amend the Tararua Road Growth Area Overlay setback provisions to provide appropriate residential protection from the industrial area.	523.03 Future Map Limited

4.87 The decisions on the submissions by Future Map are in section 4.93-4.102. As the residential area is to be removed from the Tararua Road Growth Area Overlay, the setback provisions are redundant and we agree with the reporting officer's evaluation in section 4.44.10 and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Earthwork Provisions on Heritage Sites

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.26	New Zealand Historic Places Trust (NZHPT)	Amend Chapter 16 to include earthworks rules that apply to historic heritage sites. Any earthworks within these sites should be restricted discretionary or discretionary activities dependent on the effects of the proposed earthworks on the heritage values of the sites.	

4.88 The above submission was evaluated by the reporting officer in section 4.44.14 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Network Utility Rules

Sub No.	Submitter Name	Decision Requested	Further Submissions
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78.08	Telecom New Zealand Ltd	Delete all Network Utility Rules and Standards within the Industrial Chapter, other than specific cross referencing to particular standards in the zone chapters where relevant and reasonably applicable to network utilities.	
79.08	Chorus New Zealand Ltd	Delete all Network Utility Rules and Standards within the Industrial Chapter, other than specific cross referencing to particular standards in the zone chapters where relevant and reasonably applicable to network utilities.	

4.89 The above submission was evaluated by the reporting officer in section 4.44.18 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Chapter 25 Assessment Criteria – Residential Zone (25.3)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
94.32	NZ Transport Agency (NZTA)	Retain 25.3.1(f) as notified.	
94.33	NZ Transport Agency (NZTA)	Retain 25.3.9(c) as notified.	
94.35	NZ Transport Agency (NZTA)	Retain 25.2.4(a) 25.3.9(c) as notified.	
55.05	KiwiRail	Amend Assessment Criteria 25.3.4(b) as follows: Whether the proposed activity will have reverse sensitivity effects on adjacent activities or zones; <u>including on the operation of land transport networks, including railways.</u>	521.08 NZ Transport Agency - In-Part
55.07	KiwiRail	Amend Assessment Criteria 25.3.9(c) as follows: c) Whether the height and design of the fence would be perceived to have a negative impact on vehicle or pedestrian safety including <u>on level crossing sightlines and applying the principle of passive surveillance of the street (applying Crime Prevention Through Environment Design (CPTED) principles).</u>	521.07 NZ Transport Agency - Support

- 4.90 The support of NZTA for the assessment criteria is noted and their submissions accepted.
- 4.91 Ms Butler for KiwiRail tabled evidence at the hearing. She supported the reporting officer’s recommendation in respect of their submission 55.07 but opposed the recommended change to assessment criteria 25.3.4(b). The recommended amendment added *transport networks (rail and road)* to consideration of reverse sensitivity effects. The reason Ms Butler gave was that the amendment only addressed the physical location of the transport corridor and not the operational effects. She gave noise and vibration as examples of operational effects that extend beyond the corridor. In their right of reply the reporting officer agreed with Ms Butler and amended their recommendation to include reference to the operation of the network. The Hearing Panel agreed that the effects of transport networks extend beyond the boundaries of their location and the assessment criteria should reflect that. We therefore accept submissions 55.05 and 55.07.

Chapter 25 Assessment Criteria – Industrial Zone (25.4)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
37.06	Homestead Group Limited	Delete Assessment Criteria 25.4	

- 4.92 The above submission was evaluated by the reporting officer in section 4.46.3 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Schedule 5 Tararua Road Growth Area

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
70.00	Future Map Limited	Delete the proposed Tararua Growth Area Structure Plan. AND Include the Tararua Road Development - Zoning Master Plan.	
70.01	Future Map Limited	Amend Tararua Road Growth Area Design Guide as presented by submitter at future hearing.	
110.04	Fraser	No specific relief requested: Inferred: Amend the Tararua Road Growth Area Overlay setback provisions to provide appropriate residential protection from the industrial area.	523.03 Future Map Limited

- 4.93 The submissions by Future Map request changes to the provisions for the Tararua Road Growth Area Overlay (TRGAO). As new owners of the land they seek the rezoning of residential land to industrial and rural to industrial. There are number of other amendments sought including a new Master Plan, the introduction of a Low Impact Area, reserve/stormwater management area and a new design guide. A number of consequential

changes to the Proposed Plan are potentially required as a result of these changes. The TRGAO was established by Plan Change 17, (now operative) which identified this area as an appropriate location for the development of industrial activities in the district. Future Map now seek amendments to the provisions to deliver their aspirations for the area.

- 4.94 The amendments sought are consistent with the objectives and policies of the Proposed Plan. The Master Plan proposed by Future Map included land not owned by Future Map being 165 Tararua Road and 172 Arapaepae Road. No further submissions were received by the owners but the reporting officer considered that the rezoning of these properties would have significant consequences on the use of this land given the changes sought by Future Map. The reporting officer accordingly recommended that these properties not be rezoned. At the hearing, Mr Harford presenting evidence for Future Map stated that the owners may have wished to have their land rezoned but Future Map accepted the officer's recommendation in respect of this matter. The Hearings Panel agreed that the Master Plan should be amended accordingly.

There was general agreement between the reporting officer and the submitter in respect of the rezoning with the following matters outstanding as points of disagreement:

1. The provision for service activities and ancillary retail activity within the Low Impact Industrial Zone
2. Maximum height within the Industrial Zone
3. Access to Arapaepae Road (SH 57)
4. Maintenance and vesting of the landscaping strip along Tararua Road and Arapaepae Road
5. Width of the Buffer/Stormwater Area
6. Design Guide

These matters will be addressed in turn.

- 4.95 Future Map sought provision for commercial activities ancillary to a service activity in the Low Impact Industrial Area. David Harford in his evidence for Future Map gave the example of an *outdoor power equipment centre that offers servicing and maintenance of equipment but as part of the business sells parts and equipment*. The reporting officer responded that this type of retail activity is already provided for in the area through the activities permitted and the definition of these activities. For example, Industrial activities are permitted and the definition of this includes *the wholesale or retail sale of goods manufactured on site*. Commercial garages and vehicle sales yards are permitted and the definition includes *the retail sale of motor vehicle accessories*. Wholesale Trade is permitted and the definition includes *sales to the general public*. We concur with the reporting officer that the activities sought by Future Map are already provided for and no amendment is required to enable the establishment of the type of retailing envisaged by the submitter.
- 4.96 The reporting officer and the submitters agree that a maximum height of 10m is appropriate in the Low Impact Industrial Zone. Future Map requested that the maximum height limit in the Industrial Zone be 18m rather than the permitted 12m. In his evidence Mr Harford said that the height would allow for internal gantry and loading facilities. He said that this was a more efficient use of space than a building with a greater footprint and that a 12m height is too low to provide for adequate covered internal space. We asked for more information on the impact of the 18m height and Future Map provided cross sections showing the relationship between the adjoining residential area and the location of 18m high buildings in the Industrial Zone. These also show planting on the boundary to screen the area. Mr Harford said that a compromise would be 15m which would enable some flexibility in height.
- 4.97 In their right of reply, the reporting officer considered that the 12m height limit was consistent with the policy direction which refers to *moderate height (under three storeys)* as being appropriate in the Industrial Zone. They also looked at recent developments in adjacent districts and reported that these appeared to generally be less than 12m and occupied by a range of uses. They acknowledged that the maximum height in the Rural Zone is 15m but in their view, there would be few buildings achieving this height within the Rural Zone as they were most likely to be for specific purposes such as grain silos. The reporting officer also

contended that any such buildings would be singular to a farm rather than in an Industrial Zone where significant building coverage is possible. A further matter of concern to the reporting officer was that a 18m height limit would challenge a height hierarchy that has taller buildings at the centre of town with lower heights on the edges of the centre albeit that the 12m height permitted in the Industrial Zone is inconsistent with this. The reporting officer considered that the adjoining residential area would be affected by buildings of 18m height and that the planting proposed by Future Map on the boundary would not adequately screen buildings. They considered that 18m high buildings would adversely affect the character and amenity values of the area and public views from key roads. They acknowledged that taller buildings may be appropriate but should be dealt with through a resource consent process.

- 4.98 The cross sections provided by Future Map were helpful in considering the impacts on the adjoining residential area. Due to the setbacks from residential areas with the stormwater/buffer/open space reserve, the location of buildings is likely to be approximately 72m away. The submitter has also said that significant planting will occur within these areas and on the boundary. On the boundary with the Greenbelt Residential Zone to the east of the site there would be approximately a 28m setback. Coverage of the site will not achieve 100% due to the internal roading network and the setbacks both internally and on the boundaries. We agree that this provides generous mitigation of the visual effects of new buildings in the TRGAO but consider that this is necessary to address the significant change in character from rural to industrial. The issue of what height the buildings are is therefore important in terms of the degree to which they impact on the adjacent areas. We assume that in establishing the policy direction in respect of an appropriate height for the Industrial Zone, the relationship with adjoining zones, particularly residential would have been taken into account. We agree with the reporting officer that a 12m height is consistent with the policy direction and consider that an increase in this height would not be consistent with the urban form of the district and would if applied across this area have an impact on the visual amenity of the area. Applications can be made for buildings that exceed this height through a resource consent process and these will be considered against the design guide to determine the appropriateness of the proposal.
- 4.99 In his evidence Mr Harford said that Future Map accepted that no access would be permitted to Arapaepae Road. However, at the hearing Mr Mason for Future Map asked us to consider “leaving the door open” for access on to this road. We note that NZTA are opposed to access being allowed through discussions with the submitter and that provision has been made in the Proposed Plan for it as a non-complying activity. To this extent we agree with the reporting officer that the “door is open” for a connection and access to be made to Arapaepae Road through a resource consent being granted.
- 4.100 Landscaping strips are proposed along both Tararua Road and Arapaepae Road and there was some discussion as to who was going to own and maintain these. Mr Mason considered that they would be vested in the Council and in their report, the reporting officer believed that they would be maintained by the owners as they are within the property boundary. In the reporting officer’s right of reply, they commented that it would be consistent with management of other landscaping strips in the area, for Council to maintain them. However they acknowledged that this was a matter that would need to be resolved at the time of a subdivision application at which time any land to be vested in Council would need to be shown. We agree that this is a matter for negotiation with Council at the time of subdivision and not a matter for us to determine as part of this decision.
- 4.101 The Master Plan provides for a 60m buffer/stormwater area between the residential area and the Low Impact Industrial Area. The area is shown in the design guide but with no dimensions. We understand that the purpose of the areas is for stormwater attenuation and also to provide a noise, visual buffer between the residential activities and industrial activities. At the hearing the width of this buffer was discussed as it was uncertain at this stage, how the actual dimension can be determined. The actual requirements for stormwater attenuation will not be known until a subdivision design is prepared and it is also possible that more than one area may be necessary. The reporting officer in their right of reply considered that a width of 50-60m is an appropriate distance to reduce noise effects and reverse sensitivity effects and this was supported by acoustic engineering advice received by the submitter. We agree that as the actual stormwater requirements are unknown until a subdivision design is produced an indicative width should only be shown.

4.102 All activities in the TRGAO are a controlled activity. The matters of control require assessment against a Design Guide. While a design guide was included in Future Map’s submission the reporting officer commented that it did not cover all aspects of site layout and design and that it should be restructured for consistency with other design guides in the Plan. Future Map provided a revised design guide that addresses the matters recommended by the reporting officer. The hearing panel considered that the revised design guide provides a good framework to guide development as it occurs to achieve a high level of amenity within the area and in relation to its neighbours and the wider context.

Schedule 10 Medium Density Residential Development Guide

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
110.07	Fraser	Include provision for visitor parking in higher density developments.	

4.103 The above submission was evaluated by the reporting officer in section 4.48.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Planning Map 29 and 31

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
70.02	Future Map Limited	Amend Planning Maps 29 and 30 to rezone the following parcels of land and adjoining properties from Industrial and Residential to Industrial and future Industrial, as shown on the Zoning Master Plan attached to the submission and includes the following properties: Lot 1 and 2 DP 45916, Lot 2 DP 341015, Lot 1 DP 30627, Pt Lot 1 DP 9882, Lot 1 DP 341015, Lot 1 and Lot 191 DP 52352, Lot 2 and 3 DP 30627	

4.104 The main decision on the submissions by Future Map is in section 4.93-4.102. This submission point is consequential to this decision and we agree with the reporting officer’s evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Chapter 17 Commercial Zone – Permitted Activities (Rule 17.1)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.21	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 17.1 to include “ <u>The placement of any Relocated building and/or accessory building on any site subject to the conditions at [rule ref]</u> ”.	

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.41	House Movers Section of NZ Heavy Haulage Association Inc.	Amend Rule 17.1(m) as follows: “The construction, alteration of, addition to, <u>removal, re-siting</u> and demolition of buildings and structures for any permitted activity”.	
73.00	McDonalds Restaurants (New Zealand) Limited	Amend Rule 17.1 to include 'Drive-Through Restaurant' as a permitted activity.	
95.04	New Zealand Defence Force (NZDF)	Retain as notified	

4.105 The decision on the submissions by House Movers Section of NZ Heavy Haulage Association Inc is in section 4.17-4.27. The decision in relation to the provisions for relocated buildings in all other zones also applies to the Commercial Zone. We agree with the reporting officer’s evaluation that the permitted activity status is not appropriate to control the effects of relocated buildings. The submission points 40.21 and 40.41 are consequential to the main decision and we agree with the reporting officer’s evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.106 Submission point 73.00 was evaluated by the reporting officer in section 4.50.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.107 The support for Rule 17.1 by NZ Defence Force is noted and the submission accepted.

Controlled Activities – Commercial Zone (17.2)

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.19	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 17.2(c)	

4.108 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer’s evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Restricted Discretionary Activities (17.3) and Discretionary Activities (17.4) – Commercial Zone

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
71.01	Progressive Enterprises Limited	Amend Rule 17.3 as follows: Insert <u>...(g) Supermarkets within a Large Format Retail Overlay Area.</u>	
71.00	Progressive Enterprises Limited	Delete Rule 17.4(c).	
117.22	New Zealand Historic Places Trust (NZHPT)	Amend Rule 17.4 to include subdivisions that negatively impact on the heritage values of any sites listed in Schedule 2.	

4.109 Progressive Enterprises sought that supermarkets within a large format retail overlay area be provided for as a restricted discretionary activity rather than a discretionary activity as proposed. The Plan requires that retail activities over 3000m² are a discretionary activity and Progressive Enterprises sought that this threshold be deleted as they considered it to be an arbitrary size and not consistent with new generation supermarkets. In their S42A report the reporting officer commented that Council wishes to control the effects of large format retailing on the vitality of smaller retail areas and the immediate area and that is why the Plan identifies specific areas for this activity. They also said that the threshold had been set at 3000m² as in their experience, above this size, Council needed to assess the effects which they said were potentially streetscape, traffic and town centre vitality. Having said this they then considered that the as the effects were generally known it would be appropriate for supermarkets to be provided for as a restricted discretionary activity. They recommended amendments to the Plan to enable this while still retaining retail activities over 3000m² (other than supermarkets) as a discretionary activity:

1. Rule 17.3 providing for supermarkets as a restricted discretionary activity in the Large Format Retail Overlay Area
2. Rule 17.4(c) excluding supermarkets from Discretionary Activities
3. Rule 17.8.8 adding matters of discretion for the consideration of supermarkets within the Large Format Retail Overlay Area
4. Adding a new policy providing guidance for the location and design of supermarkets

4.110 Mr Foster for Progressive Enterprises tabled evidence at the hearing which said that they accepted and supported the recommended amendments. The hearings panel agreed that as the effects can be identified it is appropriate that they be provided as a restricted discretionary activity. We accordingly accept in part submissions 71.01 and 71.00.

4.111 In respect of the submission from NZHPT this matter is already provided for in the Plan and therefore their submission 117.22 is accepted in part.

Permitted Activity Standards (17.6) – General

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
25.05	Michael White	Amend Permitted Activity Conditions 17.6 to include rules that control the emission of outdoor lighting at and above the horizontal and to limit the level and timing of lighting in the Commercial zone.	525.21 Maurice and Sophie Campbell - Support

Sub No.	Submitter Name	Decision Requested	Further Submissions
26.11	Horowhenua Astronomical Society Inc.	Amend Permitted Activity Conditions 17.6 to include rules that control the emission of light at and above the horizontal and to limit the level and timing of lighting in the Commercial Zone.	
27.20	Horizons Regional Council	<p>Amend the Permitted Activity Conditions to provide for soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council as a permitted activity; and</p> <p>Provide for this criterion to be carried over to all other activity types in the Proposed Plan regarding soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf supervised by of Horizons Regional Council.</p>	
40.22	House Movers Section of NZ Heavy Haulage Association Inc.	<p>Include the following performance standards/conditions (or to the same or similar effect) for relocated buildings:</p> <p>Permitted Activity Standards for Relocated Buildings</p> <p><u>i) Any relocated building intended for use as a dwelling (excluding previously used garages and accessory buildings) must have previously been designed, built and used as a dwelling.</u></p> <p><u>ii) A building pre-inspection report shall accompany the application for a building consent for the destination sit. That report is to identify all reinstatement works that are to be completed to the exterior of the building.</u></p> <p><u>iii) The building shall be located on permanent foundations approved by building consent, no later than [2] months of the being moved to the site.</u></p> <p><u>iv) All other reinstatement work required by the building inspection report and the building consent to reinstate the exterior of any relocated dwelling shall be completed with [12] months of the building being delivered to the site. Without limiting (iii) (above) reinstatement work is to include connections to all infrastructure services and closing in and</u></p>	

Sub No.	Submitter Name	Decision Requested	Further Submissions
		<u>ventilation of the foundations.</u> <u>v)The proposed owner of the relocated building must certify to the Council that the reinstatement work will be completed within the [12] month period.</u>	
95.19	New Zealand Defence Force (NZDF)	Retain the removal of conditions as notified	

4.112 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

4.113 The support for Rule 17.6 by NZ Defence Force is noted and the submission accepted.

4.114 The above submissions were evaluated by the reporting officer in section 4.53.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to Rule 17.6 inserting a permitted activity condition on lightspill and we adopt this recommendation as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (17.6.1) Maximum Building Height

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
71.02	Progressive Enterprises Limited	Amend Rule 17.6.1(c) as follows: Outside of the Pedestrian Overlay Area in all towns, no part of any building shall exceed a height of 8m <u>9m provided that supermarket platforms to a height of 9.8m shall be permitted where such platforms occupy less than 10% of the overall roof area.</u>	

4.115 The above submissions were evaluated by the reporting officer in section 4.54.2 of the reporting officer's report. Mr Foster for Progressive Enterprises tabled evidence at the hearing. He said that while they still had concerns with the proposed height limit, they accepted it on the understanding that an exception could be sought and granted for roof plant up to 9.8m. The definition of height excludes, amongst other items, lift towers and machinery rooms provided that they do not measure more than 2m horizontally and more than 1.5m above the maximum height of the building. To this extent, Progressive Enterprises' concerns are addressed and beyond this an application for a resource consent would be necessary. We therefore reject submission 71.02.

Permitted Activity Standard (17.6.2) – Building Frontage and Size

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
71.03	Progressive Enterprises Limited	Amend Rule 17.6.2(b) as follows: Insert <u>(iv) No blank wall maximum length limits shall apply to walls that otherwise do not front or face a street.</u>	
108.07	HDC (Planning Department)	Amend Rule 17.6.2 parts (b) and (c) as follows : (b) <u>In Levin</u> outside the Pedestrian Overlay Area in Levin , the following conditions apply: (c) <u>In Foxton</u> outside the Pedestrian Overlay Area in Foxton , the following conditions apply:	
108.30	HDC (Planning Department)	Amend Rule 17.6.2(d)(iii) as follows: The area between <u>the front road boundary</u> and any on-site carpark and the front road boundary <u>with a frontage of more than 6 metres</u> shall include a landscape strip. This landscaping strip shall comply with the following conditions:	

4.116 The above submissions were evaluated by the reporting officer in section 4.55.2 of the reporting officer's report. Mr Foster for Progressive Enterprises tabled evidence at the hearing. He said that Progressive Enterprises appreciated the reporting officer's clarification of this point and withdrew their submission. In respect of the submission points by HDC Planning Department, we have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to Rule 17.6.2 and 17.6.2 (d) (iii) to provide clarity and greater certainty for the application of the rules and we adopt this recommendation as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (17.6.3) - Verandahs

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
71.04	Progressive Enterprises Limited	Retain Rules 17.6.3(a) and 17.6.3(b).	

4.117 The support for Rule 17.6.3 by Progressive Enterprises Limited is noted and their submission is accepted.

Permitted Activity Standard (17.6.5) - Signs

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
71.05	Progressive Enterprises Limited	Amend Rule 17.6.6(a) as follows: Insert <u>(vi) Pylon stands to a maximum height of 9m and a width of 3.3m with a maximum face area of 58m² (two faces) within a Large Format Retail Overlay Area.</u>	
108.04	HDC (Planning Department)	Amend Rule 17.6.5(a)(iv) as follows: Any temporary sign shall be displayed for no longer than two (2) calendar months in every calendar year <u>of a 12 month period</u> and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.	

4.118 The above submissions were evaluated by the reporting officer in section 4.57.2 of the reporting officer's report. We note that the reference in the summary of the submission to 17.6.6(a) should read 17.6.5(a). In his evidence Mr Foster for Progressive Enterprises accepted that pylon signs are included in the definition of advertising signs and that this is permitted in the Commercial Zone. He did however suggest that the Hearing Panel consider including "free standing signs" in the definition. We do not consider this necessary as they are already provided for and we therefore reject submission 71.05. In respect of the submission by HDC Planning Department, we have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended an amendment be made to Rule 17.6.5(a)(iv) in order to clarify the intent of the standard and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (17.6.6) - Noise

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
5.04	Elaine Gradock	No specific relief requested. Inferred: Retain proposed Rule 17.6.6(a)(i) noise limits.	
95.28	New Zealand Defence Force (NZDF)	Amend Rule 17.6.6(d) as follows: The noise limits in Rule 17.6.6(a) <u>and the provision of Rule 17.6.6 (b)</u> shall not apply to... Temporary Military Training Activities.	
108.35	HDC (Planning Department)	Rule 17.6.6(e)(iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), or within a site as part of or compatible with a normal residential commercial activity.	

4.119 The above submissions were evaluated by the reporting officer in section 4.58.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended an amendment be made to Rule 17.6.6 in order to clarify the intent of the standard and to Permitted Activity Standard 17.6.6 –Noise to provide consistency between exemptions. We adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Permitted Activity Standard (17.6.7) – Noise Insulation

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
5.05	Elaine Gradock	No specific relief requested. Inferred: Retain proposed Rule 17.6.7 noise insulation.	

4.120 The support for Rule 17.6.7 by Elaine Gradock is noted and her submission is accepted.

Permitted Activity Standards (17.6.8) - Vibration

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.38	New Zealand Defence Force (NZDF)	Retain Rule 17.6.8 as notified (conditionally).	

4.121 While originally being neutral in respect of this rule, NZ Defence Force sought an exemption from the vibration standard following a technical review carried out after they lodged their submission. Mr Hunt the acoustician for NZDF advised that as the provisions that they were proposing managed noise and vibration together, temporary military activities could be exempt from the vibration standards. The reporting officer considered that this could be outside the scope of the original submission and recommended that the vibration standards should still apply. In her evidence, Ms Grace stated that NZDF accepts the reporting officer’s recommendation and that they would not pursue this exemption. We therefore accept in part submission point 95.38.

Permitted Activity Standard (17.6.25) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.09	New Zealand Defence Force (NZDF)	Retain Rules 17.6.25(a)(i) as notified.	
95.52	New Zealand Defence Force (NZDF)	Retain Rules 17.6.25(a)(ii) as notified.	
95.14	New Zealand Defence Force (NZDF)	Retain Rule 17.6.25 (a) (iii) as notified	

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.23	New Zealand Defence Force (NZDF)	Retain Rules 17.6.25 (iv) (v) as notified (conditionally)	
95.33	New Zealand Defence Force (NZDF)	Include current provisions in the District Plan in regards to night time noise, which state; Impulse Noise Resulting from the use of explosives and small arms is not to exceed 122 dBC.	

4.122 The support for Rule 17.6.25 (a)(i), 17.6.25(a)(ii), 17.6.25(a)(iii), 17.6.25(a)(iv) and (v) by NZ Defence Force is noted and their submission is accepted.

4.123 In respect of submission point 95.33 NZDF made this submission across a number of zones (Open Space, Urban Environment and Rural Environment). The submission is discussed in detail in the decision of the Hearings Panel dealing with the Open Space and Water Bodies. The submission point is accepted and the consequential changes are detailed in Appendix A.

Controlled Activity Matters of Control and Conditions (17.7.1) – Submission of Land

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.16	New Zealand Historic Places Trust (NZHPT)	Amend Rule 17.7.1(a) (vi) as follows: Effects on significant sites and features, including natural, cultural, archaeological and historical sites.	
41.38	Powerco	Amend Rule 17.7.1(a)(iv) as follows The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable, gas.	

4.124 The above submissions were evaluated by the reporting officer in section 4.62.2 of the reporting officer's report. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. Powerco tabled evidence at the hearing and in respect of this point they stated that they were satisfied that their submission had been given effect to. The reporting officer also recommended amendments be made to Rule 17.7.1 to provide for consideration of the effects of subdivision on archaeological sites and the provision of servicing including gas and we adopt this recommendation as our decisions pursuant to Clause 10(1) of Schedule 1 to the RMA.

Controlled Activity Matters of Control and Conditions (17.7.3) – Relocated Buildings

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.20	House Movers Section of NZ Heavy Haulage Association Inc.	Delete Rule 17.7.3	

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.34	House Movers Section of NZ Heavy Haulage Association Inc.	Delete any provision in the Plan for a performance bond or any restrictive covenants for the removal, re-siting, and relocation of dwellings and buildings. Inferred delete Rule 17.7.3(a)(iii).	

4.125 The decision on the submissions by House Movers Section of NZ Heavy Haulage Association Inc is in section 4.17-4.27. These are consequential changes to the main submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Controlled Activity Matters of Control and Conditions (17.7.6) – Temporary Military Training Activities

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
95.43	New Zealand Defence Force (NZDF)	Retain Controlled activity status. Amend Rule 17.7.6 by clarifying matters for control, especially in regards to noise.	

4.126 NZ Defence Force sought clarification of the Matters of Control for Controlled Activities. The reporting officer agreed and recommended changes so that they were more specific to temporary military activities. Ms Grace, appearing for NZDF agreed with changes made but sought that (iii) be reworded to make the meaning clearer. The reporting officer agreed with this matter and the redrafted wording of 17.7.6 was provided in their final right of reply dated 28th May 2013 which had been reviewed and agreed to by Ms Grace. We concur with the recommended changes as they directly address the effects of non-compliance and accept in part submission point 95.43.

Chapter 17 Commercial Zone Rules – General Matters Raised

Submissions Received – Air Quality

Sub No.	Submitter Name	Decision Requested	Further Submissions
3.02	Matthew Thredgold	Include a provision that prohibits the installation of new solid fuel wood burners, solid fuel stoves and heaters and have provisions for phasing out and eventually prohibiting the use of solid fuel wood burners, solid fuel stoves and heaters in the Commercial Zone.	528.03 Horizons Regional Council - Oppose

4.127 The above submissions were evaluated by the reporting officer in section 4.65.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Rezoning of Residential Properties

Sub No.	Submitter Name	Decision Requested	Further Submissions
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Sub No.	Submitter Name	Decision Requested	Further Submissions
51.01	Waitarere Beach Progressive & Ratepayers Association (WBPRA)	No relief specified. Inferred: ensure that residential activities and development can continue on the existing residential sites identified for commercial zoning.	

4.128 The above submissions were evaluated by the reporting officer in section 4.65.6 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to Rule 17.6.2(d) to exempt residential buildings from the display window requirement and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Submissions Received – Cross Reference to National Environmental Standards

Sub No.	Submitter Name	Decision Requested	Further Submissions
93.21	The Oil Companies	Retain the cross reference to National Environmental Standards in Chapter 17.	

4.129 The support for the cross reference to the National Environmental Standards by The Oil Companies is noted and their submission is accepted.

Submissions Received – Relocated Buildings and Dwellings

Sub No.	Submitter Name	Decision Requested	Further Submissions
40.08	House Movers Section of NZ Heavy Haulage Association Inc.	Amend the Proposed Plan to provide for the relocation of buildings/dwellings as no more restrictively than a restricted discretionary activity (in the event that it is not a permitted activity) and that such application e expressly provided for on a non-notified, non-service basis and subject to the following assessment criteria: <u>Where an activity is not permitted by this Rule, Council will have regard to the following matters when considering an application for resource consent:</u> <u>i) proposed landscaping</u> <u>ii) the proposed timetable for completion of the work required to reinstate</u> <u>iii) the appearance of the building following reinstatement</u>	

4.130 The decision relating to the submissions of NZ Heavy Haulage Associated Inc is included in 4.17-4.27 above. This submission seeks a consequential amendment from earlier submission points and we agree with the reporting officer's evaluation and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA

Submissions Received – Earthwork Provisions for Heritage Sites

Sub No.	Submitter Name	Decision Requested	Further Submissions
117.27	New Zealand Historic Places Trust (NZHPT)	Amend Chapter 17 to include earthworks rules that apply to historic heritage sites. Any earthworks within these sites should be restricted discretionary or discretionary activities dependent on the effects of the proposed earthworks on the heritage values of the sites.	

4.131 The above submissions were evaluated by the reporting officer in section 4.65.18 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Network Utility rules

Sub No.	Submitter Name	Decision Requested	Further Submissions
79.09	Chorus New Zealand Ltd	Delete all Network Utility Rules and Standards within the Commercial Chapter.	
78.09	Telecom New Zealand Ltd	Delete all Network Utility Rules and Standards within the Commercial Chapter, other than specific cross referencing to particular standards in the zone chapters where relevant and reasonably applicable to network utilities.	

4.132 The above submissions were evaluated by the reporting officer in section 4.65.22 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Submissions Received – Commercial-Residential Interface Provisions

Sub No.	Submitter Name	Decision Requested	Further Submissions
114.01	Gary Spelman	Amend Chapter 17 to ensure the following issues are specified with regard to future commercial developments occurring on a Residential Zone boundary: Single level low profile structure with high degree of articulation; limit on the maximum site coverage with specific setback requirements on zone boundary; consideration of operational aspects of planned commercial activity with respect to delivery hours, positioning of extraction and like systems and positioning of off-street	

		parking, hours of operation; noise and vibration; and respect for environment.	
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4.133 Mr Spelman attended the hearing and Mr West spoke to Mr Spelman’s submission on his behalf. Mr Spelman had experienced disturbance from neighbouring commercial activities and objected to the proposed rezoning of the adjacent properties on Exeter and Bristol Streets. This submission and the related decision are addressed in General Matters – Planning Maps. Mr Spelman sought that if the rezoning was upheld, controls would be included on commercial developments where they adjoin residential zones. The reporting officer considered that the provisions of the Plan adequately provided addressed the mitigation of effects from commercial activities where they adjoined the residential zone. Rule 17.6.4 specifically addresses this matter and requires that:

1. Buildings must comply with the residential zone daylight setback
2. All buildings and structures must be setback 4.5m from the residential zone boundary
3. All outdoor areas must be screened by a fence
4. Servicing can only occur between 7am and 9pm.

4.134 The Plan also controls noise and vibration which, in addition to servicing, are the main effects on residential properties. Noise levels have to be contained within the commercial site and if they extend beyond the boundary, the noise standard of the residential zone applies.

4.135 The hearing panel accepted Mr Spelman’s invitation for a site visit and we appreciated being shown around his property and through his carefully restored home. We noted that his house was setback some distance from the boundary of the property proposed to be rezoned and there was also a shed and garage on that boundary. While we appreciate Mr Spelman’s concerns we did consider that the Plan provides for the potential effects to be managed. In particular the building setback from the boundary and compliance with the residential daylight setback will mean that any building will be of a similar height as a residential building while being further away from the boundary. Accordingly we accept in part submission 114.01.

Chapter 25 – Assessment Criteria

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
71.07	Progressive Enterprises Limited	Amend 25.5.1 as follows: Insert <u>...(o) The extent to which the functional and operational requirements of supermarkets, including but not limited to the following:</u> <u>Visibility of the store and related parking;</u> <u>Relationship of the site to the placement of the supermarket, building, customer parking area and store entry;</u> <u>Adequate and easily accessible heavy goods servicing; and</u> <u>The necessary restrictions on the extent of exterior glazing;</u> <u>Have been taken into account when assessing compliance with criteria (a) to (n) of section 25.5.1.</u>	510.00 McDonald's Restaurants Ltd - Support

Sub No.	Submitter Name	Decision Requested	Further Submissions
71.08	Progressive Enterprises Limited	Retain 25.5.2, 25.5.3, 25.5.4 provided criterion (o), clause (g) is adapted.	
71.09	Progressive Enterprises Limited	Amend 25.5.6(a)(vii) as follows: ...The extent to which verandahs have been incorporated as an integral part of the design, to establish a strong relationship with pedestrians and so that the shop fronts appear obvious and accessible <u>provided that such criterion shall not apply to supermarkets...</u>	
71.10	Progressive Enterprises Limited	Retain 25.7.11.	

4.136 The above submissions were evaluated by the reporting officer in section 4.66.2 of the reporting officer's report. Progressive Enterprises tabled evidence at the hearing and said that they supported the amendment proposed by the reporting officer and would not pursue the other relief sought in their submission. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA. The reporting officer also recommended amendments be made to Assessment Criteria 25.5.1 to include consideration of the functional and operational requirements of supermarkets and we adopt this recommendation as our decision pursuant to Clause 10(1) of Schedule 1 to the RMA.

Chapter 26 Definitions – New Definition “Drive-Through Restaurant”

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
73.01	McDonalds Restaurants (New Zealand) Limited	Include definition for “Drive-Through Restaurant” as follows: <u>Drive-Through Restaurant means any land and/or building with a drive-through service on or in which food and beverages are prepared, served and sold to the public for consumption on or off the premises and may include an ancillary café and /or playground area.</u>	

4.137 The above submission was evaluated by the reporting officer in section 4.67.2 of the reporting officer's report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer's evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Schedule 9 – Foxton and Shannon Town Centre Design Guide

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
71.12	Progressive Enterprises Limited	Amend Section 4.1 as follows: Insert <u>7. Notwithstanding the foregoing guidelines, where practicable such provisions shall not generally apply to supermarkets because of their functional and operational characteristics.</u>	

4.138 The above submission was evaluated by the reporting officer in section 4.68.2 of the reporting officer’s report. No submitters expressed any opposition to that evaluation. We have reviewed the reporting officer’s evaluation and we agree with it and adopt it as our reasons pursuant to Clause 10(2)(a) of Schedule 1 to the RMA.

Chapter 18 Greenbelt Residential Zone

Submissions Received

Sub No.	Submitter Name	Decision Requested	Further Submissions
26.12	Horowhenua Astronomical Society Inc.	Amend Permitted Activity Conditions 18.6 to include rules that control the emission of light at and above the horizontal and to limit the level and timing of lighting in the Greenbelt Residential Zone.	
117.17	New Zealand Historic Places Trust (NZHPT)	Amend Rule 18.7.1(e) as follows: Effects on significant sites and features, including natural, cultural, archaeological and historical sites.	
93.22	The Oil Companies	Retain the cross reference to National Environmental Standards in Chapter 18.	

4.139 The Horowhenua Astronomical Society, NZHPT and the Oil Companies made the same submission points across all zones and as a result this has captured Chapter 18 Greenbelt Residential Zone. This chapter was reviewed as part of Plan Change 21 and this was not operative at the time the Proposed Plan was notified. These submission points are therefore out of scope for the review of the District Plan. The reporting officer indicated that a plan change is likely to be undertaken after the Proposed Plan decision is notified so that the changes made as a result of Plan Change 21 are incorporated in the Plan. At this time the matters raised by the submitters could be addressed. We therefore reject the submissions.

5.0 DECISION

5.1 For all of the foregoing reasons we resolve the following:

1. That pursuant to clause 10 of Schedule 1 to the Resource Management Act 1991 the Urban Environment and Residential, Industrial and Commercial Zones sections of the Proposed Horowhenua District Plan be approved including the amendments set out in Appendix A to this decision.
2. That for the reasons set out in the above report submissions and further submissions are accepted, accepted in part or rejected as listed in Appendix B to this decision.



Jane Black



Cr Garry Good



Cr David Allan

Dated: 23 September 2013

APPENDIX A: Proposed Plan as amended by Hearing Decisions

Chapter 6 Urban Environment

Amend the Introduction of Chapter 6 by adding further description to the Hokio Beach section to read as follows:

Hokio Beach

The settlement extends along the narrow valley of the Hokio Stream which discharges surplus waters from Lake Horowhenua out to sea. On the northern side of the stream mouth was Te Ua-mairangi, a high grassed hill on which stood the first of the tall carved posts (pou rahui) that defined the boundaries of the Mua-Upoko territory. One of the lagoons connected with the hydrographic system of Lake Horowhenua - Pakau-hokio, translates to "the wing of the Hiko". Hokioi (*Harpaqornis moorei*) was a great bird of prey and it is thought that a breeding ground for the bird was located on the rockfaces of the Tararuas directly opposite Hokio.

The topography in this area is low-lying and surrounded by relatively young and unstable sand dunes. The nature of the coastal geology and location at the mouth of the Hokio Stream have confined the size of the settlement and high ground water means that surface-water ponding is a potential constraint on further development within the settlement.

Historically, the high water table was more of an advantage than a constraint for Maori, who dammed areas to enable wider transport by waka. Like other rivers and streams along the coastline, the Hokio Stream was used by Maori and pakeha settlers alike for loading, unloading, and the building of boats. Every 10 miles or so accommodation houses provided a place for the coach service to change horses and for passengers to refresh. The Hokio Accommodation House, was the largest of such houses along the Kapiti coast and provided an important link between colonial society and the Maori inhabitants of the immediate coastal area for trading and hospitality.

The settlement has developed as a beach holiday destination with a landscape character derived from the high proportion of baches, close proximity to the beach and sand soil, and coastal sand vegetation, with narrow roads and unformed berm areas. Water supply and sewage disposal are provided independently on each site. Average section size is therefore medium-large.

Amend Policy 6.1.4 as follows:

"Ensure that all developments within the urban settlements provide:

Water supply suitable for human consumption and fire fighting;

- Facilities for the collection, treatment, and disposal of sewage and other wastes in a manner that maintains community and environmental health; ~~and~~
- For the collection and disposal of surface-water run-off in a way which avoids worsening any localised inundation; ~~and~~
- The ability to provide an energy supply, whether this is through connecting to a secure electricity or gas supply, or through an alternative method generated on-site. "

Issue 6.2 Tararua Road Growth Area

Amend the Urban Environment Policy Framework for the Tararua Road Growth Area as follows:

Issue 6.2 TARARUA ROAD GROWTH AREA

The provision for and management of industrial growth in South East Levin.

ISSUE DISCUSSION

Between 1999 and 2006 Levin has seen considerable change in the demand for land for urban development. From a low growth situation in the late 1990s increasingly competitive land prices have seen a significant change in demand for both rural residential land and for urban density development. In addition there has been a growing demand for industrial land in Levin from both local and the wider region because of constrained land supply in competing centres such as Palmerston North and Wellington.

One of the appropriate means of providing opportunities for growth and further development of Levin is to zone additional land for ~~both industrial and residential~~ activities. One of the most suitable areas for peripheral urban growth is on the southern edge of the urban area north of Tararua Road and west of Arapaepae Road.

This is an area of approximately 50 hectares of flat land with no significant development constraints other than careful management of stormwater discharges to ground, protection of adjoining residential areas and adjacent rural areas, and, to some extent, road access. There is an opportunity to contribute to the provision of existing and future demand for ~~both residential and~~ industrial activities. ~~Initially it~~ is proposed to enable the development of ~~38~~ 50 hectares of this area which will contribute significantly to land supply over the next 10-15 years and potentially longer term.

This land forms a strategic growth node for Levin and the quality of development is important to the overall quality of the environment of the town. State Highway 57 is an important strategic transport corridor and currently forms the major route for Palmerston North to Wellington traffic. Therefore, development in the vicinity of this route will influence other activities within the District.

It is also important that development of this area is planned in a manner that avoids adverse effects on the safe and efficient functioning of the highway. The Tararua Road intersection has formerly had a poor safety record and recent design improvements have significantly reduced crashes at this intersection. Roading infrastructure will need to be upgraded as the area develops including upgrading of the intersections with State Highways.

~~Neighbourhood facilities/centre~~

~~Providing retail facilities to meet local community needs (such as a dairy, a café and / or bakery and a fast food takeaway) along with community facilities and open space will contribute towards the creation of a successful community, and could also benefit adjacent neighbourhoods and communities. These facilities could be integrated successfully with the proposed industrial area, and help create an environment that stimulates inward investment and economic development. These uses should be grouped together to create a community centre, a focus for activity. A preferred location for this use is at the centre of the residential zone and adjacent/close to the industrial zone.~~

~~However, care must be taken to ensure that the scale of any such retail facilities do not undermine existing commercial activity within Levin's town centre (commercial centre zones).~~

Retail facilities provided as a neighbourhood centre could comprise of the following uses:

- ~~Café~~
- ~~Dairy (with or without a liquor licence)~~
- ~~Bakery~~
- ~~Butchers~~
- ~~Hairdresser~~
- ~~Fast food take away~~
- ~~Pub / Bar~~
- ~~Restaurant~~
- ~~Post office~~
- ~~Estate agent and / or other professional services~~

~~Maximum unit sizes should typically be around 150m² (net) in size. There should be scope to exceed this size, where grocery and food retail units of 400 to 500m² are now considered to be the minimum in order to be viable.~~

~~Careful consideration of potential impacts on the town centre is needed, particularly should the cumulative amount of retail floor space at the centre exceed 700m² (net).~~

Objectives & Policies

Objective 6.2.1 Tararua Road Growth Area

~~Promotion of urban peripheral growth to the south of Levin to enable development opportunities within a sustainable management framework.~~

To provide for efficient use and development in the Tararua Road Growth Area in an integrated, coordinated and cost effective way with the existing industrial area, while avoiding adverse effects on adjoining residential areas and adjacent rural areas, and maintaining the safety and efficiency of the local and State Highway roading networks.

Policy 6.2.2

~~Enable urban growth on land north of Tararua Road and west of Arapaepae Road in accordance with the Tararua Road Growth Area Structure Plan.~~

Provide for industrial development in south-east Levin through an extended Industrial Zone with Arapaepae Road (State Highway 57) and Tararua Road forming the boundaries of this zoning and identify as a specific urban growth area (Tararua Road Growth Area).

Policy 6.2.3

~~Provide opportunities within the Structure Plan for planned areas of industrial and residential activities.~~

Manage subdivision and development within the Tararua Road Growth Area through applying a specific management framework including a Structure Plan to ensure a structured and integrated pattern of development that is efficient and environmentally sustainable.

Policy 6.2.4

Ensure that development is of a high quality and that adverse effects on the State Highways are avoided.

~~**Policy 6.2.5**~~

~~Promote the development of a neighbourhood centre within the Tararua Road Growth Area that provides a mix of activities within a high quality environment, including open space and local housing.~~

New Policy 6.2.X

Manage the actual and potential adverse effects on the environment from new industrial activity through the resource consent process using the Structure Plan and Design Guide to ensure the amenity of the industrial area reflects the outcomes set in the Design Guide and the Industrial Zone, as well as protecting the amenity values and character of the adjoining residential and adjacent rural areas.

New Policy 6.2.X

Manage all stormwater generated from the Tararua Road Growth Area Overlay through use of low impact urban design principles, including the provision a dual purpose stormwater / recreation reserve buffer between the industrial area and adjoining residential area.

New Policy 6.2.X

Ensure the safety and efficiency of Tararua Road is maintained as a result of new road connections and property access and the increased generation of traffic from the Tararua Road Growth Area Overlay, and discourage heavy vehicle movements through streets in the adjoining residential area.

New Policy 6.2.X

Restrict access to Arapaepae Road (State Highway 57) from the Tararua Road Growth Area to protect the safety and efficiency of this road from the adverse effects of land use activities, subdivision and development.

Explanation and Principal Reasons

The Tararua Road Growth Area located in south-east Levin and adjoins an existing industrial area to the west. The Tararua Road Growth Area is bounded by existing residential areas to the north, Arapaepae Road (State Highway 57) to the east, Tararua Road to the south, and the existing industrial area to the west which fronts Cambridge Street. Rural land is located adjacent to this area on the opposite side of Arapaepae Road (State Highway 57) and Tararua Road. This large area provides a substantial industrial land supply to meet future requirements, both in the short and long term. It is anticipated that a wide range of different forms of industrial activities could locate within this area, including light servicing activities (such as goods storage and distribution) and manufacturing.

To manage the effects of subdivision and development in this area, a specific management framework, which complements the underlying Industrial Zone provisions. This management framework is based on three key main features: 1. Resource consent for all development and subdivision; 2. Structure Plan; and 3. Design Guide. The resource consent process provides for a case-by-case assessment of each proposal to ensure the subdivision and development achieves the objectives for the growth area, and would be assessed against the Structure Plan and Design Guide. A Structure Plan has been prepared by the developer which provides a framework to ensure a coordinated and well designed pattern of development. A developer led Design Guide provides the basis for assessing the quality of the development to ensure the growth area achieves a certain level of amenity, as well as protecting the adjoining residential and adjacent rural areas.

Due to the flat topography of the area and the potentially high level of impervious surfaces from industrial development, the management of stormwater needs to be carefully planned. Low impact stormwater design principles are to be utilised in the Tararua Road Growth Area, including on-site techniques, on-road, and a dual purpose stormwater / recreation reserve area. This dual purpose stormwater / recreation reserve area would also form a buffer between the existing residential area and new industrial development. Each proposed subdivision and development would need to assess the quantity and quality of stormwater to ensure it is effectively managed.

Large traffic volumes are a necessary part of the functioning of the Industrial Zone. With such a large area zoned for industrial development, it enables the roading network, connections and access to be well planned and designed. Provision is made in the Tararua Road Growth Area Structure Plan and Design Guide for managing this network, connections and access. New access directly to main arterial roads, particularly Arapaepae Road (State Highway 57) is restricted, with alternative access to be provided through new roads connecting from Tararua Road. As some of the new roads connect to roads that traverse the adjoining residential area, measures are to be implemented to discourage heavy vehicles using these roads through the residential areas to protect their amenity values and safety in residential neighbourhoods.

Methods for Issue 6.2 & Objective 6.2.1

District Plan

- Identification of Tararua Road Growth Overlay Area in south-east Levin and shown on the Planning Maps.
- Use of a Structure Plan and Design Guide for managing subdivision and development within the Tararua Road Growth Area.
- The existing District Plan Industrial Zone permitted activities and conditions framework of rules for activities are used for development of the Tararua Road Growth Area, as well as rules specific to the Tararua Road Growth Area including a "Low Impact Industrial Area", where appropriate.
- ~~The residential development is subject to the Residential Zone rules and associated general provisions.~~
- Rules will require resource consent for land use and subdivision activities, assessing against the Structure Plan (Pocock Zoning Master Plan) and Design Guide as to the form, character and amenity values of these areas, and the protection of adjoining residential and rural areas.
- ~~The industrial development area includes some modification to the existing Industrial Zone rules to reflect modern forms of industrial activities.~~
- ~~Rules will specify minimum standards in a similar manner to existing zones but the quality of site layout and landscape design will also be subject to scrutiny and in exercising this discretion regard will be given to the Tararua Road Growth Area Design Guide and Structure Plan.~~

Urban Settlements – Commercial Zone

Include a new Policy 6.3.XX to read:

"Recognise and provide for supermarkets within the Large Format Retail Overlay in a way that ensures:

- The site layout and building design maintains and enhances an attractive streetscape and public focused environment;

- The traffic effects are managed so that the safety and efficiency of the road network is maintained;
- The vibrancy and vitality of the Levin town centre is not compromised.

Include a new method in Methods for Issue 6.3 & Objective 6.3.2 as follows:

Education, Advice and Information

Council will consider establishing and facilitating an Urban Design Panel consisting of suitably qualified professionals to work with Council, individuals and developers to help improve the design, amenity and viability of development projects that have potentially significant urban design implications due to scale, public nature or location."

Chapter 15 Residential Zone

15.1 Permitted Activities

Amend Rule 15.1(c) to read:

Visitor accommodation for up to four persons per site within a any residential dwelling unit and/or family flat.

Add to Rule 15.1 as follows:

Relocated buildings up to and including 40m² in gross floor area

15.2 Controlled Activities

Delete the Tararua Road Growth Area provisions within the Residential Zone Chapter as follows:

~~(c) Any subdivision of land, except within the Tararua Road Growth Area Overlay.~~

Amend Rule 15.2 (a)

The placement of any Relocated building and/or accessory building on any site (Refer Rule 15.7.1)

Except

Any relocated buildings up to and including 40m² in gross floor area.

15.3 Restricted Discretionary Activities

Delete the Tararua Road Growth Area provisions within the Residential Zone Chapter as follows:

~~(d) Any subdivision of land within the Tararua Road Growth Area Overlay.~~

Add a new Restricted Discretionary Activity to Rule 15.3 for all subdivisions within Residential Zones that do not have a deferred status and do not have access to reticulated wastewater as follows:

(a) Any subdivision where the lots would not be serviced by a reticulated wastewater system. (Refer to Rule 15.8.XX)

15.4 Discretionary Activities

Amend Rule 15.4(d) to read:

(d) Two or more residential units/family flats per site.

15.5 Non-Complying Activities

Deleted Rule 15.5(a) as follows:

~~(a) Any new vehicular access to State Highway 57 within the Tararua Road Growth Area Overlay.~~

15.6 Conditions for Permitted Activities

Delete the Tararua Road Growth Area provisions within the Residential Zone Chapter as follows:

15.6.4 Building Setback From Boundaries

~~(c) Within the Tararua Road Growth Area Overlay the following additional building setbacks apply:~~

- ~~(i) No building shall be located closer than 10 metres from the State Highway 57 road boundary; and~~
- ~~(ii) No building shall be located closer than 8 metres from an Industrial Zone boundary.~~

15.6.10 Home Occupations

Amend Rule 15.6.10(a) as follows:

~~(a) A home occupation shall not exceed 50m² of total floor area dedicated to this activity. The total floor area dedicated to home occupations on a site, shall not exceed 50m².~~

15.6.11 Noise

Amend Rule 15.6.11(d) as follows:

(d) The noise limits in Rule 15.6.11(a) and (b) shall not apply to:

- (i) Fire and civil emergency sirens.
- (ii) Construction, maintenance and demolition work.
- (iii) The operation of the Main North Island Trunk Railway.
- (iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), or within a site as part of, or compatible with, a normal residential activity.
- (v) Temporary military training activities.
- (vi) Temporary events.

15.6.13 Odour

(a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any adjoining residential property or at the boundary of any property in the Residential Zone.

Note: For the purpose of this condition, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council reporting officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" may be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of the odour). Section 14.2 of the Proposed One Plan as well as the Good Practice Guide for Assessing and Managing Odour in New Zealand (Ministry for the Environment, 2003) contains further guidance.

15.6.16 Unsightly Buildings

~~(a) No building shall be left unfinished, or constructed, or become in such a state be permitted to deteriorate, so such that its external appearance is a distraction from the amenities adversely affects the amenity of the neighbourhood in which it is situated.~~

15.6.27 Signs

Amend Rule 15.6.27(b) as follows:

(b) Any temporary sign shall be displayed for no longer than two (2) calendar months ~~in every calendar year of~~ a 12 month period and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.

15.6.31 Temporary Military Training Activities

(a) All temporary military training activities shall, in addition to the other conditions, also comply with the following conditions:

- (i) No permanent structures shall be constructed.
- (ii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
- (iii) The duration of any temporary military training activity shall not exceed 31 consecutive days.

- (iv) Noise generated from mobile sources (other than weapons firing and use of explosives) shall be assessed in accordance with and not exceed the limits as set out in, NZS 6803:1999 Acoustics - Construction noise when applied at any noise sensitive activity.

Noise levels shall be measured and assessed in accordance with that Standard as if it were construction noise.

- (vi) Noise generated from any fixed source (other than weapons firing and/or use of explosives) shall not exceed the following limits when measured at the site boundary:

- On any day -
 - 7.00am – 7.00pm: 55 dB L_{Aeq(15min)}
 - 7.00pm – 10.00pm: 50 dB L_{Aeq(15min)}
 - 10.00pm – 7.00am: 45 dB L_{Aeq(15min)}
 - 10.00pm – 7.00am: 75 L_{AFmax}

Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

- ~~(vi) Noise resulting from the use of explosives and small arms weapons shall not occur between 8.00pm and 7.00am the following day and shall otherwise comply with Section 8.1.4 of NZS 6803:1999.~~

- (vii) Noise generated from the use of helicopters shall be assessed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and comply with the limits set out therein.

Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.

- (viii) Any training activities involving the use of explosives and/or firing of weapons shall comply with either:

- The separation distances identified in Table 15.3; or
- If minimum separation distances in Table 15.3 cannot be met:
 - Daytime sound levels do not exceed a peak sound pressure level of 120 dBC when measured at the site boundary; and
 - Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at the site boundary; and
 - Provided the New Zealand Defence Force produces and undertakes the activity in accordance with a Noise Management Plan submitted to the Council at least 15 working days prior to the activity being undertaken (refer 28.2.X for information requirements for Noise Management Plan).

Table 15.3: Separation Distances for Temporary Military Training Activities involving explosives and/or weapons.

<u>Type of military noise source</u>	<u>Standards</u>	
	<u>Time (Monday to Sunday)</u>	<u>Separation distance required from any site within the Residential Zone</u>

<u>1. Live firing of weapons and single or multiple explosive events</u>	<u>7.00am to 7.00pm (daytime)</u>	<u>At least 1500m</u>
	<u>7.00pm to 7.00am (night time)</u>	<u>At least 4500m</u>
<u>2. Firing of blank ammunition</u>	<u>7.00am to 7.00pm</u>	<u>At least 750m</u>
	<u>7.00pm to 7.00am (night time)</u>	<u>At least 2250m</u>

Include a new Residential Permitted Activity Condition to read:

15.6.XX Light Spill

(a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (lumens per square metre) when measured at the boundary of an adjoining residential site. The maximum lux shall be measured horizontally or vertically at the site boundary.

Amend the Matters of Control and Conditions for Controlled Activities

15.7.1 Relocated Buildings (Refer to Rule 15.2(a))

.....(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 15.7.1 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)

15.7.4 Temporary Military Training Activities

Amend the temporary military training activity Matters of Control in Rule 15.7.4 as follows:

- (a) Matters of Control
 - ~~(i) The avoidance, remedying or mitigating of any adverse effects on the environment.~~
 - (i) The size and positioning of buildings and structures;
 - (ii) The measures used to avoid, remedy or mitigate adverse effects from excavation.
 - (iii) The actual and potential adverse effects on the amenity (in particular noise) and character of the residential area and the measures to avoid, remedy or mitigate these effects as a result of a noise condition non-compliance or prolonged duration of a proposed activity;
 - (iii) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and
 - (v) The provision of safe and efficient vehicular access and on-site car parking to avoid, remedy or mitigate potential traffic effects.

15.7.5 Subdivision of Land

Amend the Matters of Control for Subdivisions as follows:

...

- (vi) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.

Amend Rule 15.7.5, Table 15-3 to specifically provide for boundary adjustments as Controlled Activities within Hokio Beach, Waikawa Beach, Manakau and Ohau West, and to provide Controlled Activity status for subdivisions at the density set in the Proposed Plan (800m² and 2000m²) where reticulated wastewater is available at Hokio Beach, Waikawa Beach, Manakau and Ohau West as follows:

Table 15-1: Standards Applying to Subdivision and Residential Dwelling Units

Type of Allotment, or Subdivision	Pre-Requisite Conditions	Minimum Net Site Area/ Minimum Average Site Area	Minimum Shape Factor
Hokio Beach and Waikawa Beach			
Residential Allotments	Where reticulated sewerage disposal is not available	800m ²	18 metres diameter
<u>Boundary Adjustment</u>	<u>Where reticulated sewerage disposal is not available</u>	<u>800m²</u>	<u>18 metres diameter</u>
Low Density Area	Where reticulated sewerage disposal is not available	1,000m ² Minimum average site area of 2,000m ²	18 metres diameter
Ohau and Manakau			
Residential Allotments (Ohau West and Manakau)	Where reticulated sewerage disposal is not available	2,000m ²	18 metres diameter
<u>Boundary Adjustment</u>	<u>Where reticulated sewerage disposal is not available</u>	<u>2,000m²</u>	<u>18 metres diameter</u>
Residential Allotments (Ohau East)	Where reticulated sewerage disposal is not available	8,000m² <u>5,000m²</u>	18 metres diameter

15.8.3 Non-Compliance with Road Setback Rule 15.6.4(a)

Delete the Tararua Road Growth Area provisions within the Residential Zone Chapter as follows:

(a) Matters of Discretion

- ~~(v) Within the Tararua Road Growth Area Overlay, effect on the residential amenity given the noise, vibration and air pollution effects of State Highway 57. In assessing effects full consideration will be given to the noise and vibration standards contained in Rules 15.6.11 and 15.6.12.~~

15.8.5 Non-Compliance with Home Occupations Rule 15.6.10 (Refer to Rule 15.3(a))

Amend Rule 15.8.5(b)(i) as follows:

(b) Conditions

- (i) ~~A home occupation shall not exceed 70m² of total gross floor area dedicated to this activity.~~ The total floor area dedicated to home occupations on a site, shall not exceed 70m².

15.8.7 Subdivision within the Tararua Road Growth Area Overlay

Delete the Tararua Road Growth Area provisions within the Residential Zone Chapter as follows:

(a) Matters of Discretion

- ~~(i) Those matters specified in Chapters 21 and 24.~~
- ~~(ii) The degree to which the allotment/s are subject to, or likely to be subject to, material damage by erosion, falling debris, subsidence, slippage, or inundation and seismic events.~~
- ~~(iii) The amalgamation of any allotments and/or balance areas with other land owned by the subdivider.~~

- ~~(iv) The design and layout of proposed urban areas.~~
- ~~(v) The amenity effects caused by noise, vibration and air pollution effects of State Highway 57.~~
- ~~(vi) The amenity effects on existing and proposed residential areas (should design standards contained in the Design Guide not be complied with or should proposals not be in accordance with the Structure Plan – Schedule 5).~~
- ~~(vii) The transportation, movement, streetscape and community effects of not providing all residential accesses, buffer strips and landscaping as shown on the Structure Plan and as described in the Design Guide – Schedule 5.~~

~~15.8.8 Land use within the Tararua Road Growth Area Overlay (Refer to Rule 15.3(a))~~

~~(a) Matters of Discretion~~

- ~~(i) Any permitted or controlled activity within the Tararua Road Growth Area Overlay, which does not comply with any condition in Rules 15.6 and 15.7 and Chapters 21, 22, 23 and 24, the matters over which Council will exercise its discretion shall be restricted to the following:~~

~~Avoiding, remedying or mitigating of any effects deriving from noncompliance with the particular condition(s) that is not met.~~

~~The design and layout of proposed urban areas.~~

~~The amenity effects caused by noise, vibration and air pollution effects of State Highway 57 at the boundary of residential properties.~~

~~The amenity effects on existing and proposed residential areas (should design standards contained in Schedule 5 – Tararua Growth Area Design Guide not be complied with or should proposals not be consistent with the Structure Plan).~~

~~The transportation, movement, streetscape and community effects of not providing all residential accesses, buffer strips and landscaping as shown on the Structure Plan and as described in Schedule 5 – Tararua Growth Area Design Guide.~~

15.8.9 Medium Density Development within Levin, Foxton Beach and Waitare Beach

Amend the Medium Density Development Restricted Discretionary Activity Conditions in Rule 15.8.9(b) as follows:

(b) Conditions

~~(viii) All residential dwelling units shall be provided with a utility space of at least 10m² and an outdoor lockable storage compartment of at least 3m² which meets the following requirements:~~

- ~~• Minimum dimension: 1 metre; and~~
- ~~• Kept free of access to other units driveways, manoeuvring areas, parking spaces, private outdoor space and accessory buildings.~~

15.8 Matters of Discretion and Conditions for Restricted Discretionary Activities

Add in new Matters of Discretion and Conditions for the new Restricted Discretionary Activity Rule 15.3.XX as follows:

15.8.XX Subdivision where reticulated wastewater is not available Hokio Beach, Waikawa Beach, Manakau and Ohau (West) (Refer Rule 15.3(f))

(a) Matters of Discretion

- (i) The ability to provide on-site effluent disposal and meet environmental standards required by Horizons Regional Council.

(b) Conditions

- (i) Demonstrate compliance with the Minimum Net Site Area/Minimum Average Site Area as set out in Table 15-3 Standards Applying to Subdivision and Residential Dwelling Units (Rule 15.7.5(b));
- (ii) Demonstrate compliance with the servicing, road, access, network utility and structure plan conditions set

out in Rule 15.7.5(b)(ii) – (v).

Chapter 16 Industrial Zone

16.1 Permitted Activities

Add to Rule 16.1 as follows:

Relocated buildings up to and including 40m² in gross floor area.

16.2 Controlled Activities

Amend Rule 16.2 (c)

The placement of any Relocated building and/or accessory building on any site (Refer Rule 15.7.3)

Except

Any relocated buildings up to and including 40m² in gross floor area.

Amend Rule 16.2(g) to read:

- (g) Within the Tararua Road Growth Area Overlay, all activities identified in Rule 16.1 shall be controlled activities subject to complying with the conditions in Rule 16.6 ~~(apart from Rule 16.6.2(a)(ii))~~ and complying with conditions in Rule 16.7.7. (Refer Rule 16.7.7).
-

16.5 Non-Complying Activities

Add a new Non-Complying Activity to 16.5 as follows:

The following activities shall be non-complying activities in the Industrial Zone:

...

(b) Any heavy industrial activity listed in Schedule 13 within the Tararua Road Growth Area Overlay, Low Impact Industrial Area (Schedule 5).

(c) Any new access to State Highway 57 within the Tararua Road Growth Area Overlay.

16.6 Permitted Activity Conditions

16.6.1 Maximum Building Height

Amend the permitted activity conditions relating to maximum building height in 16.6.1 as follows:

- (a) No part of any building shall exceed a height of 12 metres.
- (b) Within the Low Impact industrial Area of the Tararua Growth Area Structure Plan, no part of any building shall exceed a height of 10 metres.

16.6.4 Signs

Amend Rule 16.6.4(a)(iv) as follows:

- (a) All permitted signs shall comply with the following:
- (vi) Any temporary sign shall be displayed for no longer than two (2) calendar months ~~in every calendar year of~~ a 12 month period and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.

16.6.5 Noise

Amend the noise condition in Rule 16.6.5 as follows:

- (a) Noise from any activity shall not exceed the following limits when measured at, or within any point, within any site in the Residential, Greenbelt Residential, or Rural Zones:

...

- (b) Noise from any activity shall not exceed 65dB LAeq at any time, when measured at, or within, any other site in the Industrial, Commercial or Open Space Zones.
- (c) Sound levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008
-

Acoustics - Environmental noise.

- (d) Construction, maintenance and demolition works shall be measured, assessed, managed and controlled in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.
- (e) The noise limits in Rule 16.6.5(a), ~~and 16.6.5(b)~~ and 16.6.5(c) shall not apply to the following activities:
- (i) Fire and civil emergency sirens.
 - (ii) Construction, maintenance and demolition work.
 - (iii) The operation of the Main North Island Trunk Railway.
 - (iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), ~~or within a site as part of or compatible with a normal residential activity.~~
 - (v) Temporary Military Training Activities.
 - (vi) Temporary events.

That the permitted activity condition be amended as follows:

16.6.7 Odour

- (a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any adjoining residential property or at the boundary of any property in any other zone.

Note: For the purpose of this condition, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council reporting officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” may be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of the odour). Section 14.2 of the Proposed One Plan as well as the Good Practice Guide for Assessing and Managing Odour in New Zealand (Ministry for the Environment, 2003) contains further guidance.

16.6.9 Unsightly Buildings

- (a) No building shall be left unfinished, ~~or constructed, or become in such a state~~ be permitted to deteriorate, so such that its external appearance is a distraction from the amenities adversely affects the amenity of the neighbourhood in which it is situated.

16.6.18 Hazardous Substances

Amend Rule 16.6.18 as follows:

- (a) All activities using, ~~or storing,~~ transporting or disposing of hazardous substances shall comply with the Hazardous Substances Classification parameters for the Industrial Zone in Chapter 23 and shall comply with the permitted activity conditions in that Chapter.

16.6.23 Temporary Military Training Activities

- (a) All temporary military activities shall, in addition to the other conditions, also comply with the following conditions:
- (i) No permanent structures shall be constructed.
 - (ii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
 - (iii) The duration of any temporary military training activity shall not exceed 31 consecutive days.
 - (iv) Noise generated from mobile sources (other than weapons firing and use of explosives) shall be assessed in accordance with and not exceed the limits as set out in Table 2 of NZS 6803:1999 Acoustics - Construction noise when applied at any the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary.

Noise levels shall be measured and assessed in accordance with that Standard as if it were construction noise.
 - (vi) Noise generated from any fixed source (other than weapons firing and/or use of explosives) shall not exceed the following limits when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone-site boundary:

- On any day -

- 7.00am – 7.00pm: 55 dB L_{Aeq(15min)}

- 7.00pm – 10.00pm: 50 dB L_{Aeq(15min)}
- 10.00pm – 7.00am: 45 dB L_{Aeq(15min)}
- 10.00pm – 7.00am: 75 L_{AFmax}

Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

~~(vi) Noise resulting from the use of explosives and small arms weapons shall not occur between 8.00pm and 7.00am the following day and shall otherwise comply with Section 8.1.4 of NZS 6803:1999.~~

(vii) Noise generated from the use of helicopters shall be assessed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and comply with the limits set out therein.

Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.

(viii) Any training activities involving the use of explosives and/or firing of weapons shall comply with either:

(a) The separation distances identified in Table 16.1; or

(b) If minimum separation distances in Table 16.1 cannot be met:

- Daytime sound levels do not exceed a peak sound pressure level of 120 dBC when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary; and
- Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary; and
- Provided the New Zealand Defence Force produces and undertakes the activity in accordance with a Noise Management Plan submitted to the Council at least 15 working days prior to the activity being undertaken (refer 28.2.X for information requirements for Noise Management Plan).

Table 16.1: Separation Distances for Temporary Military Training Activities involving explosives and/or weapons.

<u>Type of military noise source</u>	<u>Standards</u>	
	<u>Time (Monday to Sunday)</u>	<u>Separation distance required from any residential dwelling unit or building used for noise sensitivity activities in any Zone, and any site within the Residential Zone or Greenbelt Residential Zone</u>
<u>1. Live firing of weapons and single or multiple explosive events</u>	<u>7.00am to 7.00pm (daytime)</u>	<u>At least 1500m</u>
	<u>7.00pm to 7.00am (night time)</u>	<u>At least 4500m</u>

2. Firing of blank ammunition	7.00am to 7.00pm	At least 750m
	7.00pm to 7.00am (night time)	At least 2250m

Include a new Industrial Permitted Activity Condition to read:

16.6.X Light Spill

(a) The spill of light from any artificial lighting shall not exceed 10 lux (lumens per square metre) onto any site within the Residential Zone. The maximum lux shall be measured horizontally or vertically at the Residential Zone site boundary.

Amend the Matters of Control and Conditions for Controlled Activities

16.7 Matters of Control and Conditions for Controlled Activities

16.7.1 Subdivision of Land (Rule 16.2(a))

Amend the Matters of Control for Subdivisions as follows:

(iv) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable gas.

...

(vi) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.

16.7.3 Relocated Buildings (Refer to Rule 16.2(c))

.....(c) Non-Notification

(j) Under section 77D of the RMA, an activity requiring resource consent under Rule 16.7.3 shall not be publicly notified, except where:

- The Council decides special circumstances exist (pursuant to Section 95A(4), or
- The applicant requests public notification (pursuant to Section 95A(2)(b)

16.7.6 Temporary Military Training Activities

Amend the temporary military training activity Matters of Control in Rule 16.7.6 as follows:

(a) Matters of Control

~~(i) The avoidance, remedying or mitigating of any adverse effects on the environment.~~

(i) The size and positioning of buildings and structures;

(ii) The measures used to avoid, remedy or mitigate adverse effects from excavation.

(iii) The actual and potential adverse effects on the amenity (in particular noise) and character of the surrounding area and the measures to avoid, remedy or mitigate these effects as a result of a noise condition non-compliance or prolonged duration of a proposed activity;

(iv) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and

(v) The provision of safe and efficient vehicular access and on-site car parking to avoid, remedy or mitigate potential traffic effects.

16.7.7 Tararua Road Growth Area Overlay (Refer Rule 16.2(g))

Amend the Conditions in Rule 16.7.7 as follows:

(a) Matters of Control

In addition to the other rules in Rule 16.7, the matters over which Council reserves its control for the Tararua Road Growth Area Overlay are as follows:

- (i) Site design, landscape design, lighting, signage and stormwater; and,
 - (ii) Construction method and management plan, which will include but not be limited to consideration of traffic routing, hours of operation, noise, dust and vibration suppression measures, erosion and sediment control plans and site screening / hoarding.
 - (iii) In exercising its control Council shall have regard to the extent that the proposal is consistent with the Tararua Growth Area Design Guide and Tararua Road Growth Area Structure Plan (Refer Schedule 5) and the manner in which amenity of existing businesses and residential properties is affected during construction.
- (b) Conditions
- ~~(i) Retail and commercial activities shall be subject to the following conditions:
No more than 250m² or 25% whichever is the smaller, of the gross floor area of a building or part of a building used by an activity shall be used for retailing; and,
No more than 40% of the gross floor area of a building or part of a building used by any activity shall be used for retailing and office purposes combined.~~
 - ~~(ii) Any building fronting onto Tararua Road, or adjoining or facing across a road from the Tararua Road Growth Area Overlay residential area shall be set back 10 metres from the boundary by not less than:
15 metres from Tararua Road.
8 metres from Tararua Road Growth Area Residential Area.~~
- (i) Buildings shall be set back 10 metres from Tararua Road and Arapaepae Road (State Highway 57) within the Tararua Road Growth Area Overlay.

16.8 Matters of Discretion and Conditions for Restricted Discretionary Activities

16.8.4 Within the Tararua Road Growth Area Overlay non-compliance with Permitted Activity Conditions (Rule 16.6), Controlled Activity Conditions (Rule 16.7) and Permitted Activity Conditions in Chapters 21, 22, 23 and 24. (Refer Rule 16.3(a))

Amend the Matters of Discretion for land use activities within the Tararua Road Growth Area Overlay 16.8.4 as follows:

- (a) Matters of Discretion
 - (i) Matters in Schedule 5 – Tararua Road Growth Area Structure Plan and Design Guide.
 - (ii) The location, layout, design and appearance of the development, including buildings.
 - (iii) The management of stormwater, wastewater, water supply and other servicing.
 - (iv) The maintenance of amenity values and reverse sensitivity effects at the growth area boundary and management of adverse effects on adjoining and adjacent properties, particular adjoining residential and rural areas.
 - (v) The provision of adequate carparking, manoeuvring and safe access to the site.
 - (vi) The management of traffic generated and potential adverse effects on the safety and efficiency of the street network.
 - (vii) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that is not met;
 - ~~(ii) Where performance standards in respect of floor space for retail, showrooms and commercial activities are exceeded or that space is used for the retail of products not manufactured on the premises, then discretion will also include:~~
 - ~~• Traffic effects;~~
 - ~~• The effect of the non-compliance on the role and function of the commercial centre as an important community and social resource and as employment location for the community of Horowhenua; and,~~
 - ~~• Townscape and amenity effects.~~
- (b) Conditions
 - (i) All other aspects of the activity shall comply with any relevant conditions.

16.8.5 Subdivision within the Tararua Road Growth Area Overlay (Refer Rule 16.3(d))

Amend the Matters of Discretion for subdivision within the Tararua Road Growth Area Overlay 16.8.5 as follows:

- (a) Matters of Discretion
- (i) Matters listed in Rule 16.7.1 Subdivision of Land;
 - (ii) Matters in Schedule 5 – Tararua Road Growth Area Structure Plan and Design Guide;
 - (iii) Those matters specified in Chapters ~~22~~ 21 and 24;
 - (ii) The degree to which the allotment/s are subject to, or likely to be subject to, material damage by erosion, falling debris, subsidence, slippage, or inundation and seismic events;
 - (iii) The amalgamation of any allotments and/or balance areas with other land owned by the subdivider;
 - (iv) The design and layout of proposed urban areas;
 - (v) The amenity effects caused by noise, vibration and air pollution effects of State Highway 57;
 - (vi) The amenity effects on existing ~~and proposed~~ residential areas should design standards contained in the Design Guide not be complied with or should proposals not be consistent with the Structure Plan; and,
 - (vii) The transportation, movement, streetscape and community effects of not providing ~~all residential accesses~~ the internal roading network and accesses to the external roading network, buffer strips and landscaping as shown on the Structure Plan and as described in the Design Guide.
 - (viii) ~~In the Tararua Growth Area Overlay~~ The design and positioning of any vehicular access on to Tararua Road, Winiata Street, Perth Street.

In exercising this control Council shall have regard to the extent that the proposal is consistent with the Tararua Growth Area Structure Plan and complies with the Tararua Road Growth Area Design Guide (refer Schedule 5).

(b) Conditions

- (i) All lots shall demonstrate compliance with the permitted activity conditions, except no minimum lot area requirement applies.
- (ii) Water Supply, Wastes and Surfacewater Disposal, and Other Services: All subdivisions shall comply with the conditions in Chapter 24.
- (iii) Roads and Access: All subdivisions shall comply with the conditions in Chapter 21.

(c)(b) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent in relation to Rule 16.8.5 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Chapter 17 Commercial Zone

17.1 Permitted Activities

Add to Rule 17.1 as follows:

Relocated buildings up to and including 40m² in gross floor area

17.2 Controlled Activities

Amend Rule 17.2 (c)

The placement of any Relocated building and/or accessory building on any site (Refer Rule 17.7.3)

Except

Any relocated buildings up to and including 40m² in gross floor area.

17.3 Restricted Discretionary Activities

Amend Rule 17.3 and add a new rule as follows:

(g) Supermarkets with a gross floor area exceeding 3,000m² within a Large Format Retail Overlay Area.

17.4 Discretionary Activities

Amend Rule 17.4 as follows:

(c) Retail activity (excluding supermarkets) with a gross floor area exceeding 3,000m² within a Large Format Retail Overlay Area.

17.6 Conditions for Permitted Activities

17.6.1 Maximum

17.6.2 Building Frontage and Size

Amend Rule 17.6.2 Building Frontage and Size to read:

...

(b) In Levin outside the Pedestrian Overlay Area ~~in Levin~~, the following conditions apply:

(c) In Foxton outside the Pedestrian Overlay Area ~~in Foxton~~, the following conditions apply:"

(d) In Foxton Beach, Waitare Beach and Manakau, the following conditions apply:

- (i) No building shall be setback more than 5 metres from the front road boundary.
- (ii) All buildings, except for residential dwelling units shall have display windows along the ground floor road frontage. At least 50% of ground floor facade surface shall be display space or transparent window or doors. The minimum window area shall be kept clear and not be boarded up, painted or covered by signage.
- (iii) The area between the front road boundary and any on-site carpark ~~and the front road boundary with a frontage of more than 6 metres~~ shall include a landscape strip. This landscaping strip shall comply with the following conditions:

17.6.5 Signs

Amend Rule 17.6.5(a)(iv) as follows:

Any temporary sign shall be displayed for no longer than two (2) calendar months ~~in every calendar year~~ of a 12 month period and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.

17.6.6 Noise

(a) Noise from any activity shall not exceed the following limits when measured at, or within any point, within any site in the Residential, Greenbelt Residential, or Rural Zones:

...

(b) Noise from any activity shall not exceed 65dB LAeq at any time, when measured at, or within, any other site in the Industrial, Commercial or Open Space Zones.

(c) Sound levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

(d) Construction, maintenance and demolition works shall be measured, assessed, managed and controlled in accordance with the provisions of NZS 6803:1999 Acoustics – Construction noise.

(e) The noise limits in Rule 17.6.6(a), ~~and 17.6.6(b) and 17.6.6(c)~~ shall not apply to the following activities:

- (i) Fire and civil emergency sirens.
- (ii) Construction, maintenance and demolition work.
- (iii) The operation of the Main North Island Trunk Railway.
- (iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1962), ~~or within a site as part of or compatible with a normal residential activity.~~
- (v) Temporary Military Training Activities.
- (vi) Temporary events.

17.6.9 Odour

(a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any

adjoining residential property or at the boundary of any property in any other zone.

Note: For the purpose of this condition, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council reporting officer. In determining whether an odour is offensive or objectionable, the “FIDOL factors” may be considered (the **frequency**; the **intensity**; the **duration**; the **offensiveness** (or character); and the **location** of the odour). Section 14.2 of the Proposed One Plan as well as the Good Practice Guide for Assessing and Managing Odour in New Zealand (Ministry for the Environment, 2003) contains further guidance.

17.6.10 Unsightly Buildings

(a) No building shall be left unfinished, or constructed, or become in such a state be permitted to deteriorate, so such that its external appearance is a distraction from the amenities adversely affects the amenity of the neighbourhood in which it is situated.

17.6.25 Temporary Military Training Activities

(a) All temporary military activities shall, in addition to the other conditions, also comply with the following conditions:

- (i) No permanent structures shall be constructed;
- (ii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
- (iii) The duration of any temporary military training activity shall not exceed 31 consecutive days.
- (iv) Noise generated from mobile sources (other than weapons firing and use of explosives) shall be assessed in accordance with and not exceed the limits as set out in Table 2 of NZS 6803:1999 Acoustics - Construction noise when applied at any the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary.

Noise levels shall be measured and assessed in accordance with that Standard as if it were construction noise.

(vi) Noise generated from any fixed source (other than weapons firing and/or use of explosives) shall not exceed the following limits when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone-site boundary:

- On any day -
 - 7.00am – 7.00pm: 55 dB L_{Aeq(15min)}
 - 7.00pm – 10.00pm: 50 dB L_{Aeq(15min)}
 - 10.00pm – 7.00am: 45 dB L_{Aeq(15min)}
 - 10.00pm – 7.00am: 75 L_{AFmax}

Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

~~(vi) Noise resulting from the use of explosives and small arms weapons shall not occur between 8.00pm and 7.00am the following day and shall otherwise comply with Section 8.1.4 of NZS 6803:1999.~~

(vii) Noise generated from the use of helicopters shall be assessed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and comply with the limits set out therein.

Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.

(viii) Any training activities involving the use of explosives and/or firing of weapons shall comply with either:

- (a) The separation distances identified in Table 17.1; or
- (b) If minimum separation distances in Table 17.1 cannot be met:

- Daytime sound levels do not exceed a peak sound pressure level of 120 dBC when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary; and
- Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at the notional boundary of any noise sensitive activity, or any Residential Zone or Greenbelt Residential Zone site boundary; and
- Provided the New Zealand Defence Force produces and undertakes the activity in accordance with a Noise Management Plan submitted to the Council at least 15 working days prior to the activity being undertaken (refer 28.2.X for information requirements for Noise Management Plan).

Table 17.1: Separation Distances for Temporary Military Training Activities involving explosives and/or weapons.

<u>Type of military noise source</u>	<u>Standards</u>	
	<u>Time (Monday to Sunday)</u>	<u>Separation distance required from any residential dwelling unit or building used for noise sensitivity activities in any Zone, and any site within the Residential Zone or Greenbelt Residential Zone</u>
<u>1. Live firing of weapons and single or multiple explosive events</u>	<u>7.00am to 7.00pm (daytime)</u>	<u>At least 1500m</u>
	<u>7.00pm to 7.00am (night time)</u>	<u>At least 4500m</u>
<u>2. Firing of blank ammunition</u>	<u>7.00am to 7.00pm</u>	<u>At least 750m</u>
	<u>7.00pm to 7.00am (night time)</u>	<u>At least 2250m</u>

17.6.X Light Spill

- (a) The spill of light from any artificial lighting shall not exceed 10 lux (lumens per square metre) onto any site within the Residential Zone. The maximum lux shall be measured horizontally or vertically at the Residential Zone site boundary.

17.7 Matters of Control and Conditions for Controlled Activities

Amend the Matters of Control in Rule 17.7.1 as follows:

17.7.1 Subdivision of Land

17.7.1 Subdivision of Land (Rule 17.2(a))

...

- (iv) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity and, where applicable gas.

...

(vi) Effects on significant sites and features, including natural, cultural, archaeological and historical sites.

17.7.3 Relocated Buildings (Refer to Rule 17.2(c))

Add a Non-Notification clause to Rule 17.7.3 as follows:

.....(c) Non-Notification

- (k) Under section 77D of the RMA, an activity requiring resource consent under Rule 17.7.3 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

17.7.6 Temporary Military Training Activities

Amend the temporary military training activity Matters of Control in Rule 17.7.6 as follows:

- (a) Matters of Control
- ~~(i) The avoidance, remedying or mitigating of any adverse effects on the environment.~~
 - (i) The size and positioning of buildings and structures;
 - (ii) The measures used to avoid, remedy or mitigate adverse effects from excavation.
 - (iii) The actual and potential adverse effects on the amenity (in particular noise) and character of the surrounding area and the measures to avoid, remedy or mitigate these effects as a result of a noise condition non-compliance or prolonged duration of a proposed activity;
 - (iv) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and
 - (v) The provision of safe and efficient vehicular access and on-site car parking to avoid, remedy or mitigate potential traffic effects.

17.8 Matters of Discretion and Conditions for Restricted Discretionary Activities

Include a new Rule under 17.8 Matters of Discretion and Conditions for Restricted Discretionary Activities that reads:

Rule 17.8.8 Supermarkets within the Large Format Retail Overlay Area

- (a) Matters of Discretion
- (i) Design, external appearance and siting of the building, including the space around buildings.
 - (ii) Landscaping.
 - (iii) Location and design of site access (pedestrian and vehicular), parking and servicing.
 - (iv) Traffic effects, including effects on the transport network from the volume and type of traffic generated.
 - (v) Effects on the vitality and vibrancy of the town centres.

Chapter 25 Assessment Criteria

25.3 Assessment Criteria For Land Use Consents In The Residential Zone

25.3.4 Building Setbacks

Amend Assessment Criteria 25.3.4(b) as follows:

...

(b) Whether the proposed activity will have reverse sensitivity effects on adjacent activities or zones; including on the operation of land transport networks, including railways.

25.5 Assessment Criteria for Land Use Consent In The Commercial Zone

Amend 25.5.1 General Assessment Criteria for Land Use Consents in the Commercial Zone to include:

...

(o) The extent to which any application for a supermarket or other large format retail activity demonstrates the functional and operational requirements of the proposed activity have been taken into account when assessing a proposal against the relevant matters in 25.5.1 (a) to (n).

Chapter 26 Definitions

Amend the definition of Residential Dwelling Unit to read:

Residential Dwelling Unit means a building which accommodates one (1) household unit, and can include a dwelling house, a flat, ~~a home unit~~, an apartment, or a town house, but excludes a family flat.

Schedule 5 – Tararua Road Growth Area Overlay Structure Plan and Design Guide Structure Plan and Design Guide

Amend Schedule 5 by deleting the Tararua Road Growth Area Structure Plan and Design Guide and insert the amended Zoning Master Plan and the supporting Tararua Road Growth Area Overlay Levin Design Guide (Refer to Appendix C of this report). The following amendments are required to the Zoning Master Plan:

- remove external access points to State Highway 57,
 - exclude properties at 165 Tararua Road and 172 Arapaepae Road, and the HDC open spaces adjoining SH57; and
 - extend the Low Impact Industrial Zone around the property at 172 Arapaepae Road.
-

Schedule 13 – New Schedule

Include a new Schedule 13 Heavy Industries (based on the list included in the Combined Wairarapa District Plan, Appendix 4)

Schedule of Heavy Industries

<u>Abattoirs and slaughterhouses</u>	<u>Glass manufacture</u>
<u>Acetylene-gas manufacture</u>	<u>Gelatine manufacture</u>
<u>Acids manufacture</u>	<u>Glue manufacture</u>
<u>Aerosol packers and manufacture</u>	<u>Gunpowder manufacture</u>
<u>Aluminium alloy manufacture</u>	<u>Gypsum manufacture</u>
<u>Alkali-waste works</u>	<u>Hydrochloric acid manufacture</u>
<u>Ammonia manufacture</u>	<u>Incinerator works</u>
<u>Ammunition manufacture</u>	<u>Industrial chemicals manufacture</u>
<u>Animal by-products manufacture</u>	<u>Iron works and foundry</u>
<u>Asbestos manufacture</u>	<u>Lacquer manufacture</u>
<u>Asphalt manufacture</u>	<u>Lead works</u>
<u>Battery manufacture and recycling</u>	<u>Leather tanning</u>
<u>Bearing manufacture</u>	<u>Lime manufacture</u>
<u>Briquette manufacture</u>	<u>Linoleum manufacture</u>
<u>Bisuphide of carbon works</u>	<u>Lucerne dehydration</u>
<u>Boiler makers</u>	<u>Manure (artificial) manufacture</u>
<u>Boiler manufacture</u>	<u>Meatworks – killing, freezing and packing</u>
<u>Boiling down works</u>	<u>Oil distillation and refining</u>
<u>Bone crushing</u>	<u>Oxygen – gas manufacture</u>
<u>Bulk storage of asphalt, tallow, industrial chemicals and scrap metal</u>	<u>Paint, varnish, lacquer etc. manufacture</u>
<u>Candle manufacture</u>	<u>Petroleum based products manufacture</u> <u>Plastics manufacture</u>
<u>Celluloid works</u>	<u>Pulp and paper manufacture</u>
<u>Cement – packing bag, cleaning works</u>	<u>Pyridine works</u>
<u>Cement manufacture</u>	<u>Railway workshops</u>
<u>Chemicals manufacture</u>	<u>Rubber goods manufacture</u>
<u>Chlorine works</u>	<u>Smelting metals (all types)</u>
<u>Coke manufacture</u>	<u>Soap manufacture</u>
<u>Concrete batching</u>	<u>Steel works</u>
<u>Detergent manufacture</u>	<u>Sale Stock yards (commercial)</u>
<u>Distillation of coal, wood and bones</u>	<u>Stone and mineral crushing</u>
<u>Explosive manufacture and storage</u>	<u>Sulphur-chloride manufacture</u>

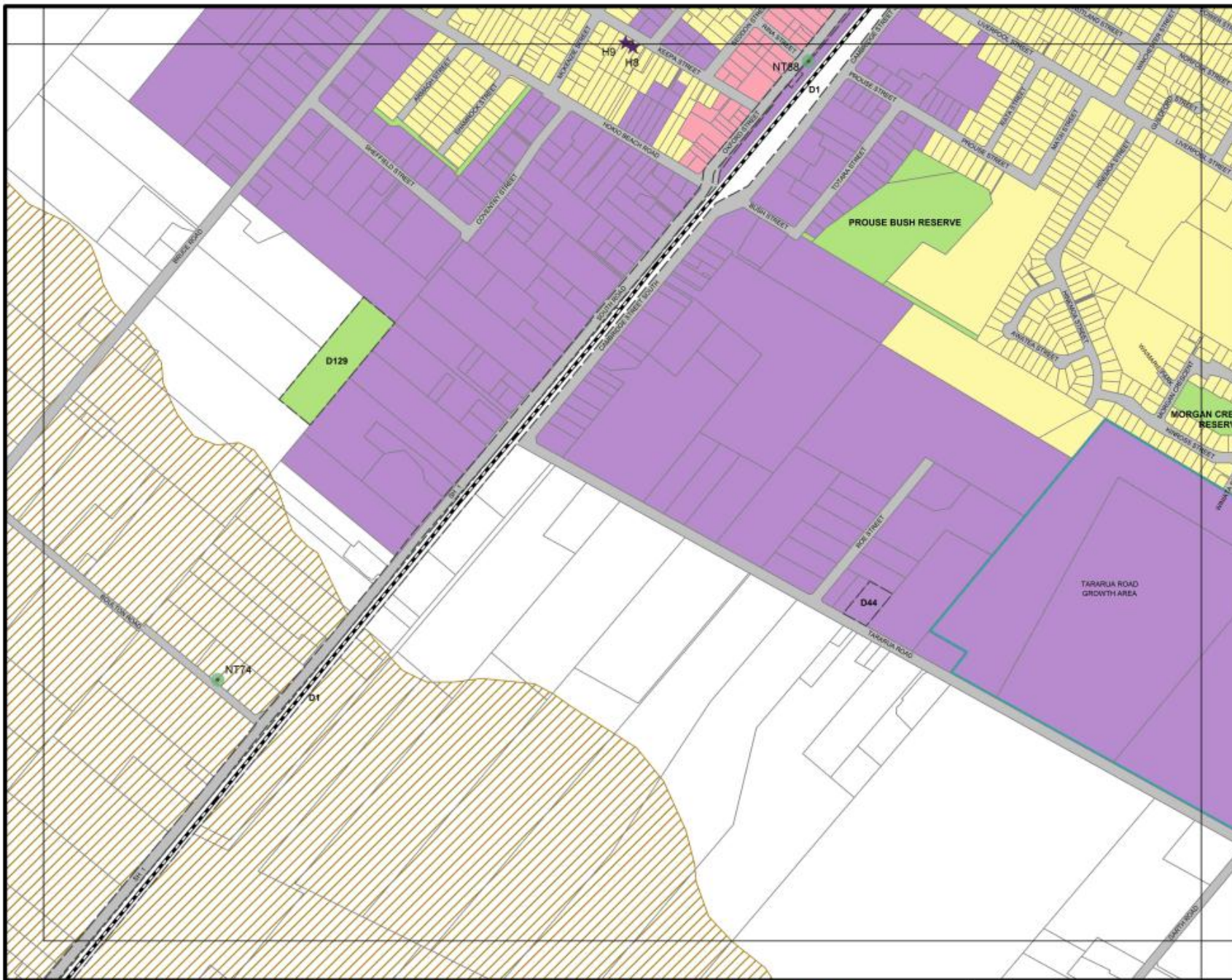
<u>Fat rendering</u>	<u>Sulphur-dioxide manufacture</u>
<u>Fellmongering</u>	<u>Tallow- melting and refining</u>
<u>Fertiliser works</u>	<u>Tanning and curing of hides and skins</u>
<u>Fibreglass manufacture</u>	<u>Tar manufacture, refining, mixing</u>
<u>Fibrous plaster manufacture</u>	<u>Timber treatment</u>
<u>Fireworks manufacture and storage</u>	<u>Turpentine manufacture</u>
<u>Fire clay products manufacture</u>	<u>Varnish manufacture</u>
<u>Fish curing and preserving</u>	<u>White lead manufacture</u>
<u>Fluorine works</u>	<u>Wool scouring</u>
<u>Foundry</u>	<u>Zinc chloride manufacture</u>
<u>Fuel oil refining</u>	<u>Zinc works</u>
<u>Fur curing and tanning</u>	

Or any other industry, warehouse, or bulk storage that is, or under any conditions may become noxious or dangerous in relation to adjacent areas.

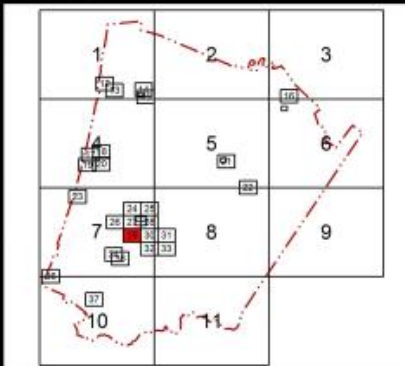
Planning Maps 29 and 30

Amend Planning Maps 29 and 30 to rezone the following parcels of land and adjoining properties from Residential and Rural to Industrial, as shown on the attached Planning Maps and includes the following properties:

Lot 1 and 2 DP 45916, Lot 2 DP 341015, Lot 1 DP 30627.



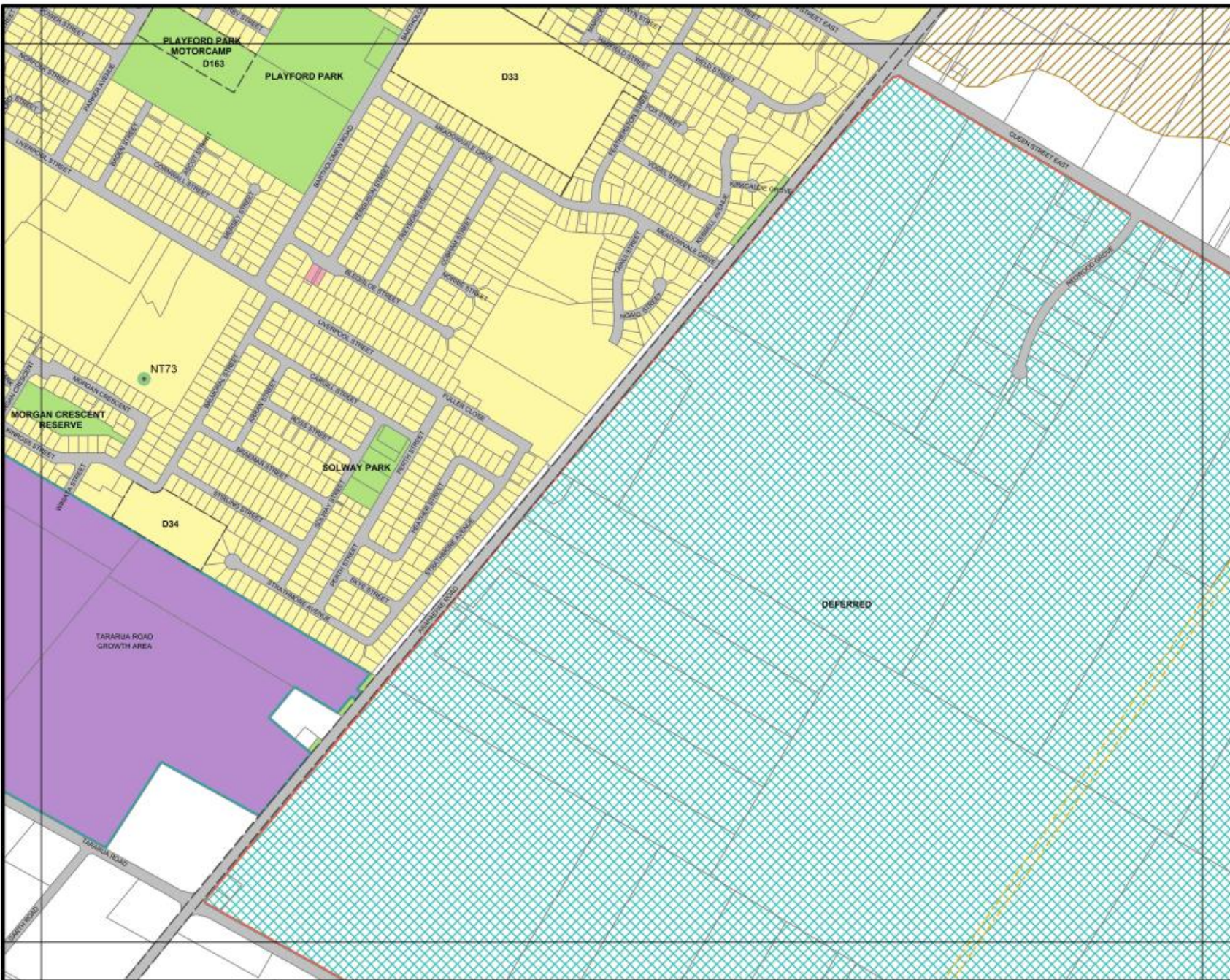
- LEGEND**
- ZONES**
- Commercial Zone
 - Industrial Zone
 - Residential Zone
 - Rural Zone
 - Greenbelt Residential Zone
 - Open Space Zone
 - Residential Deferred Zone
 - Greenbelt Residential Deferred Zone
- OVERLAYS**
- Greenbelt Residential Waitarere Rise
 - Greenbelt Residential Foxton Beach North
 - Strathnaver Coastal Natural Character Area
 - Strathnaver Coastal Hazard Area
 - Muhunua West Forest Park
 - Muhunua West Forest Park Coastal Natural Character and Hazard Area
 - Low Density Area
 - Medium Density Area
 - Large Format Retail Area
 - Town Centre Heritage/Character Area
 - Foxton Tourism Area
 - Pedestrian Area
 - Coastal Natural Character and Hazard Area
 - Flood Hazard Area (1:50,000 Rural Maps Only)
 - Moutoa Floodway (1:50,000 Rural Maps Only)
 - Versatile Land (LUC Class I & II Soil)
- FEATURES**
- Notable Tree
 - Historic Heritage Building, Structure or Site
 - Gas Transmission Pipeline
 - National Grid Corridor (High Voltage Transmission Line)
 - Designation
 - Road



Scale 1 : 7,500

HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 29



LEGEND
ZONES

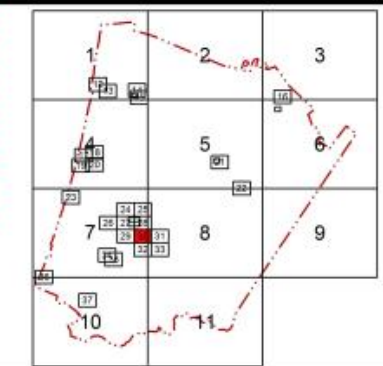
- Commercial Zone
- Industrial Zone
- Residential Zone
- Rural Zone
- Greenbelt Residential Zone
- Open Space Zone
- Residential Deferred Zone
- Greenbelt Residential Deferred Zone

OVERLAYS

- Greenbelt Residential Waitare Rise
- Greenbelt Residential Foxton Beach North
- Strathnaver Coastal Natural Character Area
- Strathnaver Coastal Hazard Area
- Muhunua West Forest Park
- Muhunua West Forest Park Coastal Natural Character and Hazard Area
- Low Density Area
- Medium Density Area
- Large Format Retail Area
- Town Centre Heritage/Character Area
- Foxton Tourism Area
- Pedestrian Area
- Coastal Natural Character and Hazard Area
- Flood Hazard Area (1:50,000 Rural Maps Only)
- Moutoe Floodway (1:50,000 Rural Maps Only)
- Versatile Land (LUC Class I & II Soil)

FEATURES

- Notable Tree
- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
- National Grid Corridor (High Voltage Transmission Line)
- Designation
- Road



Scale 1 : 7,500

HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 30

APPENDIX B: Schedule of Decisions on Submission Points

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
Chapter 6				
41.00		Powerco		Accept
41.01		Powerco		Accept In-Part
55.14		KiwiRail		Accept
94.28		NZ Transport Authority (NZTA)		Accept
5.00		Elaine Gradock		Reject
94.29		NZ Transport Agency (NZTA)		Accept
37.01		Homestead Group Limited		Reject
11.24		Philip Taueki		Accept
	519.19	Charles Rudd	Support	Accept
60.18		Muaupoko Co-operative Society		Accept
	519.37	Charles Rudd	Support	Accept
101.59		Director-General of Conservation (DoC)		Accept In-Part
110.05		Fraser		Accept In-Part
110.06		Fraser		Accept In-Part
Chapter 15 – Residential Zone				
95.02		New Zealand Defence Force (NZDF)		Accept
40.13		House Movers Section of NZ Heavy Haulage Association Inc.		Accept In-Part
108.09		HDC (Planning Department)		Accept
40.39		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
51.03		Waitarere Progressive Association (WBPPRA)		Reject
119.00		Graham Halstead		Reject
40.11		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
117.06		New Zealand Historic Places Trust (NZHPT)		Accept
70.07		Future Map Limited		Accept In-Part
	511.08	HDC (Planning Department)	In-Part	Accept In-Part
81.01		Phillip Lake		Reject
117.20		New Zealand Historic Places Trust (NZHPT)		Accept In-Part

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
108.11		HDC (Planning Department)		Accept
108.38		HDC (Planning Department)		Accept In-Part
116.01		Truebridge Associates Limited		Reject
94.24		NZ Transport Agency (NZTA)		Reject
25.03	504.01	Michael White	In-Part	Accept In-Part
	525.19	The Oil Companies	Support	Accept In-Part
		Maurice and Sophie Campbell		Accept In-Part
27.17		Horizons Regional Council		Accept
26.09		Horowhenua Astrological Society Inc.		Accept In-Part
40.14		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
95.17		New Zealand Defence Force (NZDF)		Accept
51.04		Waitarere Progressive Association (WBPRA)		Reject
116.02		Truebridge Associates Limited		Reject
108.00		HDC (Planning Department)		Accept In-Part
95.26		New Zealand Defence Force (NZDF)		Accept
5.02		Elaine Gradock		Accept
95.36		New Zealand Defence Force (NZDF)		Accept In-Part
15.01	511.09	Charles Wallis	Oppose	Reject
		HDC (Community Assets Department)		Accept
108.02		HDC (Planning Department)		Accept
95.12		New Zealand Defence Force (NZDF)		Accept
95.50		New Zealand Defence Force (NZDF)		Accept
95.07		New Zealand Defence Force (NZDF)		Accept
95.31		New Zealand Defence Force (NZDF)		Accept
95.21		New Zealand Defence Force (NZDF)		Accept
40.12		House Movers Section of NZ Heavy Haulage Association		Reject

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
		Inc.		
40.32		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
95.41		New Zealand Defence Force (NZDF)		Accept
116.03		Truebridge Associates Limited		Reject
55.27		KiwiRail		Accept
117.14		New Zealand Historic Places Trust (NZHPT)		Accept
27.23		Horizons Regional Council		Accept In-Part
116.04		Truebridge Associates Limited		Reject
116.05		Truebridge Associates Limited		Reject
116.06		Truebridge Associates Limited		Accept In-Part
94.25		NZ Transport Agency (NZTA)		Reject
94.26		NZ Transport Agency (NZTA)		Reject
116.07		Truebridge Associates Limited		Reject
116.08		Truebridge Associates Limited		Reject
116.09		Truebridge Associates Limited		Reject
116.10		Truebridge Associates Limited		Accept
51.02		Waitarere Progressive Association (WPRA)		Reject
94.21		NZ Transport Agency (NZTA)		Accept
117.25		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
3.01		Matthew Thredgold		Reject
93.19		The Oil Companies		Accept
78.07		Telecom New Zealand Ltd		Reject
79.07		Chorus New Zealand Ltd		Reject
40.06		House Movers Section of NZ Heavy Haulage Association Inc.		Accept
Chapter 16 – Industrial Zone				
95.03		New Zealand Defence Force (NZDF)		Accept
40.17		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
40.40		House Movers Section of NZ Heavy Haulage Association Inc.		Reject

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
110.02		Fraser		Accept In-Part
	523.00	Future Map Limited	Support	Accept In-Part
40.15		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
70.03		Future Map Limited		Accept In-Part
117.21		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
25.04		Michael White		Accept In-Part
	525.20	Maurice and Sophie Campbell	Support	Accept In-Part
26.10		Horowhenua Astronomical Society Inc.		Accept In-Part
27.19		Horizons Regional Council		Accept
40.18		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
95.18		New Zealand Defence Force (NZDF)		Accept
70.04		Future Map Limited		Accept In-Part
37.02		Homestead Group Limited		Reject
108.03		HDC (Planning Department)		Accept
95.27		New Zealand Defence Force (NZDF)		Accept In-Part
97.01		Lowe Corporation Ltd & Colyer Mair Assets Ltd		Reject
5.03		Elaine Gradock		Accept
108.34		HDC (Planning Department)		Accept In-Part
95.37		New Zealand Defence Force (NZDF)		Accept In-Part
97.02		Lowe Corporation Ltd & Colyer Mair Assets Ltd		Accept In-Part
117.13		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
37.04		Homestead Group Limited		Accept In-Part
110.03		Fraser		Accept In-Part
95.13		New Zealand Defence Force (NZDF)		Accept
95.51		New Zealand Defence Force (NZDF)		Accept
95.08		New Zealand Defence Force (NZDF)		Accept
95.22		New Zealand Defence Force (NZDF)		Accept In-Part
95.32		New Zealand Defence Force (NZDF)		Accept In-Part
117.15		New Zealand Historic Places		Accept

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
		Trust (NZHPT)		
41.37		Powerco		Accept
40.16		House Movers Section of NZ Heavy Haulage Association Inc.		Reject/Accept In-Part
40.33		House Movers Section of NZ Heavy Haulage Association Inc.		Reject/Accept In-Part
95.42		New Zealand Defence Force (NZDF)		Accept
70.05		Future Map Limited		Accept In-Part
70.06		Future Map Limited		Accept In-Part
70.08		Future Map Limited		Accept In-Part
70.09		Future Map Limited		Accept In-Part
93.20		The Oil Companies		Accept
40.07		House Movers Section of NZ Heavy Haulage Association Inc.		Accept
110.04		Fraser		Accept In-Part
	523.03	Future Map Limited	Oppose	Accept In-Part
117.26		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
78.08		Telecom New Zealand Ltd		Reject
79.08		Chorus New Zealand Ltd		Reject
94.32		NZ Transport Agency (NZTA)		Accept
94.33		NZ Transport Agency (NZTA)		Accept
94.36		NZ Transport Agency (NZTA)		Accept
55.05	521.08	KiwiRail NZ Transport Agency (NZTA)	Support In-Part	Accept In-Part Accept In-Part
55.07		KiwiRail		Reject
	521.07	NZ Transport Agency (NZTA)	Support In-Part	Reject
37.06		Homestead Group Limited		Reject
70.00		Future Map Limited		Accept In Part
70.01		Future Map Limited		Accept In-Part
70.02		Future Map Limited		Accept In-Part
110.07		Fraser		Reject
Chapter 17 – Commercial Zone				
40.21		House Movers Section of NZ Heavy Haulage Association Inc.		Reject/Accept In-Part
40.41		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
73.00		McDonalds Restaurants (New Zealand) Limited		Reject
95.04		New Zealand Defence Force		Accept

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
		(NZDF)		
40.19		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
71.01		Progressive Enterprises Limited		Accept In-Part
71.00		Progressive Enterprises Limited		Accept In-Part
117.22		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
25.05		Michael White		Accept In-Part
	525.21	Maurice & Sophie Campbell	Support	Accept In-Part
26.11		Horowhenua Astronomical Society		Accept In-Part
27.20		Horizons Regional Council		Accept
40.22		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
95.19		New Zealand Defence Force (NZDF)		Accept
71.02		Progressive Enterprises Limited		Reject
71.03		Progressive Enterprises Limited		Reject
108.07		HDC (Planning Department)		Accept
108.30		HDC (Planning Department)		Accept
71.04		Progressive Enterprises Limited		Accept
71.05		Progressive Enterprises Limited		Reject
108.04		HDC (Planning Department)		Accept
5.04		Elaine Gradock		Accept
95.28		New Zealand Defence Force (NZDF)		Accept In-Part
108.35		HDC (Planning Department)		Accept In-Part
5.05		Elaine Gradock		Accept
95.38		New Zealand Defence Force (NZDF)		Accept In-Part
95.09		New Zealand Defence Force (NZDF)		Accept
95.52		New Zealand Defence Force (NZDF)		Accept
95.14		New Zealand Defence Force (NZDF)		Accept
95.23		New Zealand Defence Force (NZDF)		Accept In-Part
95.33		New Zealand Defence Force (NZDF)		Accept In-Part

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Hearing Panel Decision
117.16		New Zealand Historic Places Trust (NZHPT)		Accept
41.38		Powerco		Accept
40.20		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
40.34		House Movers Section of NZ Heavy Haulage Association Inc.		Reject
95.43		New Zealand Defence Force (NZDF)		Accept
3.02		Matthew Thredgold		Reject
51.01		Waitarere Beach Progressive & Ratepayers Association (WBPPRA)		Accept In-Part
93.21		The Oil Companies		Accept
40.08		House Movers Section of NZ Heavy Haulage Association Inc.		Accept
117.27		New Zealand Historic Places Trust (NZHPT)		Accept In-Part
79.09		Chorus New Zealand Ltd		Reject
78.09		Telecom New Zealand Ltd		Reject
114.01		Gary Spelman		Accept In-Part
71.08		Progressive Enterprises Limited		Accept In-Part
71.07	510.00	Progressive Enterprises Limited McDonalds Restaurants Ltd	Support	Accept In-Part Accept In-Part
71.09		Progressive Enterprises Limited		Reject
71.10		Progressive Enterprises Limited		Accept In-Part
73.01		McDonalds Restaurants (New Zealand) Limited		Reject
71.12		Progressive Enterprises Limited		Reject
26.12		Horowhenua Astronomical Society Inc.		Reject
117.17		New Zealand Historic Places Trust (NZHPT)		Reject
93.22		The Oil Companies		Reject

APPENDIX C: Tararua Road Growth Area Overlay Levin Design Guide

HOROWHENUA

DISTRICT PLAN

Tararua Road Growth Area Overlay
Levin

DESIGN GUIDE



DATE: 4 SEPTEMBER 2013

VERSION: 3

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1. Introduction

A large area of land on the south-east area of Levin has been zoned Industrial and is identified as the Tararua Road Growth Area Overlay (TRGA). This land is currently undeveloped and a coordinated and managed approach is required for the progressive urban development of this land to achieve the desired objectives. Through the District Plan and this Design Guide, new subdivision and land use development is to be managed to ensure the development aspirations are realised and it responds to the local context and character.

2. Purpose of the Design Guide

The purpose of the Tararua Road Growth Area Design Guide is to provide guidance for those undertaking subdivision and land use activities within the TRGA. The Design Guide provides a set of outcomes and guidelines to shape subdivision and land use development to meet landowner, community and Council expectations for the TRGA.

The guidelines are to be used in conjunction with the District Plan Objectives, Policies and Rules and to assist in the implementation of the Tararua Road Growth Area Structure Plan.

The Tararua Road Growth Overlay Area is shown on Planning Map 29 and 30. The area is zoned Industrial and a Structure Plan in Schedule 5 of the District Plan applies further sub-areas, infrastructure, landscape buffers and other features as follows:

- Industrial Zone
- Low Impact Area
- Landscape Buffer
- Landscape Noise Buffer
- Reserve / open space
- Reserve / stormwater
- Industrial Distributor Road
- Future Road Linkage

Section 7 of the Design Guide describes the development outcomes for the TRGA. Sections 8 and 9 set out the guidelines that assist subdivision and land use development to achieve the stated outcomes.

It should be noted that the illustrations within the Design Guide are intended to define and demonstrate what is meant by outcomes or guidelines and are not intended to represent actual design solutions.

3. Application and Implementation

This Design Guide applies to the Tararua Road Growth Overlay Area (TRGA) identified on the Planning Maps. The TRGA is located on the urban periphery of south-east Levin and is in close proximity to existing industrial activities at Tararua Road and Cambridge Street South and residential activities to the north.

Under the District Plan rules, all subdivision and land use activities require resource consent within the TRGA and applications will be assessed against the guidelines contained within this document. The Design Guide is to be applied in conjunction with the rules and standards in the District Plan. Subdivision and land use proposals that are not consistent with the Design Guide can be a basis for the Council to decline resource consent approval.

This Design Guide offers a step-by-step approach to a higher standard of amenity within the TRGA and to manage effects at the Industrial Zone boundary with the neighbouring Residential and Rural Zones. These outcomes are achieved through the consideration of context and subdivision design, through to site layout and creating positive relationships between public/private spaces at the land use stage. Innovation and individual design solutions in development are encouraged; the guidelines are to assist the consideration of key principles in order to achieve the outcomes of this document.

4. Design Guide Structure

The Design Guide is to be used to:

- A** Assist property developers, surveyors, engineers, architects and planners to prepare and design subdivisions and land use developments; and
- B** Assist Horowhenua District Council staff to evaluate new subdivision and land use applications.

Consistency with the guidance provided in this Design Guide can be achieved most effectively by following the process set out below as it will ensure relevant information has been collated and communication lines between the Council and applicant are open early on in the design process.

Each section of the design guide is generally structured into 4 parts (for example):



5. Process

The Horowhenua District Council encourages landowners, developers and their surveyors, planners, architects, engineers and other advisers to work collaboratively throughout the development planning process and to seek early discussions with Council prior to undertaking detailed design for any development. This allows for development concepts to be discussed prior to commencing detailed design, gives all parties more certainty which aids the preparation for the drafting of any applications and the eventual processing of them.

A diagram of the design process is described below. The need for all of these steps will depend on the development scale. This process is optional but is intended to assist in providing for an efficient design and consenting process.

Step 1

Preliminary Meeting

Initial discussion about aspects of the site and its context, confirm district plan requirements and other consents required (regional council) and confirm information requirements/expectations. It may be appropriate to hold a joint Council meeting with officers from Horowhenua District Council and Horizons



Step 2

Concept subdivision plan / draft site layout plan

The developer/applicant may submit draft or conceptual drawings for the proposed subdivision, or land use, prior to commencing detailed drawings, to seek preliminary feedback from Council in regards to the approval process, the District Plan rules, the Structure Plan and the design guide.

With respect to subdivision applications, confirm the timing of district and regional consents and whether all consents are to be processed concurrent or separate.



Step 3

Design Process Meeting

Meeting(s) as required to develop the concept designs and continually resolve design issues with Council staff, including Community Assets with respect to infrastructure and reserve development.



Step 4

Final Design

The developer/applicant is to submit the final design and supporting forms and assessment as part of the resource consent application.

6. Site Context

Integrating greenfield industrial development into the existing environment requires an appropriate response to the existing land uses, characteristics, features and topography of the TRGA and its surrounds. Industrial development will bring about change to the area, but can do so in a way that best responds to the locality.

This section broadly describes the land uses, connections, characteristics and features of the TRGA and its relationship with south east Levin and future subdivision and developments should respond to this context.

6.1 Land use

There is a diversity of land uses surrounding the TRGA including:

- Residential and rural residential
- Primary production
- School
- Industrial
- Major roads (State Highway 57 and Tararua Road)
- Local roads (Hinemoa Street, Kinross Street, Winiata Street, Strathmore Avenue and Perth Street)

The subdivisions are to set the underlying framework and infrastructure to enable the development and operation of new industrial buildings and activities within the TRGA. Mitigation measures are to be integrated into subdivision designs to both protect new industrial development from reverse sensitivity effects; and to protect the adjacent land uses from adverse environmental effects.

6.2 Site and Surrounds: Characteristics, Features and Buildings

6.2.1 Characteristics and Features

The TRGA is relatively flat and bound by major roads to the east (State Highway 57/Arapaepae Road) and south (Tararua Road). Currently, the area is open pasture with a shelterbelt running parallel with the northern boundary in part. There are views into the site from the existing residential activities to the north, the industrial activities to the west and from rural activities from the remaining aspects. The Tararua Ranges are the dominant natural feature within the wider context and views to these ranges from new development within the area would be possible and therefore should be promoted in future subdivision design and building orientation.



Viewpoint: from northern boundary of the Tararua Road Growth Area at Hinemoa Street looking south east, south and south west, with the Tararua Ranges forming the backdrop to the east and connection with the existing industrial activities to the west.

An established planted strip along Arapaepae Road (SH 57) for the length of the existing residential area is located north of the TRGA. The Council owns three parcels of land to partially assist the continuation of this amenity strip along the eastern boundary of the growth area.



Viewpoint: from eastern extent at Arapaepae Road towards the existing Residential Zone and the Council planted amenity strip to be continued along the Tararua Road Growth Area boundary.

6.2.2 Buildings

The TRGA is currently void of any principal buildings, whereas the adjoining Industrial Zone (Cambridge Street South and Tararua Road) contains a range of industrial buildings which are generally simple pitched roof structures that have a rural industrial appearance and scale. The exception is the Carter Holt Harvey (Packaging) building which is larger in scale, yet repeats the same simple pitched roof form and appears as a series of attached buildings. Refer to photos below for these existing buildings.



Photo 1: Looking west along Tararua Road. Established industrial activity. Rural industrial character. Single storey workshop/warehouse, simple pitched roof.



Photo 2: Looking east along Tararua Road. Scale of industrial buildings are larger than residential, but not overly dominant. Tararua Ranges providing backdrop.



Photo 3: Looking south-west along Tararua Road towards adjacent Rural Zone. The form and scale of the glasshouses provides distinctive character of the locality and their functional use.



Photo 4: Looking west along Tararua Road, simple building form and structure.



Photo 5: Near corner of Tararua Road and Cambridge Street South with the stock yards in the foreground and associated industrial building in the background.



Photo 6: Cambridge Street South looking north towards wholesale trade supply (RD 1) and manufacturing industries. Buildings are a mix of styles, yet are similar in scale and alignment with the street.



Photos 7 and 8: View of Carter Holt Harvey facility from Tararua Road. Larger scale building, but remains simple in form, setback from the road, open weave security fencing, established trees and clear signage.

6.2.3 Transport Network and Access

The TRGA is strategically positioned to access main transport links such as State Highway 1, State Highway 57 (Arapaepae Road) and the North Island Main Trunk Railway. To maintain the safe and efficient operation of State Highway 57, subdivisions and land use developments are to avoid providing direct road or vehicle crossing access onto the state highway. As an alternative, access onto Tararua Road and new roads within the TRGA will provide the main external entry/exit point.

Hinemoa Street, Winiata Street and Perth Street are residential streets to the immediate north of the TRGA and have the potential to provide transport options (drive, walk or cycle) from home to work, for those working in the industrial area. Any potential road connections from the TRGA to the residential area need to be designed to provide for residential traffic as well as to restrict heavy industrial traffic.

There is currently no dedicated pedestrian footpath or cycle lane along Tararua Road or State Highway 57. As development within the TRGA and the (Deferred) Greenbelt Residential Zone to the east of Arapaepae Road progresses, demand for pedestrian and cycle facilities are likely to become increasingly demanded and should be proactively considered.

6.2.4 Infrastructure and Servicing

As the TRGA is currently undeveloped, there is no infrastructure or services through the area. However, existing reticulated water and wastewater services are available within road reserve along Tararua Road. There is no reticulated stormwater system in Levin and all stormwater is to be managed on-site. Electricity and telecommunication services are available within Tararua Road and an applicant should liaise with the relevant network utility operator for these services.

7. Development Outcomes for the Tararua Road Growth Area

The industrial development outcomes for the TRGA are listed below and demonstrated spatially on the Structure Plan:

- Create a quality industrial environment in the south-east extent of Levin that will enhance the reputation, economic and social wellbeing of the Horowhenua district;
- Maximise the strategic position of the site and its close proximity to national transport links to attract quality industrial business to the Levin area;
- Provide opportunities for a range of industrial activities, wholesale and trade supply activities and other associated non-industrial activities to locate within the TRGA,
- Create an industrial environment that responds to the context, characteristics and features of the site and its surrounds and creates a level of amenity that people enjoy working within;
- Provide effective noise, visual and amenity buffers between the existing adjoining land uses and the new industrial environment so that adverse effects are internalised within the Industrial Zone and the risk of reverse sensitivity effects is minimised.
- Provide an intermediary Low Impact Area and maintain a substantial separation distance between the existing residential area to the north of the TRGA and the standard Industrial Zone.
- Provide an effective stormwater collection, treatment and disposal system throughout the TRGA using low impact urban design principles and other environmentally responsive and sustainable design solutions;
- Create a linear reserve between the residential area (including Taitoko Primary School) that supports multiple uses, including stormwater treatment swales, open space, and walking and cycling connections to and through the TRGA;
- Connect the TRGA with the existing urban area in south-east Levin and avoiding connections to State Highway 57, using a safe and efficient internal roading system and access onto local roads.

8. Subdivision and Development Guidelines

This section of the Design Guide sets out the subdivision and development guidelines to be considered and assessed as part of the design and consent process for future development in the TRGA.

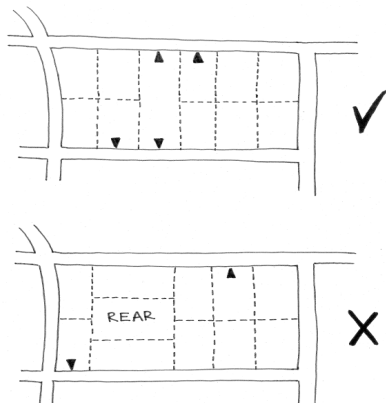
8.1 Street Blocks

The design of street blocks and the subdivision of individual lots in conjunction with the overall internal roading network and hierarchy can create a connected and well laid out industrial area. The layout of the industrial area and street blocks has significant potential to influence ease of movement in and around the area, access to sites, the efficient development of individual lots, and a positive interface with surrounding areas.

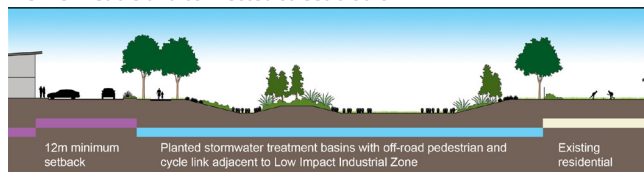
A grid pattern, with a hierarchy from main roads to secondary roads connecting with existing main and secondary roads, provides an easy to navigate and readily developable industrial area, as shown on the Structure Plan.

The interface with the adjoining residential area to the north of the TRGA needs to be carefully managed to protect the amenity of the residential area and avoid reverse sensitivity effects for new industrial development, with separation distance a key method used as shown on the Structure Plan.

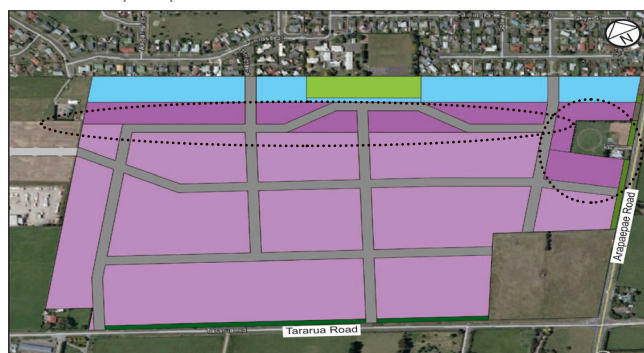
Lots need to be of a size and shape to accommodate a range of industrial uses. Rear lots are undesirable due to access difficulties and the inability for development to address the street. Similarly, reserves intended for public use that are well fronted by public roads are more secure because of the informal surveillance from the road and activities that interface with the road across the carriageway.



1-3. Permeable and connected street blocks



4. Width of open space and storm water reserve



5-6. Low Impact Area within the TRGA Structure Plan

1. Street blocks should be of a scale and shape to achieve a permeable and connected street layout suited to industrial land use.

2. The street blocks should form a grid pattern responding to the historical urban pattern and connect with the existing road network.

3. All lots should be a regular shape, front onto a road, and be accessed directly from a legal road. Rear lots are to be avoided, but through lots (with dual road frontage) are permissible.

4. A reserve/open space/stormwater treatment area should extend for the full length of the TRGA with the adjoining residential area. The width of this area should be sufficient to accommodate stormwater detention and treatment and avoid amenity (e.g. noise and visual) conflicts between residential and industrial uses.

5. A Low Impact Area is to be provided for on the southern side of the reserve/open space/stormwater treatment area and adjoining the rural-residential property at 172 Arapaepae Road (Lot 191 DP 52352 and Lot 1 DP 341015)

6. The central reserve/open space area within the linear reserve and the road layout should be designed so that a road extends along the full length of the southern side of the reserve.

8.2 Growth Area Boundary Treatments

A range of existing land uses either adjoin or are in close proximity to the TRGA. There is potential for new industrial activities and development to adversely affect the established residential and rural amenity in the adjoining areas. Setbacks and landscape planting around the perimeter of the TRGA can mitigate these adverse effects on the amenity values of the adjoining areas. In addition, vegetation and trees can improve the attractiveness and visual appeal of the general area, including when viewed from key public viewpoints as State Highway 57 (Arapaepae Road).

A landscaped buffer along State Highway 57 (Arapaepae Road) would continue and reinforce the existing beautification strip to the north of the TRGA. In designing the landscape buffers, future management and maintenance needs to be considered to ensure they are retained in perpetuity and are not costly to maintain. While the primary function of landscape buffers is to visually screen industrial development, the design of the landscape buffers should also consider other functions such as walking/cycling.

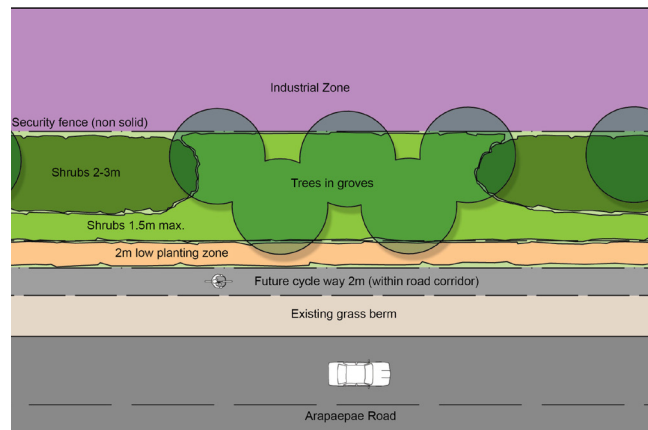
1. Provide a buffer area between the existing residential activities (including the Taitoko Primary School) within the adjoining Residential Zone and new industrial activities through the use of a linear reserve/open space/stormwater management area so that visual, noise and nuisance effects (dust, lighting and on-site traffic noise) are minimised.



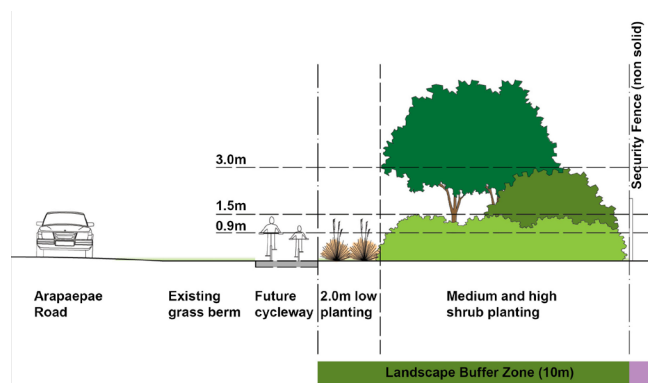
1. Buffer area between future industrial activities (Low Impact) and existing residential

2. Create a 10m wide Landscape Buffer along the Arapaepae Road boundary to mitigate visual effects. This buffer should be designed as follows:

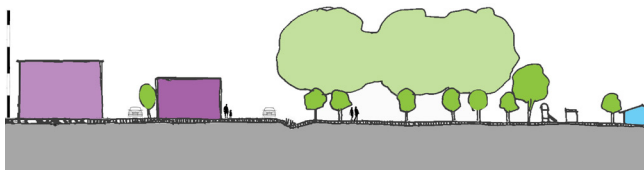
- Low planting zone: Low amenity planting with maximum mature height of 0.9m immediately adjacent to the Arapaepae Road frontage for a minimum width of 2m.
- High planting zone: Continuous shrub planting and groves of specimen trees with a mature height of between 2m to 3m.
- For every 40m along the landscape buffer area there is to be a maximum of shrub planting area of 20m; and
- For every 50m along the landscape buffer area there is to be groves of trees (5 tree minimum). Regular spacing of the specimen trees is to be avoided.
- Remaining Area: The areas between the Low and High planting zones shall be planted with shrubs and amenity plants with maximum mature height of 1.5m.
- Fencing: A 1.8m – 2.0m high non-solid security fence is to be positioned on the TRGA side of the landscape buffer and not be visible from the road.



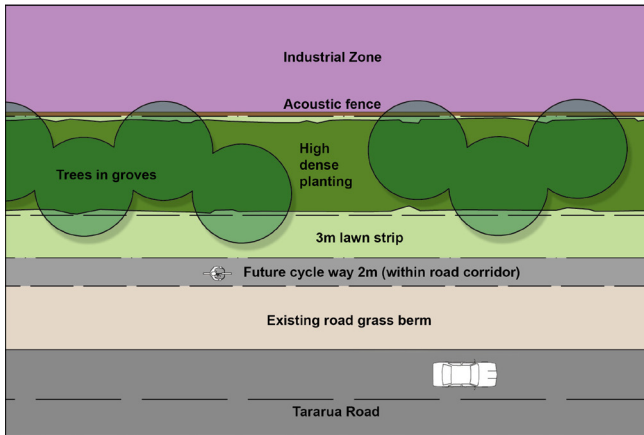
2. Landscape Buffer: Plan



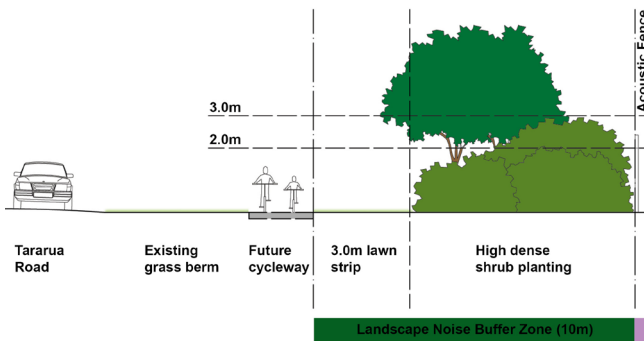
2. Landscape Buffer: Cross-Section



3. Landscape concept to provide attractive outlook into TRGA



4. Landscape and Noise Buffer: Plan



4. Landscape and Noise Buffer: Cross-Section



5. Hierarchy of vegetation heights to provide screening and natural surveillance

3. Maintain an attractive outlook from the adjoining residential properties and Taitoko Primary School by softening and screening industrial development through planting within the reserve/open space/stormwater management area.

4. Create a 10m wide Landscape and Noise Buffer along Tararua Road and the south-east extent of Arapaepae Road to mitigate visual and noise effects. This buffer should be designed as follows:

- Lawn Strip: A 3m wide lawn area shall be established immediately adjacent to the road frontages.
- High planting zone: Dense shrub planting and groves of specimen trees to achieve a mature height of between 2m to 3m to ensure the acoustic fence is screened from the road.
- For every 50m along the landscape buffer area there is to be groves of trees (5 tree minimum). Regular spacing of the specimen trees is to be avoided.
- Fencing: An acoustic fence is to be positioned on the TRGA side of the Landscape Noise Buffer, with a minimum height of 2.4m.

5. Design landscape buffer areas to be safe for pedestrians and cyclists to use as informal open space.

6. Protect the adjoining rural-residential property at 172 Arapaepae Road by minimising visual and noise effects through the use of building setbacks, landscaping and/or noise buffers between this property and the eastern periphery of the TRGA.

7. Ensure any new landscape planting areas to be vested with the Council are designed to include species that are characteristic and local to the area, are established and maintained so that the long term maintenance is cost effective to the Council and community.

8.3 Roading and Transport

The roading and transport infrastructure should be considered in an integrated fashion together with the street blocks that they create. The design of the road network for the TRGA needs to connect with the existing local road network in a safe and efficient way. A new internal roading network with TRGA is also required.

The new road network should ensure there is a clear hierarchy of main and secondary roads, with a high level of connectivity to, from and within the TRGA. The new road network should be designed so it efficiently directs traffic into and out of the TRGA via Tararua Road, particularly for heavy traffic, with secondary connections to the existing streets to the north. The connections to the residential streets to the north must be designed to discourage heavy vehicular traffic to avoid safety and amenity effects within the adjoining residential area.

1. Maintain the safe and efficient operation of State Highway 57 by avoiding new access or road connections to the State Highway.

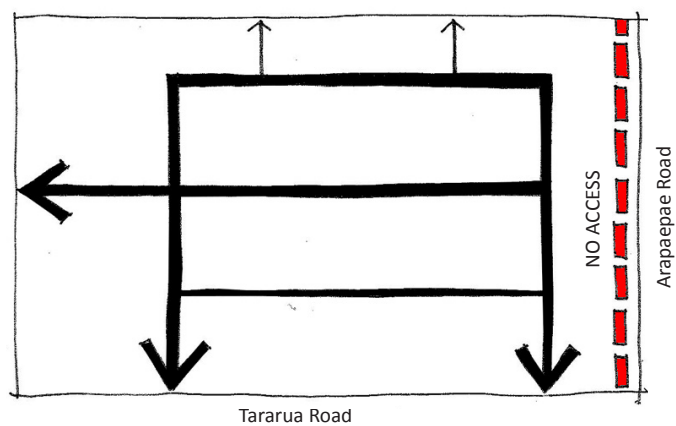
2. Provide primary road access to/from the TRGA via Tararua Road, with secondary road access via Winiata Street and Perth Street, and provision for a future road linkage to the west of the TRGA.

3. If subdivision and development is undertaken in stages, the roading networks should be designed with connections and capacity that provides for the development of the TRGA in its entirety.

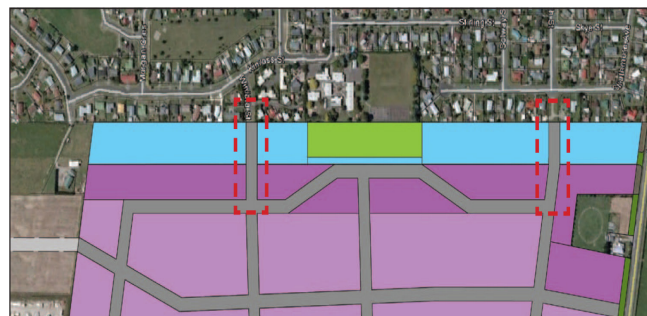
4. The internal roading network within the TRGA should achieve an interconnected system of streets as shown on the Structure Plan to enable through industrial traffic to move safely and efficiently to and from destinations.

5. Road designs, including road carriageway widths, should relate to the nature and function of the road. Provision should be made for heavy vehicles, as well as provision for pedestrians and cyclists.

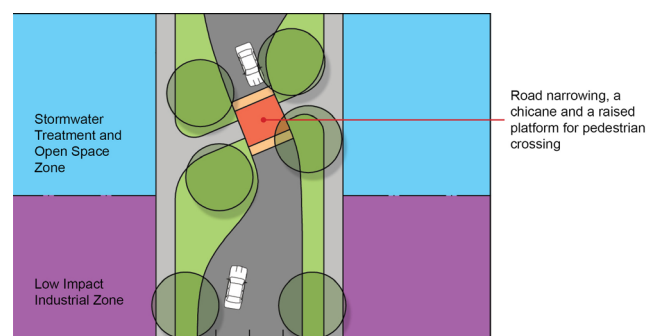
6. Restrict heavy industrial traffic from using internal access roads that connect with the existing residential area to the north of the TRGA. This restriction may be achieved through the design of the new road connections (e.g. narrow road carriageway width, planting and street tree layouts, the use of a chicane, and/or raised road surface). The design of this traffic calming measure should consider the alignment of any off-road pedestrian and cycle path within the reserve/open space/stormwater treatment area.



1-5. Schematic roading hierarchy and internal and external roading connections



6. Road linkages to Residential zone requiring a specific road design



6. Potential design solution for Residential zone road linkages

8.4 Infrastructure and Network Utility Services

The TRGA is a greenfield development site and requires the extension of infrastructure and services across the site. Infrastructure and network utility services include new roads, reserves, stormwater management, water supply, wastewater, trade waste, telecommunications, gas and power. The provision of infrastructure and network utilities is a key requirement for the effective and functional development and operation of industrial activities. It is important the design and provision of infrastructure and network utilities caters for the demands from industrial activities, both in the short and longer term (i.e. future proofed).

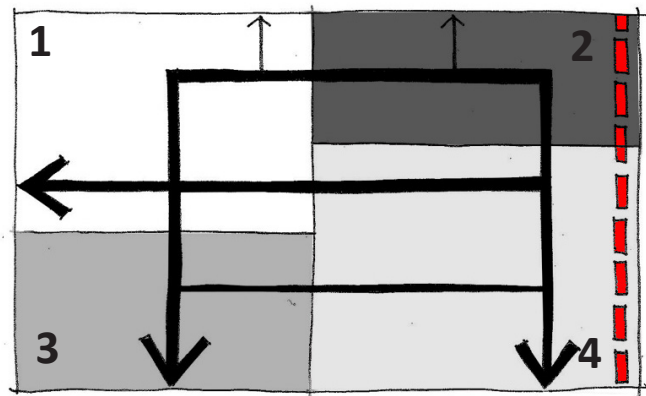
To achieve these outcomes, the infrastructure and network utility services should be planned in a comprehensive manner working with the respective network utility operators. Upgrades may be required to some services to meet future demands. In addition, the provision of new infrastructure and services should be undertaken in an environmentally conscious manner. The long-term maintenance costs of infrastructure as well as the up-front capital costs need to be considered in the design and planning of infrastructure.

1. Infrastructure (including roads) and network utility services should be planned and designed comprehensively (i.e. in an integrated manner for the entire TRGA) so that the location of utility structures, services and spaces are part of an overall scheme and meet immediate and long-term requirements.

2. If subdivision and development is undertaken in stages, the infrastructure and network utilities should be designed to provide for the capacity that satisfies the demands and requirements of the entire TRGA in a cost effective and environmentally sustainable way.

3. The design should connect efficiently with existing infrastructure. Allowance should be made for future connections with adjacent sites.

4. Utilise new technology and low impact urban design principles in managing stormwater throughout the TRGA and ensure that all stormwater run off can be collected, treated and disposed of within the overall TRGA area.



1-3: Integrated, planned infrastructure provision across multiple stages of subdivision and development



4. Low Impact urban design stormwater provision



5. Open space supporting multiple functions



6-7. Planted linear reserve supporting open space and stormwater functions



6-7. Separation distance and planting to provide an attractive outlook

5. Provide for multiple functions (open space, amenity, stormwater management, alternative transport connections) into the design of reserves.

6. Design the linear reserve so it extends along the entire northern boundary with the Residential Zone and has a width and design that responds to the following requirements:

- An stormwater detention area. This area is integral to the overall TRGA stormwater management system (collection, treatment and storage). Secondary or more stormwater collection and treatment areas and methods may be required across the TRGA.

- Provides a separation distance (approximately 50 – 60m) between the northern boundary with the Residential Zone and the Low Impact Area with TRGA in a way that buffers noise, mitigates visual effects from buildings and results in an attractive and visually appealing outlook for the residential properties and Taitoko Primary School.

- Provides a safe alternative route for walkers and cyclists from work to home.

7. Consider the long-term maintenance costs of infrastructure and services.

9 Building and Amenity Guidelines

The future character of the TRGA is reflected in the outcomes described in Section 7 above which is a good quality industrial environment. The outcomes also seek to create a relatively high level of amenity within the TRGA, to enable a good environment for business and industrial activities to operate and to provide enjoyment for those working or passing through the area. A key factor in achieving these outcomes is to ensure positive interfaces are established between the private realm (future businesses) and public realm (roads, streetscapes and stormwater reserve/open space) both within and on the edges of the development. This section of the guidelines focuses on the relationship between the private and public realms within the TRGA.

The Low Impact Area is an intermediary area between the linear reserve and the main industrial environment. There are some specific guidelines relating to the Low Impact Area because activities and buildings within the Low Impact Area are smaller in scale and less intensive than the standard Industrial Zone.

9.1 Site Layout

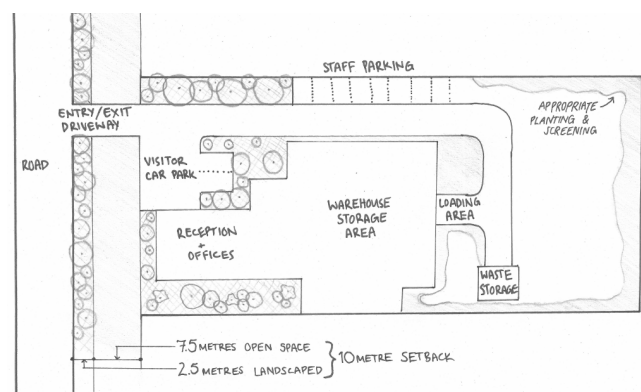
Functional and attractive industrial sites are to achieve high quality building and landscape frontages to public spaces including streets and reserves, leaving the remainder of the site and buildings to operate industrial activities effectively. The location of facilities and operational areas within industrial sites can influence the nature and scale of external adverse effects, such as not locating noisy or other nuisance creating operations near the property boundary.

1. Position at the front of building any administration, office or other spaces accessed by the public, and present main entry doors and glazing to address the street or reserve. Where a site is bounded by more than one street or a public space it should establish a primary frontage on one public boundary, generally to meet the most significant street or space. Secondary frontages may be established on others.



1. Primary (visitor) access and building frontage

2. Provide for legible vehicular and pedestrian access, as well as safe and efficient access for servicing/loading vehicles.



2-3. Conceptual layout to avoid potential conflict of adjoining sites

3. The layout of the industrial development avoids potential conflict between activities on adjoining sites through the location and design of storage areas, rubbish and waste disposal, loading bays, delivered areas and any noisy machinery and activities.

9.2 Building Scale and Design

Managing the scale of buildings (and structures) within the Industrial Zone, particularly the Low Impact Area can improve the overall relationship of new development to its surrounds. Buildings of great height or bulk may visually overwhelm their immediate surroundings. Where the length, width and/or height of a new development conflicts with the characteristics of its surroundings, design techniques may be employed to modify and mitigate the visual impacts.



1. Scale and design of industrial buildings



2. Building height and stepping down to primary street frontage



3. Building facade broken up



4. Appropriate use of glazing to provide building interest and articulation

1. Buildings on sites facing existing residential and rural residential activities are to be of a scale and position that minimises adverse visual effects and maintain an attractive and open outlook towards the TRGA.

2. Lower building heights at street frontages to create a scale that is appropriate at street level. This visual stepping is not required for buildings on streets that primarily function for service and supply vehicles.

3. Continuous blank external building facades on the street frontage or linear reserve/open space/stormwater area should be avoided by ensuring walls of a length greater than 20m are either reduced or the façade broken with steps.

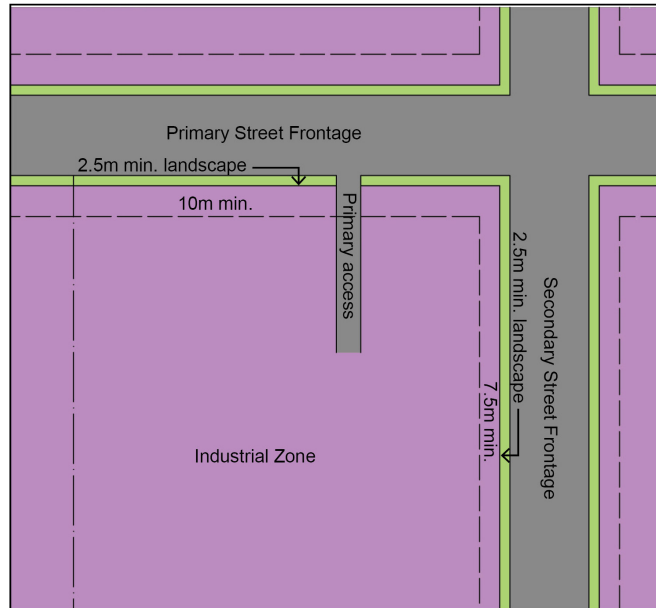
4. Examples of adding interest to long continuous walls can include walls being stepped back or vary walls in alignment, creative use of materials, texture or colour changes, and the use of glazing (where the optimal amount of window and door glazing across any single façade is between 5% and 50% of the external wall).

9.3 Building Setbacks and Street Frontage Landscaping

Buildings and landscaping are to create attractive and safe spaces between the development within the site and immediate road frontage and reserves. Building setbacks from the road frontage and landscaping provides visual relief from the industrial development.

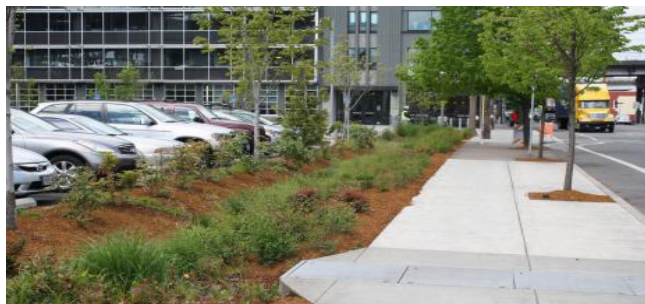
1. Sites should differentiate between the street that provides the main visitor entry or “front” of the activity, compared to the street that provides access for service vehicles as follows:

- **Main Entry Street Frontage:** Buildings are to be setback a minimum of 10m from the street frontage. Within this 10m building setback a 2.5m landscape strip is to be established and the remaining 7.5m is to be maintained as open space.
- **Service Street Frontage:** Buildings are to be setback a minimum of 7.5m from the street frontages. Within this building setback a 2.5m landscape strip is to be established and the remaining 5m is to be maintained as open space.

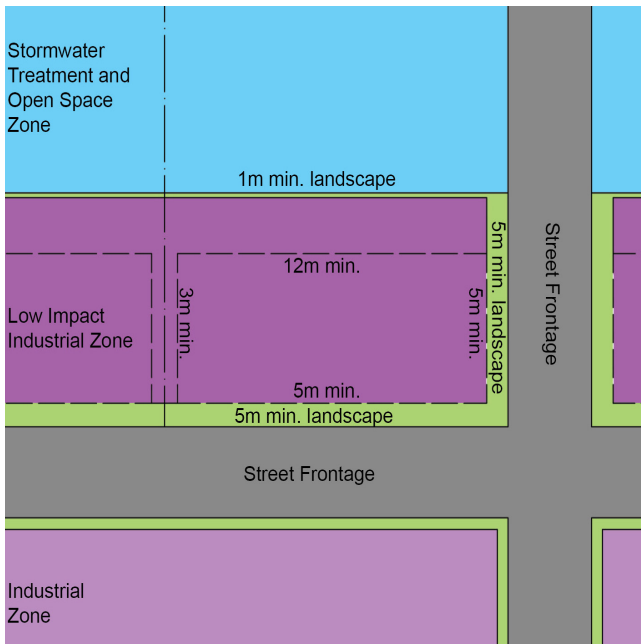


1. Industrial Zone: Building setbacks and landscape requirements.

2. On-site car parking areas shall be designed with a regular grid of shade trees, of a suitable species, between parking rows at a ratio of 1 per 6 car-bays.



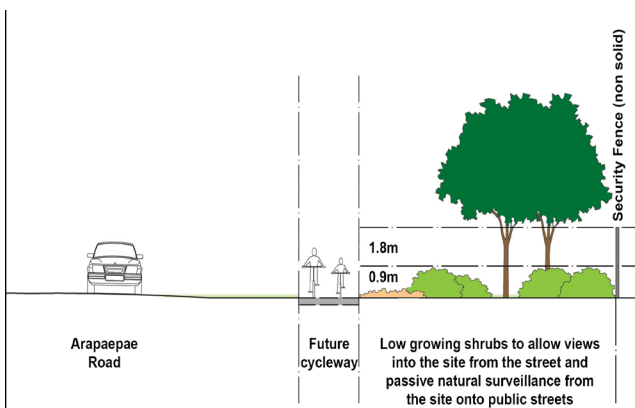
2. Landscaping within car parking areas.



3. Low Impact Area: Building setbacks and landscape requirements.



4. Shared parking for reserve and visitors to industrial site



5. Hierarchy of plant heights with road boundary landscaping

3. Sites within the Low Impact Area are to provide the following building setbacks:

- **Linear Reserve:** Buildings are to be setback a minimum of 12m from the boundary of the linear reserve. Within this building setback include a minimum 1m landscape strip immediately adjoining the reserve.
- **All Streets:** Buildings are to be setback a minimum of 5m from all street frontages. Within this building setback the entire 5m width is to be a landscape strip.
- **Properties Boundaries:** Buildings are to be setback a minimum of 3m from all property boundaries (side and rear).

4. Incorporate on-site car parking into building setback from the linear reserve and encourage visitors to access the reserve.

5. Within any of the landscape strips referred to above, appropriately spaced and positioned trees with high canopies (above 2m in height, where mature trees are pruned clear to a minimum of 1.8m above ground level) and low growing shrubs (less than 0.9m) allow views into the site from the street as well as enabling natural surveillance from the site onto public streets.

The landscape strips within each property are to be established and maintained by the individual owners and not vested in Council. Consequently, it is important that each landscape strip is designed and established with a cost effective maintenance regime in place.

9.4 Fencing

Safety, amenity and accessibility can be improved by avoiding dominant fences on the front boundary of lots and adjoining reserves to create positive spaces between private front yards and public spaces:

1. Avoid solid fences above 1.2m along any road frontage..

2. The use of rail-less chain link or steel mesh fence security fencing can be appropriate where this type of fencing has a height between 1.8m to 2m.

3. For sites within the Low Impact Area:

- Linear Reserve: Any fences along the boundary of the linear reserve are to be designed so that natural surveillance of the reserve can be maintained and the edge of the reserve is attractive and accessible. The use of security fences or solid fences of a height 1.2m or greater are inappropriate and shall be avoided.

- Street frontage: Any fence along the street frontage shall be designed to have a high proportion of transparency, where only 35% of the fence can be determined to have a solid appearance.



1. Definition of public and private space while maintaining and appropriate level of natural surveillance



2. Example of rail-less chain mesh fence



3. Low and open fences enable natural surveillance over adjoining reserve