



Section 42A Report to the District Plan Review Hearing Panel

Proposed Horowhenua District Plan General Part 4 - Planning Maps

May 2013



Hearing Date: 20-22 May 2013

Report Prepared by: Sue Graham
and David McCorkindale

Report Number: 14.03

NOTE TO SUBMITTERS

Submitters should note that the hearings on the Proposed District Plan have been organised according to topic. A total of 14 hearings are scheduled to hear submissions on each of the 14 topics. The topic which is the subject of this report is General (Planning Maps).

It is very likely that submitters who have made submission points in relation to the Planning Maps may have also made submission points on other parts of the Proposed Plan. This report only addresses those submission points that are relevant to the subject of this report.

The hearings of submissions to the Proposed District Plan are being collectively heard by a Panel of eight commissioners. The appointed commissioners include a combination of local Councillors and independent commissioners. In most cases each hearing will be heard by a panel of three commissioners selected from the eight panel members. This does mean that different commissioners will be sitting on different hearings. It therefore will require submitters to ensure that when speaking at a hearing that they keep to their submission points that have been covered by the Planning Report for that hearing.

To assist submitters in finding where and how their submissions have been addressed in this report, a submitter index has been prepared and can be found at the very end of the report. The index identifies the page number(s) of where the submitter's submission points have been addressed in the report.

Submitters may also find the table contained in Section 6.3 of this report helpful as it identifies the Reporting Officer's recommendation to the Hearing Panel on every submission point and further submission point addressed in this report.

EXECUTIVE SUMMARY

The Horowhenua District Plan has been operative for over 13 years (since 13th September 1999). During this time Council has undertaken a number of plan changes the majority have been a minor technical nature. In 2009 Council publicly notified three substantive plan changes that sought to address Rural Subdivision, Urban Growth and Outstanding Natural Features and Landscapes. A significant portion of the Operative District Plan has not be reviewed or modified since becoming operative in 1999. The Council in fulfilling its statutory duties has undertaken a review of those parts of the District Plan that have not been subject of a plan change after 2008.

This report evaluates and considers submissions on the Proposed Planning Maps.

The Planning Maps cover the Horowhenua in a grid fashion by area with inserts displaying settlements at a more detailed scale so that different zones, overlays and other features can be clearly seen. The Proposed Planning Maps 1 - 37 display the existing and proposed zoning of land within the District, Proposed Overlay areas and features. Planning Maps 38-41 depict and define the areas of land subject to Outstanding Natural Landscapes and Features and the Rural Landscape Domains. These maps were the result of Plan Change 20 and 22 and are not subject to the District Plan Review. Similarly, the areas rezoned as part of Plan Change 21 are not subject to this District Plan review process.

The Planning Maps within the Operative District Plan have in part been the subject of seven principal plan changes since the District Plan became operative (September 1999). These plan changes include:

- Plan Change 16 amended the display of the "Highly Versatile Soils" on Planning Maps 1-8 and 10, this Plan Change became Operative on 14 November 2005.
- Plan Change 17 changed a block of Rural zoned land south of Levin bounded by Arapaepae Road to the east and Tararua Road to the south to Residential 1 in the northern portion of the site and Industrial in the southern portion of the site, amending Planning Maps 25 and 26, this Plan Change became Operative on 26 May 2008.
- Plan Change 18 rezoned Lots 4 and 5 DP 90543 (the Black Orchids property on the eastern side of Fairfield Road, Levin) from Rural to a "Fairfield Road Special Residential 1" Zone, amending Planning Map 24, this Plan Change became Operative on 7 April 2009.
- Plan Change 19 rezoned land at the Stevensons Engineering site at Karaka Street/State Highway 57, Tokomaru, amending Planning Maps 3 and 6, this Plan Change became Operative on 28 March 2011.
- Plan Change 20 identifies Landscape Domains which relate to rules for rural subdivision and proposes Planning Maps 38 and 39, this Plan Change at the time of writing had been approved by Council to become operative and was set to be notified and become operative in May 2013.
- Proposed Plan Change 21 identified areas for rezoning Residential, Residential Low Density and Greenbelt Residential, this Plan Change at the time of writing had been approved by Council to become operative and was set to be notified and become operative in May 2013.
- Proposed Plan Change 22 reviewed the Outstanding Natural Feature and Landscapes of the District, this Plan Change is currently subject to appeals lodged with the Environment Court.

The Proposed District Plan was publicly notified for submissions on 14 September 2012. The period for further submissions closed 20 December 2012. Through the public notification process

a number of submissions were received supporting and opposing zoning, the extent and location of overlay areas or features within the Proposed Planning Maps.

The purpose of this report is to discuss and evaluate the proposed submissions in relation to the Planning Maps and to provide advice to the District Plan Review Hearings Panel on these. All submission points have been evaluated in this report, with specific recommendations for each point raised within each submission. These recommendations include amendments to the Proposed Planning Maps. Whilst recommendations are provided, it is the role of the District Plan Review Hearing Panel to consider the issues, the submissions received, the evidence presented at the hearing, and the advice of the reporting planner for Council before making a decision.

The District Plan Review Hearings Panel in making its decisions will determine whether to accept, reject or accept in part, the submissions received, and as a consequence, any amendments to be made to the Proposed Planning Maps.

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SUBMITTER INDEX

1. Introduction

1.1 Qualifications

My full name is Susan Elaine Viivi Graham. I am the Senior Planner at Horowhenua District Council. I have been in this position for the last four years and have held the position of Resource Management Planner for two years prior. I have a degree in Environmental Studies from Massey University and graduated last year with a Masters Degree in Resource and Environmental Planning (Honours) from Massey University. I am a graduate member of the New Zealand Planning Institute.

I note that there two sections of this report, that I have not been the author of. The two sections are those relating to Planning Map 29 (Section 4.22) and Planning Map 30 (Section 2.23). For these two sections of the report David McCorkindale has been the author and has authored the evaluations and recommendations.

1.2 Outline

This report considers submissions and further submissions which were received on the Planning Maps. This report has been prepared in accordance with Section 42(a) of the Resource Management Act (“the RMA”) to assist the Hearings Panel with its consideration of submissions received in respect of the provisions in these parts of the Proposed Plan.

This report is structured according to the following format:

- Statutory Requirements
- Analysis of Submissions
- Recommended Amendments to Proposed Planning Maps

The report discusses each submission or groups of submissions on certain Planning Maps and includes a recommendation from the report writer on each submission that has been received, **but the recommendation is not the decision of the Horowhenua District Council** (“the Council”).

Following consideration of all the submissions and supporting evidence, if any, presented by the submitters and further submitters at the hearing, the Hearings Panel will make recommendations to the full Council. The Council will consider those recommendations and then make a decision concerning each submission. The report to the full Council will include recommendations to accept, accept in part, reject or reject in part individual submission points, and any amendments to Proposed Planning Maps.

The amendments to the Proposed Planning Maps arising from the staff recommendations discussed throughout this report are listed in full in Section 6.1. The suggested amendments are set out in the same style as the Horowhenua District Plan.

The Analysis of Submissions section has been structured by grouping submission points according to Planning Maps in the Proposed Plan. The submission points are ordered according to the Planning Map they submit on. Where they submit on a number of Planning Maps they are listed separately.

Each submission and further submission has been given a unique number (e.g. 58). Further submissions follow the same number format although they start at the number 500, therefore any

submitter number below 500 relates to an original submission and any submitter number of 500 or higher relates to a further submission.

In addition to the submission number, each submission point (relief sought) has been given a unique number (e.g. 01). When combined with the submitter number, the submission reference number reads 58.01, meaning submitter number 58 and submission point number 01. A similar numbering system has been used for further submissions.

2. Proposed Horowhenua District Plan

2.1 Background

In November 2009, HDC resolved to undertake a full review of its Operative District Plan (Operative Plan). Under Section 79 of the RMA, the Council is required to commence a review of its District Plan provisions which have not been reviewed in the previous 10 years. The Council has 23 District Plan changes since the District Plan was made operative in September 1999. These Plan Changes addressed a wide range of issues, with the most recent Plan Changes (20-23) including rural subdivision, urban growth, outstanding natural features and landscapes, and financial contributions. Whilst these Plan Changes covered a number of the provisions in the District Plan, many other provisions had not been changed or reviewed. Accordingly, the Council decided to do a full review of the rest of the District Plan, including the earlier Plan Changes. This review did not cover the most recent Plan Changes 20 – 22 which were not operative at the time the Proposed Plan was notified.

2.2 Consultation & Process

As outlined in the Section 32 Report associated with the Proposed Plan, general and targeted consultation has been undertaken for the District Plan Review from 2009. The general consultation was undertaken in two phases: 1. Survey and 2. Discussion Document (refer to the Section 32 Report for further details on the consultation approach and process).

The Horowhenua Development Plan which was adopted by Council in 2008 identified and addressed growth pressure issues for next 20 years. This Plan has no statutory weight but provides Council with a vision for development. The Development Plan went through a process of public consultation before it was formally adopted by Council. Areas were identified through the Development Plan for rezoning throughout the District. Some of these areas such as those for residential expansion were proposed to be rezoned through Plan Change 21. Other areas for rezoning or new overlays such as large format retail have been proposed to be implemented through the District Plan Review. The Foxton Town Plan which has also been through public consultation and is also a Plan with no statutory weight that provides a vision for the future of Foxton has been used to guide proposed zoning changes and new overlays such as commercial rezoning in the centre of Foxton and the Proposed Foxton Tourism Overlay.

Targeted consultation was undertaken in relation to rezoning areas of land which are considered to be inappropriately zoned under the Operative District Plan. Examples include areas of land which are used inconsistently with their zoning and properties with split zones. Consultation undertaken included the invitation to landowners to contact Council if they wished to have their property considered for re zoning. Also Council's Community Connection (May 2011) leading up to the District Plan review included an article inviting landowners to contact Council if they wished to have their property rezoned.

Council Officers kept a record of requests from landowners who wished their properties to be rezoned and also carried out their own review of aerial photography and zoning maps to identify other properties that appeared out of character with the zoning. Once all potential properties had been listed to consider for rezoning each property was analysed through a desktop exercise and site visits. Criteria were developed to assist in the evaluation of whether each property should be rezoned. These included the current and historical zoning, use and development of the land, the consent history, surrounding land uses and context, demand and anticipated future changes, completeness and efficient use/development, reflection of existing land use and the effects of the zone change. The analysis also included an evaluation against the Development Plan and other strategic documents which influence zoning. From this analysis a recommendation was made on whether to rezone each identified property.

These recommendations were reviewed by the District Plan Review Advisory Group before being included in the Proposed District Plan. An analysis was made under Section 32 of the RMA for the proposed changes to the Planning Maps in order to identify the need, benefits and costs arising from the zoning of specific areas, and the appropriateness of the current and proposed zoning and proposed overlays having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the RMA. For the properties where the zoning from the Operative District Plan has been retained, it has been considered that the existing zoning is the most appropriate way to achieve the objectives of the District Plan.

2.2.1 Late Submissions

No late submissions were received which raised matters relating to the Planning Maps.

3. Statutory Requirements

3.1 Resource Management Act 1991

In preparing a District Plan, HDC must fulfil a number of statutory requirements set down in the Resource Management Act, including:

- Part II, comprising Section 5, Purpose and Principles of the Act; Section 6, Matters of National Importance; Section 7, Other Matters; and Section 8, Treaty of Waitangi;
- Section 31, Functions of Territorial Authorities;
- Section 32, Duty to consider alternatives, assess benefits and costs;
- Section 72, Purpose of district plans
- Section 73, Preparation and change of district plans;
- Section 74, Matters to be considered by territorial authorities;
- Section 75, Contents of district plans

Below I have summarised the key matters from the above requirements which are particularly relevant to this report.

The purpose of the RMA as set out in Section 5 is *to promote the sustainable management of natural and physical resources.*

sustainable management means *managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Section 6 of the RMA outlines the matters of national importance:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;

(d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;

(e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga;

(f) the protection of historic heritage from inappropriate subdivision, use, and development;

(g) the protection of recognised customary activities.

Section 7 sets out Other Matters that must be given particular regard including:

(b) The efficient use and development of natural and physical resources;

(c) The maintenance and enhancement of amenity values;

(d) Intrinsic values of ecosystems;

(f) Maintenance and enhancement of the quality of the environment:

Part II of the RMA has been considered in assessing the rezoning of areas, overlays and features proposed in the Planning Maps. The Section 32 analysis of the relevant District Plan chapters outlines the reasons for rezoning certain areas and proposing overlays.

3.2 Proposed Amendments to Resource Management Act

Central government has initiated a reform of the Resource Management Act (RMA) with a focus on reducing delays and compliance costs. The reform is being undertaken in two phases. Phase 1

focused on streamlining and simplifying the RMA, including changes to the preparation of district plans. Phase 2 focuses on more substantive issues concerning freshwater, aquaculture, urban design, infrastructure and the Public Works Act. Work on Phase 1 commenced late in 2008, while work on Phase 2 commenced in mid-2009.

The Phase 1 work culminated in the Resource Management (Simplifying and Streamlining) Amendment Act 2009, which came into force in October 2009. In respect of the Horowhenua District Plan and the Proposed Plan, the main effect of this Amendment Act have been process related to the further submission process, ability for simplified decision reports and notices, and changes when rules have effect.

In terms of Phase 2, in December 2012 the Resource Management Reform Bill was introduced to Parliament for its first reading and was referred to the Local Government and Environment Committee for submissions and consultation. In terms of District Plan Reviews and Proposed District Plans, this Bill proposes changes in relation to the analysis that underpins District Plans including greater emphasis on the need for quantitative assessment of costs and benefits and the need to consider regional economic impact and opportunity costs, and ensuring decision-making is based on adequate, relevant, and robust evidence and analysis, and to increase the level of transparency of decision-making. It is noted this Bill includes transitional provisions which state these new assessment and decision-making requirements do not apply to proposed plans after the further submission period has closed (refer Schedule 2, Clause 2 of the Bill).

Central government is also considering further changes to the RMA. In late February 2012 the government released a discussion document on proposals it is considering to change the RMA. The proposed reform package identifies six proposals:

Proposal 1: Greater national consistency and guidance

Proposal 2: Fewer resource management plans

Proposal 3: More efficient and effective consenting

Proposal 4: Better natural hazard management

Proposal 5: Effective and meaningful Iwi/Maori participation

Proposal 6: Working with councils to improve practice

At the time of writing this report, there have been no announcements or other research relating to the subjects of this report.

3.3 Local Government Act 2002

The Local Government Act 2002 (LGA) is designed to provide democratic and effective local government that recognises the diversity of New Zealand communities. It aims to accomplish this by giving local authorities a framework and power to decide what they will do and how. To balance this empowerment, the legislation promotes local accountability, with local authorities accountable to their communities for decisions taken.

The LGA also provides local authorities to play a broad role in meeting the current and future needs of their communities for good-quality local infrastructure, local public services, and performance of regulatory functions. Section 14 of the LGA sets out the principles of local government with one of the principles stating:

(h) in taking a sustainable development approach, a local authority should take into account—

(i) the social, economic, and cultural interests of people and communities; and

(ii) the need to maintain and enhance the quality of the environment; and

(iii) the reasonably foreseeable needs of future generations

The above role and principle generally align with the overall purpose and principles of the Resource Management Act.

There are no other specific provisions in the LGA relevant to the subject matter of this report.

3.4 National Environmental Standards

National Environmental Standards (NES) are standards that must be complied with Nationally. District Councils are required to assess certain activities in line with an NES and process land use consent application under an NES where applicable. The NES for Assessing and Managing Contaminants in Soil to Protect Human Health is relevant to the consideration of one submission in this report and will be expanded on in the relevant section.

3.5 National Policy Statements

Under Section 75(3)(a) of the Resource Management Act, a District Plan must give effect to any National Policy Statement (NPS). The NPS on Electricity Transmission (NPSET) is relevant to the relevant to the consideration of one submission in this report and will be expanded on in the relevant section.

3.6 Operative Regional Policy Statement & Proposed One Plan

Under Section 74(2) of the Resource Management Act, the Council shall have regard to any proposed regional policy statement, in this case, the Horizons Regional Council Proposed One Plan. In addition, under Section 75(3)(c) of the Resource Management Act, a District Plan must give effect to any Regional Policy Statement. The Operative Manawatu-Wanganui Regional Policy Statement became operative on 18 August 1998. The Proposed One Plan (incorporating the Proposed Regional Policy Statement) was publicly notified on May 2007 and decisions on submissions notified in August 2010. In total 22 appeals were received, with some resolved through mediation while others were heard by the Environment Court. Interim decisions were issued by the Environment Court in August 2012 with final decisions expected in early 2013. In addition, Federated Farmers of NZ Inc and Horticulture NZ have appealed these interim decisions to the High Court in relation to non-point source discharges and run-off (nutrient management).

Given the very advanced nature of the Proposed One Plan in the plan preparation process and that all matters relevant to the District Plan Review are beyond challenge, the Proposed One Plan is considered the primary Regional Policy Statement and should be given effect to by the Proposed District Plan.

The Proposed One Plan is not of specific relevance in the consideration of submissions on the Planning Maps.

3.7 Operative Horowhenua District Plan

As noted above, Operative Horowhenua District Plan has been operative for over 13 years (since 13th September 1999) and a number of plan changes made. As outlined above four Plan Changes have amended the Operative Planning Maps and three Plan Changes Propose Changes to the Planning Maps and have not yet been made Operative.

The Planning Maps within the Operative District Plan have in part been the subject of seven principal plan changes since the District Plan became operative (September 1999). These plan changes include:

- Plan Change 16 amended the display of the "Highly Versatile Soils" on Planning Maps 1-8 and 10, this Plan Change became Operative on 14 November 2005.
- Plan Change 17 changed a block of Rural zoned land south of Levin bounded by Arapaepae Road to the east and Tararua Road to the south to Residential 1 in the northern portion of the site and Industrial in the southern portion of the site, amending Planning Maps 25 and 26, this Plan Change became Operative on 26 May 2008.
- Plan Change 18 rezoned Lots 4 and 5 DP 90543 (the Black Orchids property on the eastern side of Fairfield Road, Levin) from Rural to a "Fairfield Road Special Residential 1" Zone, amending Planning Map 24, this Plan Change became Operative on 7 April 2009.
- Plan Change 19 rezoned land at the Stevensons Engineering site at Karaka Street/State Highway 57, Tokomaru, amending Planning Maps 3 and 6, this Plan Change became Operative on 28 March 2011.
- Plan Change 20 identifies Landscape Domains which relate to rules for rural subdivision and proposes Planning Maps 38 and 39, this Plan Change at the time of writing had been approved by Council to become operative and was set to be notified and become operative in May 2013.
- Proposed Plan Change 21 identified areas for rezoning Residential, Residential Low Density and Greenbelt Residential, this Plan Change at the time of writing had been approved by Council to become operative and was set to be notified and become operative in May 2013.
- Proposed Plan Change 22 reviewed the Outstanding Natural Feature and Landscapes of the District, this Plan Change is currently subject to appeals lodged with the Environment Court.

4. Analysis of Submissions

4.1 Planning Map 5

4.1.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
62.00	Kathleen Bills	Support	Support the rezoning of the Makerua Pool site as Open Space zone because it is a highly valuable community facility (Pt Lot 39 DP 408 being 178-188 Makerua Road SH57).	Retain the rezoning of the Makerua Pool Site (Pt Lot 39 DP 408 at 178-188 Makerua Road SH57) from Rural to Open Space on Planning Map 5.	
63.00	Taupunga Farming Company	Oppose	Oppose the rezoning of the Okunui Hall site, Okuku Road, Shannon (Lot 1 DP 20312) from Rural Zone to Open Space Zone.	Amend Planning Map 5 to include Lot 1 DP 20312 Okuku Road, Shannon within the Rural Zone.	
91.11	HDC (Community Assets Department)	In-Part	Land maybe disposed of by Council.	Delete Designation 155 (D155) and Open Space Zoning.	526.12 Truebridge Associates Ltd - Oppose

Three submissions were received in relation to Planning Map 5. Bills (62.00) made a submission in support of rezoning the Makerua Pool site from Rural to Open Space Zone. Taupunga Farming Company (63.00) submitted in opposition to rezoning the Okunui Hall site from Rural to Open Space Zone.

HDC (Community Assets Department) (91.11) also sought the Proposed Open Space Zoning to be removed from this site on Planning Map 5. This was indirectly opposed by Truebridge (526.12) who made a general further submission opposing all matters in the HDC (Community Assets Department) submission.

4.1.2 Discussion & Evaluation

1. The Open Space Zone is a new zone that has been proposed to underlie Council's parks and reserves to enable recreation activities and other complementary activities, subject to permitted activity standards. The submission from Bills (62.00) supports rezoning the Makerua Pool site from Rural to Open Space Zone as it is a valued community facility. Rezoning this area Open Space will enable it to be retained and developed appropriately in the future as part of the District's open space. The support from Bills (62.00) is noted. I recommend that submission point 62.00 be accepted and that there is no change made to the Planning Maps for this site.
2. The Okunui Hall site is a 1972m² property on the western side of Okuku Road, approximately 3.2km north of the settlement of Shannon. Taupunga Farming Company (63.00) opposes the rezoning of this property from Rural to Open Space. HDC (Community Assets Department)

(91.10) also seeks to remove the proposed open space zoning over this site as it may be disposed of by Council. A further submission by Truebridge (526.12) opposing all parts of the HDC (Community Assets Department) (91) submission. This further submission does not make specific reference to this site.

3. Council initially identified this site to be rezoned as Open Space. However since the notification of the Proposed Plan, Council Officers have indicated that this site may be sold in the future in which case the Open Space zone would no longer be the most appropriate zoning for this site if it is to be held in private ownership in the future. The site is zoned Rural under the Operative Plan and therefore it is recommended that it retain its Operative Rural zoning.
4. I note that HDC (Community Assets Department) seeks the removal of the designation (D155) over this property in submission point 91.10, and was addressed in the Designations Section 42A Report.
5. I therefore recommend that the submission point by Taupunga Farming Company (63.00) and HDC (Community Assets Department) (91.11) in relation to rezoning this site be accepted and that the Okunui Hall site be zoned Rural. I recommend that the further submission point by Truebridge Associates Ltd (526.12) be rejected.

4.1.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
62.00		Kathleen Bills		Accept
63.00		Taupunga Farming Company		Accept
91.11	526.12	HDC (Community Assets Department) Truebridge Associates Ltd	Oppose	Accept Reject

4.1.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 5 so that the Okunui Hall site, Okuku Road, Shannon (Lot 1 DP 20312) is zoned Rural.

4.2 Planning Maps 5, 7, 8, 10, 15A and 27

4.2.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
108.46	HDC (Planning Department)	In-Part	The Council owned cemeteries in the District including Ihakara Gardens are zoned Residential or Rural. Although the cemeteries are proposed to be designated by	Amend Planning Maps 5, 7, 10, 15A and 27 to rezone the following cemeteries as Open	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			<p>Horowhenua District Council it is considered that the Proposed Open Space Zone would be the most appropriate underlying zone for these sites. The Open Space zone reflects the limited development opportunities these sites offer and the contribution these spaces can make to open space within the district. The Proposed Planning Maps should amend the zoning of each cemetery.</p>	<p>Space Zone:</p> <p>Rezone Ihakara Gardens (Cemetery), Foxton, (Legally described as Awahou 97B) from Residential to Open Space.</p> <p>Rezone Mako Mako Road (Old Levin Cemetery), Levin (Legally described as Section 29 Blk Waiiopehu SD) from Residential to Open Space</p> <p>Rezone Avenue Cemetery, Avenue North Road, Levin (Legally described as Lot 3 DP 397828) from Rural to Open Space.</p> <p>Rezone Foxton Cemetery, Hickford Road, Foxton (Legally described as Sec 614 Town of Foxton & Lot 2 DP 61106) from Rural to Open Space.</p> <p>Rezone Shannon Cemetery, Brown Street, Shannon (Legally described as Lots 486 & 488 DP 369) from Rural to Open Space.</p> <p>Rezone Koputaroa Cemetery, Koputaroa Road (Legally described as Pt Lot 1 DP 4297) from Rural to Open Space.</p> <p>Rezone Manakau Cemetery, South Manakau Road, Manakau (Legally described as Pt Lot 28A).</p>	

HDC (Planning Department) (108.46) submitted that the District's cemeteries should be rezoned Open Space as this is the most appropriate zoning for these areas.

4.2.2 Discussion & Evaluation

1. The Operative Planning Maps zone the District's cemeteries, parks and reserves the same as the adjacent land, and are typically zoned Rural. The Proposed Plan creates an Open Space Zone to recognise the value of the District's open spaces and provide for recreation activities, as well other community activities which are compatible with the values of the individual HDC park or reserve. The Open Space Zone also recognises a range of special values (natural qualities, cultural significance or heritage interests) and has appropriate rules for the use and development of the District's parks and reserves.
2. I note that of the list of cemeteries four are designated in the Operative District Plan and HDC (Community Assets Department) have sought these be rolled over into the Proposed Plan and sought designations for those without designations (Manakau Cemetery, Ihakara Gardens, Avenue Cemetery).
3. While designated, an underlying Open Space Zone is considered to be the most appropriate zoning for the District's cemeteries.
4. I note the relief sought omits reference to Planning Map 8, but does seek the rezoning of Koputaroa Cemetery (Pt Lot 1 DP 4297) which is identified on Planning Maps 5 and 8.
5. No further submissions were received in relation to this submission point. I recommend the submission by HDC (Planning Department) (108.46) in relation to rezoning the District's cemeteries to open space zone be accepted.

4.2.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
108.46		HDC (Planning Department)		Accept

4.2.4 Recommended Amendments to the Plan Provisions

Amend Planning Maps 5, 7, 8, 10, 15A and 27 to rezone the District's Cemeteries to Open Space.

- Rezone Ihakara Gardens (Cemetery), Foxton, (Legally described as Awahou 97B) from Residential to Open Space on Proposed Planning Map 15A.
- Rezone Mako Mako Road (Old Levin Cemetery), Levin (Legally described as Section 29 Blk Waiopahu SD) from Residential to Open Space on Proposed Planning Map 27.
- Rezone Avenue Cemetery, Avenue North Road, Levin (Legally described as Lot 3 DP 397828) from Rural to Open Space on Proposed Planning Map 7.
- Rezone Foxton Cemetery, Hickford Road, Foxton (Legally described as Sec 614 Town of Foxton & Lot 2 DP 61106) from Rural to Open Space on Proposed Planning Map 5.
- Rezone Shannon Cemetery, Brown Street, Shannon (Legally described as Lots 486 & 488 DP 369) from Rural to Open Space on Proposed Planning Map 5.

- Rezone Koputaroa Cemetery, Koputaroa Road (Legally described as Pt Lot 1 DP 4297) from Rural to Open Space on Proposed Planning Maps 5 and 8.
- Rezone Manakau Cemetery, South Manakau Road, Manakau (Legally described as Pt Lot 28A DP 415 from Rural to Open Space on Proposed Planning Map 10.

4.3 Planning Map 7

4.3.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
33.00	Levin Golf Club	In-Part	Support the creation of the Open Space zone and believe that the Levin Golf Club would be more suited to being zoned as Open Space instead of the proposed Rural zone.	Amend Planning Map 7 to rezone the Levin Golf Club site (160 Moutere Road) from Rural to Open Space.	502.00 Warwick Meyer - Support
36.00	Trucis Investments Ltd	Oppose	Oppose the current Rural zoning for the property at 654 State Highway 1 (Lot 1 DP 71431). This site should be rezoned Industrial to reflect the purpose built buildings on site and the current land use.	Amend Planning Map 7 to rezone the property at 654 State Highway 1 (Lot 1 DP 71431) from Rural to Industrial.	

Two submissions were made relating to Planning Map 7. Levin Golf Club (33.00) made a submission in support of the Open Space Zone and requested this property be rezoned Open Space as the land is used recreationally. A further submission from Meyer (502.00) was made in support of this submission.

Trucis Investments Ltd (36) made a submission opposing the rural zoning of 654 State Highway 1 (Lot 1 DP 71431). This submission requests that this property be rezoned Industrial to reflect the current use of the land.

4.3.2 Discussion & Evaluation

1. The Levin Golf Club (33.00) submits in support of the creation of the Open Space Zone. They believe that the Levin Golf Club property would be more suited to the Open Space rules than the Rural rules proposed given the recreational nature of the activities undertaken on site. The submitter also advised that the land occupied by the club is owned by its members and cannot be sold without a 100% vote. A further submission was received in support of this from Meyer (502.00).
2. The Levin Golf Club site is sited on a large rural property of 49.8345 ha located on the eastern side of Moutere Road in close proximity to Lake Horowhenua to the east and Moutere Hill to the north. It contains an established 18 hole golf course with a large carpark and clubrooms facilitating the activity near the boundary with Moutere Road. This property and the surrounding are zoned Rural under the Operative District Plan and are proposed to

remain Rurally zoned under the Proposed District Plan. This area is also within the Coastal Environment Outstanding Landscape under the Operative District Plan. Lake Horowhenua and Moutere Hill are both Outstanding Natural Features under Proposed Plan Change 22.

3. The Horowhenua District Open Space Strategy was adopted by Council in September 2012. This Strategy provides strategic direction for Council in terms of open space planning and identifies key opportunities and future actions for the development of an open space network over the long term.
4. The Open Space Strategy has a predominant focus on open space that is either under the management or ownership of Council or where it has the opportunity to work in partnership with private landowners to achieve open space outcomes. For example, the vesting of new reserves as a result of subdivision development, or work with landowner(s) of privately held open space to achieve win-win positive open space and landowner outcomes.
5. In response to the Open Space Strategy and the District Plan Review process, the Proposed Plan rezones the HDC's parks and reserves as "Open Space". The Proposed Open Space Zone has been drafted to provide for ongoing use and development of HDC's parks and reserves. Notwithstanding this primary purpose of applying to Council land, the Open Space Zone could apply to non-Council land where this land is recognised and contributes to the open space network of the District particularly where the Open Space zoning is supported by the landowner(s).
6. The potential of applying the Open Space Zone to privately owned land was partially evaluated by Council in drafting the Proposed Plan. In particular, in the phase leading up to the notification of the Proposed District Plan it was intended to contact individual landowners of private open space (i.e. Levin Race Course, Levin and Shannon Golf Clubs and the Levin Showgrounds) to determine whether it was appropriate to apply the Open Space Zone to this land. However, this contact did not occur before the Plan was approved by Council and the Proposed Plan as notified sought only to rezone and apply the Open Space Zone to the parks and reserves owned and managed by Council (It is acknowledged that some of the Proposed foreshore areas identified are not currently owned by Council). However, a meeting between Council officers and the Levin Golf Club occurred post-notification of the Proposed Plan to alert them to this intention. Subsequently, the Levin Golf Club have made this submission on the Proposed Plan and have sought the rezoning of the Golf Club property from Rural to Open Space.
7. The Levin Golf Club is a large area of private open space that is well used for active recreation in the District. The effects of rezoning this property from Rural to Open Space would alter what would be permitted within the site from rural activities including primary production activities and residential activities to Open Space activities including recreational activities. For example a dwelling would not as of right be permitted to be erected on the property under the Open Space zoning, although clubrooms and playground equipment would be permitted to be erected.
8. In terms of environmental effects the Levin Golf Club site is an existing golf club which has a large clubrooms and buildings to facilitate the use of the grounds. Any new buildings on site would be subject to the Open Space zoning rules which aim to maintain a spacious outlook while allowing for recreational activities to take place. Buildings would be required to be setback 4.5 metres from the Rural zone boundary which would be the rear and side property boundaries and 4m from the road boundary in comparison to a 10 metres setback in the

Proposed Rural zone from all boundaries. Buildings would only be permitted to cover 5% of the property if rezoned Open Space while there is no building coverage restriction within the Proposed Rural zone rules. Under the Rural Zone, the Coastal Lakes Landscape Domain would still be applicable and this effectively provides a maximum height of 5 metres for buildings before a land use consent is required.

9. In terms of visual amenity the maximum height and building coverage rule would ensure the site retains an open outlook and the setback rules would ensure that buildings would be located an adequate distance from property boundaries.
10. The Rural Zone enables farm buildings of up to 15 metres in height to be erected on rural land but there is no site coverage requirement to manage the extent of buildings over the site.
11. Rezoning the Levin Golf Club as Open Space would not adversely affect the area visually and would not have any adverse impact on the Outstanding Natural Features within the vicinity which includes Lake Horowhenua and Moutere Hill.
12. The Levin Golf Club has a large carpark with ample parking for vehicles serving the golf club, with good access and sightlines onto Moutere Road. The Open Space Zone requires all development to comply with Chapter 21 (Vehicle Access, Parking, Loading and Rooding), therefore any future development of the site would be assessed in terms of compliance with the parking requirements and access.
13. The policy framework of the Proposed Plan (as notified) is silent on managing land in private ownership through using the Open Space Zone. However, Policy 4.2.7 (Access to Water Bodies policy) does recognise the value and importance in working with landowners of private open space to help achieve an open space network, and states *Support landowners seeking to create esplanade areas and other open space connections between existing public recreation or conservation reserves, or any isolated areas, by developing partnerships and assisting with information and technical advice.*
14. Rezoning the Levin Golf Club from Rural to Open Space is not considered to create any reverse sensitivity issues for the surrounding Rural Zoned properties.
15. Objective 4.1.1 of the Open Space Zone aims to ensure that "*Council's parks and reserves are efficiently used and developed with a range of recreational activities and opportunities that meet the changing needs of community, while ensuring the uses and development are compatible with the character and amenity of the open spaces and their surrounding environment*". Rezoning the Levin Golf Club as Open Space would be consistent with this objective in terms of ensuring the needs of the community are met with opportunities for a range of recreational activities compatible with the surrounding environment. The Levin Golf Club is a well used recreational activity by the community that is compatible with the surrounding environment. I note that it would not be consistent with the reference in this objective to Council's parks and reserves as the site is privately owned.
16. Consequential amendments to the Open Space Zone policy framework would be appropriate, should the Levin Golf Club site be rezoned Open Space. Amendments would need to reflect the value of HDC parks and reserves, as well as privately owned open space. Recommended amendments are provided for below.

17. The Levin Golf Club is one of the largest areas of private open space in the District and while it is not the only area of its kind it would be an appropriate property to rezone Open Space given its use and value to the owners and community as recreation space. I recommend the submission point by the Levin Golf Club (33.00) in relation to rezoning 160 Moutere Road, Levin to Open Space Zone be accepted.
18. Trucis Investments Ltd (36.00) made a submission opposing the existing and proposed Rural zoning of 654 State Highway 1, Levin South (Lot 1 DP 71431) and requesting this area to be rezoned Industrial in line with the current land use.



2011 aerial photograph of site outlined in green and surrounding properties

19. This 6730m² Rural zoned property is located on the western side of State Highway 1 and contains a large warehouse structure of 1962m². The site adjoins the old Kuku Dairy Factory and is located approximately 250 metres south of the intersection with Kuku Beach Road. Planning permission was granted in 1990 to use this property as a coolstore for horticultural purposes seasonally from April to August. Land Use Consent was granted in 2007 for the extension of the warehouse and the operation of a Bulk Goods Distribution Facility year round 8am - 5pm Monday - Friday. In 2008 a liquid detergent manufacturing and packaging plant was found to be operating from this site without consent. This activity ceased after enforcement action by Council. The effects of rezoning this property from Rural to Industrial would alter what would be permitted within the site from rural activities including primary production activities and residential activities to Industrial activities including manufacturing of goods, wholesale trade, vehicle service stations and commercial garages. Building setback from the rear and side boundaries would be 4.5 metres instead of the 10 metre setback requirement of the Proposed Rural zone rules.

20. Although this site is not likely to be developed residentially or used for primary production activities given the large warehouse on site and current activities, rezoning this property to Industrial would allow industrial activities to be undertaken without an assessment of effects through a resource consent process. There is the potential for more intensive industrial activity to adversely affect the three residential properties which adjoin this site to the south and share an access with the subject property. An effective way to protect the amenity of these neighbouring properties is to retain the Rural zoning of this site. It is therefore considered more appropriate that a resource consent process be required for any future addition or intensification of industrial use so this can be assessed.
21. Rezoning this property from Rural to Industrial would be partially consistent with Proposed Objective 6.3.3 which aims to *"facilitate efficient use and development within the Industrial Zone by providing for a wide range of activities while ensuring the adverse effects on the quality of the environment and amenity within the Industrial Zone are managed, incompatibility issues are avoided, and the character and amenity values of adjoining areas are protected"*. The industrial provisions would be more efficient and allow operators to change and develop as and when required, to a level anticipated on an industrial property. It would not avoid incompatibility issues as it would allow the existing industrial uses to operate at any time and would allow the level of these activities to increase to a potentially much more intensive industrial activity. Rezoning this property from Rural to Industrial would create a spot zone surrounded by Rurally zoned properties and would create the potential for reverse sensitivity issues for the surrounding land which would be inconsistent with Proposed Objective 2.5.1 of the Rural Zone looks *"to enable primary production activities and other associated rural based land uses to function efficiently and effectively in the Rural Zone, while avoiding, remedying or mitigating the adverse effects of activities, including reverse sensitivity effects, in a way that maintains and enhances character and amenity values of the rural environment."*
22. I recommend the submission point by Trucis Investments Ltd (36.00) in relation to rezoning 654 State Highway 1, Levin South from Rural to Industrial zone be rejected.

4.3.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
33.00	502.00	Levin Golf Club	Support	Accept
		Meyer		Accept
36.00		Trucis Investments Ltd		Reject

4.3.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 7 to rezone the Levin Golf Club at 142 - 160 Moutere Road, Levin (Horowhenua XIB41 North B4B1 and Horowhenua XIB41NorthB4B2) from Rural to Open Space.

AND

Consequential amendments to the Open Space Zone provisions

Amend the Introduction for Chapter 4: Open Space and Access to Water Bodies as follows:

Insert the following as paragraph 2:

"Privately owned open spaces also provide opportunities for recreational activities and are valued and enjoyed by the community (e.g. golf courses). The District Plan can recognise privately owned open spaces, where the landowners of these areas support the continued use and development for recreation activities and seek the protection of the open space qualities."

Amend the final paragraph as follows:

"The open space areas in this chapter primarily covers land owned and managed by Council for parks and reserve purposes. Privately owned open spaces, such as the Levin Golf Course, can also be recognised and provided for by this chapter. There are other areas used and managed for recreational activities and open space, such as land administered by the Department of Conservation which is covered by other chapters in the District Plan."

Amend Issue 4.1 Open Space Zone as follows:

"The use, development and protection of Council's parks and reserves, and where appropriate, privately owned open spaces, so a range of recreation activities are provided for and developed to meet the needs of the community, while being compatible with the nature, character and amenity of the open spaces and the surrounding environment. "

Amend the Issue Discussion for Issue 4.1 as follows:

Insert the following as paragraph 3:

"Privately owned open spaces can provide opportunities for recreation and are appreciated and valued by the community (e.g. golf courses). Recognition of these privately owned open spaces should be made, along with the Council's parks and reserves, where the landowners of these areas seek to align the land use management with the Open Space Zone."

Amend Objective 4.1.1 as follows:

"Council's parks and reserves and privately owned open spaces are efficiently used and developed with a range of recreational activities and opportunities that meet the changing needs of community, while ensuring the uses and development are compatible with the character and amenity of the open spaces and their surrounding environment."

Insert New Policy 4.1.15 to read:

"Identify and recognise privately owned land within an Open Space Zone, where the individual landowners seek to manage land use in a way that promotes the recreational use and development, while protecting open space qualities."

Amend paragraph 1 of the Explanation and Principle Reasons for Objective 4.1.1 as follows:

"A range of recreational activities and facilities are expected to occur within the Open Space Zone. The Open Space Zone ensures that Council's parks and reserves are valued for their contribution to both urban and rural environments throughout the District. The Open Space Zone can also recognise and provide for the use, development and protection of privately owned open spaces, should landowners seek to manage their properties in this way, where these areas are also valued by the community for their open space role."

Insert the following as bullet point 2 of the District Plan Methods for Issue 4.1 & Objective 4.1.1:

- "Identify Zone privately owned open spaces, where sought by the landowner, as Open Space Zone where their role and qualities are consistent with this zone."

Amend the Explanation note for the Methods for Issue 4.1 & Objective 4.1.1 to read:

A combination of methods are necessary to utilise Council's parks and reserves in a way that meets the community's recreational needs and minimises environmental effects on the open spaces and adjoining properties.

Financial and strategic decision making through use of the Open Space Strategy in conjunction with the Long Term Plan process will prioritise resources and actions.

The Open Space Zone recognises the value of Council's parks and reserves, and where appropriate, recognises privately owned open spaces. The regulatory framework provides certainty on the use, development and protection of recreation activities. The Open Space Zone sets thresholds on the nature and scale of development that can be tolerated within the parks and reserves and relationship with adjoining residential properties. Resource consents are required when amenity and building thresholds are exceeded, or where non-recreation activities are proposed, for example a permanent commercial activity, or a new community facility. Temporary activities, such as community events are permitted, subject to compliance with the relevant standards in the same way as they apply to other zones across the District. This process allows a commensurate level of assessment to understand whether the proposed development is appropriate in context.

4.4 Planning Maps 7, 24, 26 and 27

4.4.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
11.15	Philip Taueki	In-Part	The 800m buffer zone is culturally offensive and should be deleted.	Delete the 800m buffer zone from Planning Maps 7, 24, 26 and 27.	511.20 HDC (Community Assets Department) - Oppose

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
					519.26 Charles Rudd(Snr) - Support
60.09	Muaupoko Co-operative Society	In-Part	The submitter relies on the submission made by Philip Taueki for the following matters. The 800m buffer zone is culturally offensive and should be deleted.	Delete the 800m buffer zone from Planning Maps 7, 24, 26 and 27.	

Two submissions were made regarding the 800 metre buffer zone which appears on Planning Maps 7, 24, 26 and 27. Taueki (11.15) submitted that the 800 metre buffer zone is culturally offensive and should be deleted. A further submission was made by HDC (Community Assets Department) (511.20) opposing this submission point. A further submission was made by Rudd (519.26) supporting this submission.

Muaupoko Co-operative Society (60.09) also sought the removal of the 800 metre buffer zone and submitted relying on the submission from Taueki (11.15) in this matter.

4.4.2 Discussion & Evaluation

1. The red dotted line that marks the extent of an 800 metre buffer around the Levin Sewerage Treatment Plant is shown on Planning Maps 7, 24, 26 and 27. This area relates to a rule in the Proposed Plan which makes any proposed habitable building within this area (only in the Rural zone) a Controlled Activity (Rule 19.2 (e)). Rule 19.9.7 of the Proposed Plan sets out matters of Control in relation to habitable buildings within the 800 metre buffer zone of the Levin Wastewater Treatment Plant. These matters indicate that any new dwelling within this area shall be allowed as long as it does not constrain the continued operation of the Levin Wastewater Treatment Plant. Any consent granted for a habitable building within this area would have a condition imposed requiring a covenant to be registered on the title of the property (or a consent notice if the consent also involved subdivision of land) to advise any current or future landowners of the presence of the wastewater treatment plant and that the occupants of the dwelling will not seek to constrain the continued lawful operation of the Wastewater Treatment Plant. This rule and buffer area is a carryover from the Operative Plan. The purpose of the rule is to make people aware of the presence of the wastewater treatment plant and avoid reverse sensitivity effects.
2. Taueki (11.15) and Muaupoko Co-operative Society (60.09) contend that the 800 metre buffer zone is culturally offensive and should be deleted. Taueki (11.15) states that it is culturally offensive to recognise the existence of the Levin Wastewater Treatment Plant in Mako Mako Road as a legitimate activity adjoining the rural zone and to protect it from the effects of reverse sensitivity as it is located in close proximity to a site that is whenua parekura (a battlefield where blood was shed). This is supported by a further submission from Rudd (519.26).
3. HDC (Community Assets Department) (511.20) in a further submission opposes these submission points from Taueki (11.15) and Muaupoko Co-operative Society (60.09).

4. If the red dotted line identifying the 800 metre buffer zone was removed from the Planning Maps as requested by the submitters this would have the effect of undermining the application of Rule 19.9.7. The Planning Maps help identify the extent of the area subject to this rule. As the relief from these submission points has not sought changes to Rule 19.9.7 then removal of the 800 metre buffer zone from the Planning Maps would simply make it more difficult for property owners to identify if they were affected by this rule. The issue of whether there should be objectives, policies and rules to protect the Levin Wastewater Treatment Plant from reverse sensitivity effects is discussed in the Section 42A report for the Rural hearing. As the removal of the red dotted line identifying the 800 metre buffer zone from Planning Maps 7, 24, 26 and 27 would create uncertainty for property owners in identifying requirements for land use consent I recommend submission points Taueki (11.15), Muaupoko Co-operative Society (60.09) and further the submission point by Rudd (519.26) are rejected and that the further submission point HDC (Community Assets Department) (511.20) is accepted with no changes recommended to the Planning Maps.

4.4.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
11.15		Taueki		Reject
	511.20	HDC (Community Assets Department)	Oppose	Accept
	519.26	Rudd	Support	Reject
60.09		Muaupoko Co-operative Society		Reject

4.4.4 Recommended Amendments to the Plan Provisions

No amendments recommended to the planning maps as a result of these submission points.

4.5 Planning Map 12

4.5.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
14.00	Kornelius du Plessis	Oppose	Oppose the rezoning of 50 Signal Street, Foxton Beach from Residential to Commercial. The rezoning would not match the current residential use of the site and there is concern for a rise in rates in the future.	Amend Planning Map 12 to change the zoning of 50 Signal Street, Foxton Beach from proposed Commercial to Residential.	
90.04	Foxton Community Board	In-Part	The Open Space Area at the end of Marine Parade North and South is proposed Open Space Zone. It is recognised that this was a consequence of the Coastal	Amend Planning Map 12 and by rezoning the following areas from Open Space Zone to Residential Zone:	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			Management Strategy, but the submitter believes small areas of this Open Space should be zoned Residential.	An extension of Marine Parade North with an extension of Cousins Avenue West; and An extension of Marine Parade South with an extension of Barber Street and Chrystal Street.	

Two submission points were made relating to Planning Map 12. Du Plessis (14.00) made a submission point opposing the proposed rezoning of 50 Signal Street, Foxton Beach from Residential to Commercial. Foxton Community Board (90.04) requested that an area of land extending north from Marine Parade North to line up with Cousins Avenue West and south from Marine Parade South to line up with Barber Street and Chrystal Street be rezoned from Open Space to Residential.

4.5.2 Discussion & Evaluation

1. Du Plessis (14.00) submits in opposition of the rezoning of 50 Signal Street, Foxton Beach from Residential to Commercial. Du Plessis owns 50 Signal Street and has serious concerns that the proposed re zoning could increase his rates including water rates. He has spoken to a policy planner from Horowhenua District Council who advised that the rezoning of his property could alter the rates if at the time of valuation there was demand for commercially zoned land. He also refers to an internet news article in his submission which discusses an area in Tasman District which was rezoned from rural to mixed business, the rates for these properties increased from between 50 and 270% after the last round of valuations.
2. 50 Signal Street is a 407m² property with a 20 metre road frontage to Signal Street. It is developed with a residential dwelling located centrally on the property. The property directly to the north is zoned Commercial 1 under the Operative District Plan, the Simply Balmy Cafe operates from this property. Residentially developed properties surround this property on all other sides. The road reserve is very wide in this portion of Signal Street an contains an area of open space and vehicle parking opposite this site. The Foxton Beach Police Station is located just to the north of the Simply Balmy Cafe.
3. This property is located in the centre of an area proposed to be rezoned Commercial under the Proposed District Plan. This area is one of two areas proposed to be rezoned Commercial implementing direction from the Development Plan which concluded that Foxton Beach does not have an identifiable town centre or focal point of commercial activities. This area was identified as a suitable area to rezone Commercial as it has some existing commercial development and has good connections with Holben Reserve and access to the beach. The proposed Commercial zone within the Foxton Beach area would allow for mixed use including commercial and residential activities.



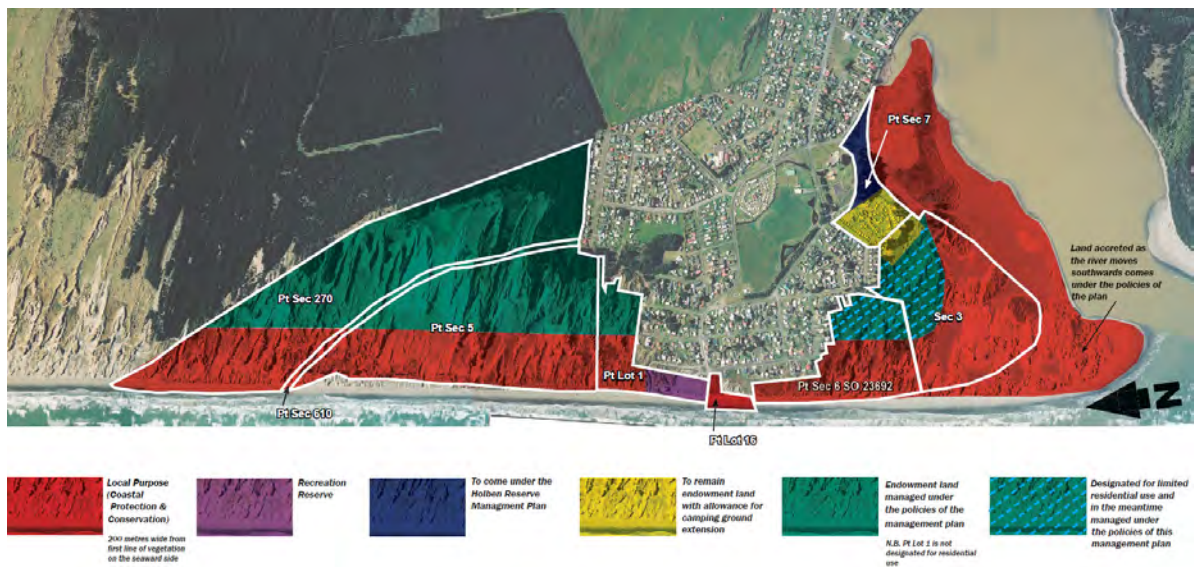
50 Signal Street outlined in green proposed Commercial shown as red hatched existing Commercial pink

4. In terms of the effects of rezoning on rates, HDC has chosen not to use planning boundaries for rating purposes as some Councils do and is not intending to do so. Council has an urban rating area which is based on the extent of existing urban development, not the potential area for urban development (i.e. urban land zones). This is reviewed and updated periodically to reflect the extent of the built up area of urban development. Rates relating to services are based on the provision of services and again not based on District Plan zoning. The land value of a property is also used in part of the rating calculation. Therefore if in valuing a property, the valuers deem the rezoning to have an impact on the market value of the land value this could in turn affect the rates of a property. The value of the land may not change significantly coupled with the relatively high level of non-land value based rates that make up the total rates amount. In summary, rezoning this property could technically have an impact (indirectly) on rates if the rezoning resulted in a valuation that changed the land value (this could result in an increase or a decrease). The actual rural and urban rating areas are quite independent of the District Plan zones. Given that there are so many other factors that influence both the rates and the land valuations, rezoning is not considered to have a significant impact on rates.

5. In terms of environmental effects, property rates are not considered an Environmental Effect under the Resource Management Act 1991. If this property was zoned Residential it would take an area from the centre of the land proposed to be rezoned Commercial within Foxton Beach and would go against the strategic policy decision implementing direction from the Development Plan to create one of two commercial centres within Foxton Beach. It would create a spot Residential zone within a Commercial zoned area.

6. I note that the existing use rights will continue to exist for landowners rezoned. In this case the proposed new zone provisions still provide for residential activities to occur. On this basis, I do not consider the proposed new zoning to adversely affect the land owner of 50 Signal Street.
7. I recommend the submission point by du Plessis (14.00) in objection to rezoning 50 Signal Street, Foxtton Beach from Residential to Commercial be rejected.
8. The Foxtton Community Board (90.04) submitted requesting that an area of land extending north from Marine Parade North lining up with an extension of Cousins Avenue West and an area extending south from Marine Parade South lining up with an extension of Barber Street and Chrystal Street excluding any area on the seaward side of Marine Parade be rezoned Residential. They recognise that this area has been included as Open Space as a consequence of the Coastal Management Strategy but believes this small area should be rezoned Residential.
9. These areas were identified in the Development Plan as Areas 4 and 5 (Standard Residential) with a stipulation that future development in these areas is subject to consultation by the Foxtton Beach Coastal Reserve Management Plan process. This process was being undertaken at the same time as the Development Plan process.
10. The Development Plan in assessing Area 4 (the 6.1 ha area extending north from Marine Parade North) stated that this area is a logical extension to the existing residential area with good connections to existing roads and access to reticulated infrastructure). It is within close proximity to Holben Reserve, Foxtton Beach Primary School and is adjacent to the beach front. This area is subject to natural hazards and some parts of the area are low lying and subject to ponding. The area is located within the coastal foreshore area which has a high natural character and dune landscape values. It also mentions that there are potential sites of historic heritage or cultural value in dune areas (e.g. middens) and the dune landform is subject to potential instability and erosion issues.
11. The Development Plan in assessing Area 5 (the 3.4 ha area extending south from Marine Parade South) stated that this area would round off the south west corner of Foxtton Beach and provide a logical extension to the existing residential area with good connections with existing roads and reticulated infrastructure. It is within close proximity to Holben Reserve, Foxtton Beach Primary School and is adjacent to the beach front and the Manawatu River. It is noted that the area is subject to potential natural hazards and some parts are low lying and would be subject to ponding. It mentions there is a former landfill to the south and the area is located within the coastal foreshore area with high natural character and dune landscape values. It is adjacent to the Manawatu River estuary catchment which is a significant ecological site. It is noted that this area could contain potential sites of historic heritage or cultural value in dune area (e.g. middens) and the dune landscape is subject to potential instability and erosion issues.
12. A report was commissioned and prepared by Dr Craig Sloss for Boffa Miskell Ltd as part of the Development Plan process in May 2007 which undertook a Geomorphological Assessment of the future urban development in the Foxtton Beach Area. This report (attached as Appendix 6.4) recommends that the area on the spit and south of the Foxtton Beach township including south of Mack Street, Barber Street and Pinewood Street be excluded from any future development to conserve this ecologically important area, preserve the distinctive geomorphological landscape and avoid potential flood hazards.

13. The report recommends that the dunes to the north of Foxtton Beach should be excluded from any future development to ensure the conservation of a regionally and nationally important geomorphological and ecological coastal landscape, avoid potential problems associated with development in an active dune field and proximity to a saline water table and avoid potential hazards associated with storm surge and coastal inundation, coastal erosion and potential rising sea levels.
14. The Foxtton Beach Coastal Reserves Management Plan which was adopted by Council in 2009 identifies the area north of Marine Parade North as currently an Endowment Area 1960 (Reserves and Other Lands Disposal Act 1956). The area shaded red closer to the coastline is proposed to be declared and classified as a Local Purpose Reserve the purpose of which is Coastal Protection and Conservation. The area to the east of this shaded green is proposed to be Endowment Land managed under the policies of the management plan. The area to the south of Marine Parade South is identified under this Plan as currently Endowment Area under the (Reserves and Other Lands Disposal Act 1956) and proposed to be designated for limited residential use and in the meantime managed under the policies of this management plan.



Foxtton Beach Coastal Reserves Management Plan Map

15. These two areas identified to be rezoned standard residential in the Development Plan were not proposed to be rezoned Residential through Plan Change 21 which implemented the Development Plan in terms of urban expansion. Under Proposed Plan Change 22 the area to the north of Marine Parade North has been identified as part of the Coastal Outstanding Natural Landscape and the area to the south of Marine Parade South was identified as part of the Manawatu Estuary Outstanding Natural Landscape. Both of these areas consist of largely unmodified dune land with some pedestrian accessways to the beach.
16. The proposed District Plan proposes to rezone these areas from Rural to Open Space. As Council Reserve the Open Space Zone provides these areas with a good framework for any potential development in line with proposed Objective 4.1.1 which aims for the efficient use and development of Council's parks and reserves with a range of recreational activities and opportunities to meet the changing needs of the community while ensuring these uses and development are compatible with the surrounding environment. Rezoning these two areas Residential would create additional residential land for potential development in areas that

are logical for residential expansion while modifying ecologically important areas and areas identified as Outstanding Landscapes. These areas would be subject to potential hazards associated with flooding, coastal erosion and rising sea levels. These areas could potentially contain sites of historic heritage or cultural values.

17. The two areas requested to be rezoned by the Foxton Community Board (90.04) were not proposed to be rezoned Residential under Plan Change 21 which has rezoned areas of land to the north of Foxton Beach Residential 1, Residential 1 Low Density and Greenbelt Residential.
18. Given the outcome of Plan Change 21 there is considered to be currently sufficient Residential zoned land in the Foxton Beach settlement and the rezoning of these areas is not appropriate. On the basis of the previous research and evaluation of the area I also consider that the risks associated with coastal erosion, flood hazards, the loss of ecologically important areas and significant landscape values outweigh the benefits of gaining additional Residential zoned land north and south of Marine Parade, Foxton Beach.
19. For the reasons given above the submission point by the Foxton Community Board (90.04) is recommended to be rejected and no change to the Planning Map is necessary.

4.5.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
14.00		Kornelius du Plessis		Reject
90.04		Foxton Community Board		Reject

4.5.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 12 as a result of these submission points.

4.6 Planning Maps 12, 13 and 15

4.6.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
90.00	Foxton Community Board	Support	Support retention of Residential Zone for a number of existing commercial premises, particularly on State Highway 1 in Foxton and Foxton Beach. We understand these properties are already classed [zoned] as Residential despite their commercial use and that under the proposed District Plan they will retain all existing use rights. On that basis we are happy	Retain the Residential Zoning for properties along State Highway 1 and in Foxton Beach which have commercial premises, but can operate under existing use rights.	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			with logic involved and support these zonings.		

Foxton Community Board (90.00) submitted in support of the retention of Residential zoning for a number of existing commercial premises, particularly on State Highway 1 in Foxton and Foxton Beach.

4.6.2 Discussion & Evaluation

1. The Foxton Community Board (90.00) made a submission point in support of a number of existing commercial premises, particularly on State Highway 1 in Foxton as well as Foxton Beach retaining their Residential zoning. They understand that the properties are currently zoned Residential despite their commercial use and that they will retain existing use rights. They are happy with the logic involved and support the proposed zoning (which retains the status quo).
2. Consideration was given to the possibility of rezoning these properties which have existing commercial uses particularly on State Highway 1, Foxton in the land use assessment prior to notification of the Proposed District Plan. It was decided that as the Development Plan and Foxton Town Plan concluded that the commercial area should be consolidated into Main Street, Foxton and that the existing commercially used properties on State Highway should remain zoned Residential. The status quo applies in this case and the activities can continue to operate under existing use rights or their respective land use consents or planning permission. The Residential zoning for all of these properties will be retained apart from the property at 36 Johnston Street, Foxton, about which a submission has been made in opposition to this zoning by Marshall (75.00). This submission will be discussed further below.
3. I recommend the support by Foxton Community Board (90.00) for the proposed Residential zoning for Residential zoned properties in Foxton and Foxton Beach is accepted. I recommend that this submission point be accepted and that the Planning Maps remain as notified.

4.6.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
90.00		Foxton Community Board		Accept

4.6.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Maps 12, 13 and 15 as a result of this submission point.

4.7 Planning Maps 12, 17, 19, 27, 27A, 27B, 28, 28A, 28B, 29 and 30

4.7.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
116.11	Truebridge Associates Limited	In-Part	The submitter considers the proposed areas of medium density overlay are too small within Levin, Waitarere Beach and Foxton Beach and should be extended (as shown on map attached to the submission). Only a few lots within the Levin area will actually be redeveloped, so need a greater coverage to offer the opportunity for new development. Extend the Medium Density Area to promote redevelopment in the existing settlement centres rather than large scale greenfields that require continual extension of Council infrastructure.	Amend Planning Maps 12, 17, 19, 27, 27A, 27B, 28, 28A, 28B, 29 and 30 as marked on attachment to Submission 116.	

Truebridge Associates Ltd (116.11) submitted requesting the areas of Medium Density overlay to be extended within Levin, Waitarere Beach and Foxton Beach.

4.7.2 Discussion & Evaluation

- Truebridge Associates Ltd (116.11) submitted that the proposed Medium Density Overlay Areas in Levin, Waitarere Beach and Foxton Beach are too small and should be enlarged to promote redevelopment in the existing settlement centres rather than large scale green fields that require continual extension of Council's infrastructure. The area this submission point suggests that Medium Density Overlay should cover in these settlements are shown on maps attached to the submission. The area marked in Levin is stated to be well serviced at present and increasing the overlay to this extent is stated to help slow the spread of residential development further out from the centre of town. Truebridge Associates Ltd (116.11) notes that only a small proportion of the existing lots within the area will actually be redeveloped under the new rule so there needs to be a good coverage in order to offer the opportunity for the new development. Truebridge Associates Ltd (116.11) states that Waitarere Beach and Foxton Beach are the same apart from the fact that much of these two settlements contain very old run down dwellings. Truebridge Associates (116.11) propose to enlarge both of these areas in order to give the opportunity for redevelopment on the oldest areas of the settlements.
- The areas proposed to be covered by the Medium Density Overlay could be developed as higher residential density (225m² net site area) as a restricted discretionary activity subject to conditions such as setbacks, coverage, outdoor space. Each proposal would be subject to the consideration against the Medium Density Residential Development Design Guide (Schedule 10).

3. Areas of higher residential density in Levin, Foxton Beach and Waitarere Beach were initially evaluated and presented in the Horowhenua Development Plan. The areas were reevaluated during the District Plan Review and as a result larger extents for all three settlements were considered .
4. The higher density area identified in the Horowhenua Development Plan for Levin was focused between the Levin Domain and St Joesphs School, immediately south-west of the town centre. This area was re-evaluated and took into consideration the areas that had already undergone infill subdivision, and where further opportunities for higher density would be appropriate. The outcome sought was to provide a contained area for higher residential density, to add to the range of housing within Levin that is close to the town centre and key public open spaces.
5. In Waitarere Beach, the concept put forward in the Development Plan was to have a strip of commercial and higher density residential either side of Waitarere Beach Road. The Proposed Plan has continued this into the mixed use Commercial Zone provisions and respective zoning for a discrete area. An issue debated through the District Plan review process was whether to enable Controlled Activity infill subdivision throughout Waitarere, or to provide for higher density in a targeted way. The most appropriate option was considered to provide for higher density residential development either side of the “mixed use” zone. This resulted in the Medium Density Overlay to extend one urban block to the north and south of Waitarere Beach Road. The extension enables greater opportunity for redevelopment, while consolidating a new intensive type of housing around the future commercial area.
6. In Foxton Beach, the Development Plan identified three individual urban blocks, all positioned around Holben reserve. The higher density area was extended one street closer to the beach, therefore bringing consistency to the overall urban block bound by Ocean Beach Road/Signal Street/Trafalgar Street/Marine Parade (refer to the diagram below).



7. In the Section 32 Analysis for the Residential chapter of the Proposed Plan it was considered that medium density housing is appropriate when provided in locations where the character and amenity values can accommodate this more intensive level of residential development. The nature and scale of medium density development has the potential to change the character and amenity of the existing residential areas in Horowhenua towns. Small, discrete areas were chosen for medium density development located close to town centres for access to shops and amenities and to retain the character of towns. When assessing these areas it was recognised that many properties had already been developed with infill subdivisions and would not be available to redevelop for 3+ units as a medium density development which is why a greater area was provided to allow for further opportunity.
8. These areas represent logical limits where this new type of density could be tested within the district, give opportunity in a variety of circumstances, without opening up large areas that could have the potential to change the character of these Horowhenua towns.
9. Truebridge Associates Ltd (116.11) seeks to extend the Medium Density Area Overlays, using main block or street boundaries to define the extents. The larger areas of higher density would enable a significantly larger area to be intensively redeveloped.
10. The benefits of this approach include the greater opportunity in the location and range of developments to provide for new types of smaller houses in the medium and longer term.
11. The costs of this approach include the potential loss of the amenity and character in larger areas where standard residential density is predominant. The concept of having compact and discrete areas considered appropriate for change, compared to larger areas is also a shift in the underlying concept set out in the Development Plan.

12. It should be noted that in Foxton Beach and Levin there is still “infill subdivision” potential that can be used to create higher density (330m² net site area).
13. The approach proposed by Council provides the opportunity for a density gradient to be achieved in a logical manner working from the centre of these settlements outwards. When these opportunities have been exhausted, Council would then be able to consider the appropriateness of extending the area for Medium Density development beyond the area currently proposed.
14. The Proposed Plan Medium Density Overlay Areas represent a balance between providing opportunity for higher density development as well as maintaining the overall character of Levin, Foxton Beach and Waitarere Beach. I believe increasing these areas as proposed by Truebridge Associates Ltd (116.11) has the potential to deliver a greater area of change and therefore adversely affect the character of these Horowhenua towns.
15. I recommend the submission point by Truebridge Associates Ltd (116.11) be rejected for the above reasons.

4.7.3 Reporting Officer’s Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer’s Recommendation
116.11		Truebridge Associates Ltd		Reject

4.7.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Maps 12, 17, 19, 27, 27A, 27B, 28, 28A, 28B, 29 and 30 as a result of this submission point.

4.8 Planning Map 13

4.8.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
90.03	Foxton Community Board	In-Part	The submitter is neutral on the proposed rezoning from Residential to Commercial of the land at Seabury Avenue/Dawick Street and Hall Place. The submitter notes that part of the land is subject to an uncompleted property agreement between the Horowhenua District Council and another party.	No specific relief requested.	511.21 HDC (Community Assets Department) – In-Part
108.40	HDC (Planning Department)	In-Part	A section of Edinburgh Terrace, Foxton Beach is displayed as Rural Zone on Planning Map 13. This should be displayed as road reserve	Amend Planning Map 13 to identify Lot 4 DP 9897 and Part Lot 3 DP 10243	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			to match its actual land use and correct zoning.	as Road Reserve.	

Foxton Community Board (90.03) made a neutral submission point on the proposed rezoning of an area of land at Seabury Avenue/Dawick Street and Hall Place from Residential to Open Space (the summary of submissions incorrectly refers to rezoning to Commercial). HDC (Community Assets Department) (511.21) made a further submission supporting this submission in part and requesting the adjacent properties which are shown as Open Space be rezoned Commercial. HDC (Planning Department) (108.40) submitted requesting a section of Edinburgh Terrace, Foxton Beach which is currently zoned Rural to be displayed on the Planning Maps as road reserve to match its actual land use.

4.8.2 Discussion & Evaluation

1. The Foxton Community Board (90.03) made a neutral submission point on an area of land bounded by Seabury Avenue, Dawick Street and Hall Place that is proposed to be rezoned from Residential to Commercial. They noted in this submission point that part of this area is currently subject to a long standing but uncompleted property agreement between Horowhenua District Council and another party involving the creation of sections on Hall Place. The Foxton Community Board (90.03) stated that they do not wish to submit for or against this proposal at this stage but reserves the right to submit in response to any other submissions on this. HDC (Community Assets Department) (511.21) made a further submission supporting this submission in part and requesting the adjacent Council owned properties which are proposed to be rezoned Open Space also be zoned Commercial.
2. This proposal would expand the proposed Commercial area by over twice its size. This land proposed to be rezoned Commercial would allow for a mixed use including commercial and residential activities over an area of approximately 1.7ha. It is located in a suitable area with good vehicular and pedestrian access for the Foxton Beach urban area. It would expand an area selected for rezoning as Commercial so would be an appropriate area to rezone. It is not seen to adversely affect the amenity of the area as a building setback of 4.5m is required for any commercial building where a site adjoins a Residential Zone, the Residential daylight setback envelope is required to be complied with where a site adjoins a Residential Zone and the noise levels at the boundary are consistent with the Residential Zone permitted noise levels which would protect the amenity of the adjoining Residential properties. Although there would be merit in rezoning this area as Commercial I consider that the further submission by HDC (Community Assets Department) (511.21) is outside the scope of the original submission by the Foxton Community Board (90.03). I therefore recommend that the submission point by the Foxton Community Board (90.03) be accepted and that the further submission point 511.21 be accepted in part in so far as that it supports the proposed Commercial zoning identified in the Proposed Plan.
3. HDC (Planning Department) (108.40) submitted requesting a section of Edinburgh Terrace, Foxton Beach (Part Lot 4 DP 9897 and Part Lot 3 DP 10243) which is currently zoned rural to be displayed as road reserve to match its actual land use. This is a piece of land, 342m² in size which is a part of the Road Reserve of Edinburgh Terrace just west of Flagstaff Street in Foxton Beach. It is currently zoned Rural but as it is currently part of the road reserve with a

formed portion of Edinburgh Terrace extending over it, it would be appropriate to identify this area as road reserve on Planning Map 13.

4. I recommend the submission point by HDC (Planning Department) (108.40) in relation to taking off the rural zoning currently over (Part Lot 4 DP 9897 and Part Lot 3 DP 10243) and identifying this area as road reserve be accepted.

4.8.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
90.03	511.21	Foxton Community Board HDC (Community Assets Department)	In Part	Accept Accept In-Part
108.40		HDC (Planning Department)		Accept

4.8.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 13 to remove the Rural zoning from Part Lot 4 DP 9897 and Part Lot 3 DP 10243 and identify this area as road.

4.9 Planning Map 15

4.9.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
75.00	Stuart & Jean Marshall	Oppose	Oppose the rezoning of part of 36 Johnston Street, Foxton from Industrial to Residential. The site was formerly a BP service station and there is a significant area of contamination and it is not suitable for residential zoning or use.	Amend Planning Map 15 to identify 36 Johnston Street, Foxton as within the Commercial Zone, without a Pedestrian Area Overlay.	
75.01	Stuart & Jean Marshall	Oppose	Oppose the identification of 36 Johnson Street, Foxton as within the Foxton Town Centre Character Heritage Overlay Area.	Amend Planning Map 15 to remove 36 Johnson Street, Foxton from within the Foxton Town Centre Character Heritage Overlay Area.	
108.41	HDC (Planning Department)	In-Part	There are two properties at 149 and 151 Union Street, Foxton which have split zones. These sites have been developed as rural properties	Amend Planning Map 15 to identify the residential parts of 149 and 151 Union Street (Lots 6 and	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			and the residential component does not match this development. Where possible split zones within the Plan have tried to be avoided.	7 DP 345888) as within the Rural Zone to reflect the existing land use and to give each property a single zone.	

Marshall (75.00) submitted in opposition of the rezoning of part of 36 Johnston Street, Foxton from Industrial to Residential and request that this property is rezoned Commercial without the Foxton Town Centre Character Heritage or Pedestrian overlays. The summary of submission incorrectly summarises an additional submission point (75.01) stating that Marshall opposes the identification of 36 Johnston Street as within the Foxton Town Centre Character Heritage Overlay. Reference to this overlay should be inserted into the decision requested. The submission requests that 36 Johnston Street be rezoned Commercial without a Pedestrian Area or Foxton Town Centre Character Heritage Area Overlay. HDC (Planning Department) (108.41) submitted requesting the areas of 149 and 151 Union Street, Foxton that are currently zoned Residential to be rezoned Rural.

4.9.2 Discussion & Evaluation

1. Marshall (75.00) submitted in opposition to the proposal under the District Plan review to rezone approximately half of 36 Johnston Street, Foxton which is currently zoned Industrial to Residential. The submission point provides a background of this property which is owned by the submitter. The submission states that this property was historically used as a garage since 1956 (one of the first in the country), prior to its most recent use as a service station/truck stop/lotto outlet/general store and now a takeaway shop. As a consequence of its use as a garage and shop for vehicle repairs a contamination level is present underground. Testing by BP Oil shows a significant level of contamination underground in the centre of the property where it straddles the Industrial and Residential portions of the current zoning. Because of this contamination the submitter states that Horowhenua District Council would not be able to issue Building Permits for residential use but can for commercial use. A 15 year management/containment plan is currently being complied with by BP Oil for this site. There is stated to be no expectation of removal until technical know-how further evolves as it is a product of sticky consistency that makes it very difficult to remove effectively. The submission states that BP Oil are certain from expert advice that the site is suitable for commercial activity and this was demonstrated recently through a recently granted Resource Consent (501/2012/3250). The land owners and their tenant intend to further develop commercial activity on this site and commercial zoning would be consistent with this. The submission point states that commercial zoning of this property would allow the property to again play a significant role socially and in the employment of people in the Foxton area. They seek Council to rezone the entire property Commercial without the Foxton Town Centre Character Heritage or Pedestrian overlays.



2010 aerial photograph of subject site and surrounding area

2. The property at 36 Johnston Street, Foxton is located on the western side of Johnston Street (State Highway 1) midway between the intersections with Union Street and Cook Street in Foxton. The site is comprised of 5391m² of land. The site contains a large building with a canopy extending from the front of the building located centrally on the site, this building was previously used as the BP Service Station. Resource consent (501/2012/3250) was granted in October 2012 for the conversion of the old service station building to be used as a Fish and Chip shop and cafe with associated remote advertising signage within the Industrial zone. A site report carried out by BP Oil was submitted with this application which found hydrocarbons in the soil. The fuel tanks on site have been removed and the excavations have been filled with clean fill. A Site Management Plan was also submitted which provides direction on safeguards to be used for any future excavation of the site or groundwater use. The report concludes that the site is suitable for use industrially or commercially and that no specific remedial or mitigation requirements in respect of residual hydrocarbons would need to be undertaken prior to using the building as a fish and chip shop. This activity is currently being undertaken on the site. The front half of the property is currently zoned Industrial under the Operative District Plan and the rear half of the property is zoned Residential. All surrounding properties are zoned Residential and are developed residentially. The property across State Highway 1 to the east is occupied by Saint Mary's Primary School.
3. This property was considered for rezoning as part of the land use survey undertaken prior to the notification of the Proposed District Plan. It was decided at this time that zoning the entire site one zone would provide the ability to develop the property/building in a more efficient and effective manner due to a single set of rules applying. A standalone industrial property with sensitive activities (residential and school) on all sides was considered to raise the potential for incompatibility issues to arise and adverse effects on adjoining residential amenity. Commercial or Residential were seen as the zones which would allow for the most

compatible land uses for the surrounding environment. It was noted at this time that the previous land use of this site (service station) may have resulted in some contamination which was not known at this time and that the requirements of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) would manage the risks associated with any contamination. Residential zoning of this property was chosen as the most efficient and effective for this site as it would ensure development is compatible with the surrounding area and it would be in line with Proposed Policy 6.3.38 which looks to protect the viability, vitality and vibrancy of the town centres by controlling out of centre commercial and retail development extending along Johnston and Russell Streets in Foxton to maintain the viability and vitality of the Foxton Town Centre and maintain the safety and efficiency of the highway.

4. The benefits of rezoning this property Commercial would allow the property to be developed with a range of activities including commercial activities, retail activities, community activities, commercial garages and vehicle service stations. A building setback of 4.5 metres would be required around the perimeter of the site, the Residential daylight setback envelope would be required to be complied with where a site adjoins a Residential Zone and the noise levels at the boundary would be consistent with the Residential Zone permitted noise levels which would go some way in protecting the amenity of the adjoining Residential zoned properties surrounding the site. As the property is not located within the pedestrian overlay, on site parking would be required for any additional activity which would potentially mitigate any adverse effects on the safety and efficiency of the State Highway.
5. A preliminary site investigation of the land has been submitted to Council with the land use consent (501/2012/3250) recently granted for the fish and chip shop and associated signage. This report states that the risk posed to human health and the environment by residual petroleum hydrocarbon impacted soil and groundwater beneath the site is considered acceptable for commercial land use if key ongoing risks are managed. Therefore it is seen to be highly unlikely that there will be a risk to human health if the property is used for commercial activities. A site plan has also been submitted to Council which shows the areas that tests have been carried out and the area from which underground fuel tanks have been removed. In accordance with 8(4) of the NES additional commercial use of the land would be a permitted activity under the NES for contaminated land.
6. However, the costs of rezoning this area Commercial would be the impact on the vitality and vibrancy of the Foxton's town centre and therefore inconsistent with Policy 6.3.38. This is because the Commercial zoning would allow for a range of retail activities over the 5391m² site and may have economic costs on the retailing within Main Street Foxton.
7. If the property is left zoned Residential as proposed any further commercial development of the site would require land use consent which would present a further cost to the owners and tenants of the property. This may be appropriate given the surrounding area and the policy direction to concentrate commercial development within Foxton's Main Street. Any potential residential development of the property would have to be assessed through the NES on contaminated land and may be subject to land use consent. Given the report on the contamination it appears that the site would not be suitable for residential development and for this reason it may not lead to efficient use of this land resource to zone this property Residential although the report does not clearly state that remedial measures could not improve the site to be used residentially. Another option would be to zone the entire property Industrial although with the surrounding residential dwellings and primary school across the

road Industrial activities would generally be considered to be less desirable than commercial due to the typically associated effects arising from industrial activities such as odour and noise.

8. Although zoning this site Commercial would be inconsistent with Proposed Policy 6.3.38 as it would create a spot commercial zone away from Main Street, Foxton, as the land is contaminated and possibly not suitable for residential development and the site has an existing retail use, if the submitter can demonstrate that the residential use of this property is not achievable then I would consider the most efficient zoning for this site Commercial. I am satisfied that the zone interface controls for adjoining residential properties would ensure that the amenity of these properties is maintained and protected.
9. I recommend the submission by Marshall (75.00) is accepted and that the Planning Maps be amended to zone 36 Johnston Street as Commercial.
10. HDC (Planning Department) (108.41) submitted requesting the areas of 149 and 151 Union Street, Foxton that are currently zoned Residential to be rezoned Rural. This submission point states that these two properties have split zones. They have been developed as rural properties and the residential component does not match this development. The submission notes that where possible split zones within the Plan have tried to be avoided.
11. These two split zoned properties were overlooked when preparing the Planning Maps for the Proposed Plan. HDC (Planning Department) have sought to be consistent in avoiding properties have split zones and therefore made a submission to provide scope for the Hearing Panel to consider the appropriateness of the requested change. Given that this process would have required the landowners to consider the HDC (Planning Department) submission and make a further submission to formally provide their comment on the proposed rezoning, a courtesy letter was sent to the landowner of these two sites advising of the submission, the further submission process and also signalling that should the landowner make a further submission opposing the rezoning then HDC (Planning Department) would be prepared to not pursue the rezoning. No further submission was received from the landowner.
12. The properties at 149 and 151 Union Street, Foxton are two sections of 1.6 and 1.7 hectares that have been developed rurally each with a residential dwelling and rural activities including grazing stock. Directly west of these properties are smaller Residential properties ranging around 700m² to 2000m² in size. The portion of 149 and 151 Union Street that are zoned Residential are just small areas near the road frontage with Union Street which extend the Residential zone out in the same pattern with the smaller adjoining Residential properties. Rural land to be rezoned Greenbelt Residential (deferred) adjoins these properties to the east, north of the Residential zoned properties. It would be appropriate to rezone the Residential part of the properties at 149 and 151 Union Street, Foxton as Rural as they are established and developed rural properties and the split zoning is untidy and could be problematic for future development of the site (e.g. needing to apply zone interface controls such as daylight setback from the Residential zone boundary).



Sites outlined in green - Existing Residential zone in yellow

13. I recommend the submission point by HDC (Planning Department) (108.41) in relation to rezoning the Residential zoned portions of 149 and 151 Union Street, Foxton (Lots 6 and 7 DP 345888) Rural is accepted.

4.9.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
75.00		Marshall		Accept
108.41		HDC (Planning Department)		Accept

4.9.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 15 to rezone 36 Johnston Street, Foxton as Commercial.

Amend Planning Map 15 to rezone the Residential zoned portions of 149 and 151 Union Street, Foxton as Rural.

4.10 Planning Map 15A

4.10.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
35.00	Anthony Hunt	Oppose	Oppose the area west of Harbour Street north of the Foxton Hotel Service Lane (including the site of Designation 143) being zoned residential. This area is a focal point for the work being done to reclaim the River as an integral part of Foxton's tourist development.	Amend Planning Map 15A to rezone the area west of Harbour Street north of the Foxton Hotel Service Lane (including the site of Designation 143) from Residential to Recreational (Open Space) or place under some covenant that recognises the heritage qualities of this area.	
68.00	Te Taitoa Maori o Te Awahou	In-Part	The submitter seeks the rezoning of the property adjacent to the Whare Manaaki building on Harbour Street, Foxton from Residential to a zoning more appropriate for a future carpark to service Te Awahou-Nieuwe Stroom, Foxton.	Amend Planning Map 15A to rezone the property adjacent to the Whare Manaaki building on Harbour Street, Foxton from Residential to as a more appropriate zone for a carpark/service area.	
84.00	Graeme & Joan Petersen	Oppose	Oppose rezoning 34 Harbour Street, Foxton from Residential to Commercial.	Amend Planning Map 15A so that the existing Residential zoning of 34 Harbour Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	
85.00	Warren Millar	Oppose	<p>Oppose rezoning 104 Main Street< Foxton from Residential to Commercial.</p> <p>The current and ongoing use of the property and surrounding properties is residential.</p> <p>The property is adjacent to the Foxton river loop and protection of the existing historical residential sites should be paramount.</p> <p>Existing commercial sites along Harbour Street and Main Street remain vacant, no new commercial sites at this vicinity are required.</p> <p>Rezoning could affect existing land</p>	Amend Planning Map 15A so that the existing residential zoning 104 Main Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			owners through noise, commercial waste, traffic, appearance, views and loss of sale opportunities.		
86.00	Ivan Chambers	Oppose	Oppose rezoning 69 Main Street, Foxton from Residential to Commercial.	Amend Planning Map 15A so that the existing Residential zoning of 69 Main Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	
87.00	Robin Hapi	Oppose	Oppose rezoning 104A Main Street, Foxton from Residential to Commercial. The existing zoning is appropriate as properties on two sides are residential and very light commercial and town centre heritage.	Amend Planning Map 15A so that the existing Residential zoning of 104A Main Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	
88.00	Gail Chambers	Oppose	Oppose rezoning 69 Main Street, Foxton from Residential to Commercial. The existing zoning is appropriate as properties on two sides are residential and very light commercial and town centre heritage.	Amend Planning Map 15A so that the existing Residential zoning of 69 Main Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	
89.00	Beverly Ann Fowler	Oppose	Oppose rezoning 67 Main Street, Foxton from Residential to Commercial. The existing zoning is appropriate as properties on two sides are residential and very light commercial and town centre heritage.	Amend Planning Map 15A so that the existing Residential zoning of 67 Main Street, Foxton is retained. Do not proceed with the proposed Commercial zoning for this property.	
90.01	Foxton Community Board	Support	Support rezoning section of Harbour Street, Foxton from Residential to Commercial to enable future tourism development in the town. This rezoning will not preclude existing residential sections being used as residential should the owners so wish.	Retain the rezoning of properties on Harbour Street, Foxton from Residential to Commercial on Planning Map 15A.	
90.02	Foxton	Oppose	Oppose the Residential Zoning of	Amend Planning Map 15A	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
	Community Board		the Ihakara Gardens as they are both a public space and the site of graves.	and rezone the Ihakara Gardens, Foxton, from Residential to Open Space Zone.	

Ten submissions were received on Planning Map 15A (Foxton CBD). The submissions were both in support and in opposition to the zoning of properties located on this planning map.

4.10.2 Discussion & Evaluation

Harbour Street and Main Street properties, Foxton

- Six submissions were made by owners of properties in Harbour Street and Main Street, Foxton, which are currently zoned Residential 1 in the Operative Plan but are proposed to be rezoned Commercial in the Proposed District Plan. All these submissions were made in opposition to the proposed rezoning of these properties from Residential to Commercial.



Submitters properties outlined in green - Pink - existing Commercial, yellow - existing Residential, hatched red - Proposed Commercial - Purple - existing Industrial

- Three of the subject properties are located on the western side of Main Street, between Main Street and Harbour Street. 104 and 104A Main Street are rear sections which access Main Street via a shared formed access way. The property at 34 Harbour Street, adjoins these sections to the south and is also a rear section accessing Harbour Street via a formed accessway. These properties are developed with residential dwellings and accessory buildings. They are surrounded by five properties to the north, south and west which are

zoned Residential under the Operative District Plan and two properties which are zoned Commercial under the Operative District Plan to the east. The sections to the west which are currently zoned Residential are vacant sections of a similar size to the submitters properties. The property directly to the south is a residentially developed section. The property directly to the south east is currently zoned Commercial and contains the Foxton Hotel. The property to the north east is zoned Commercial and is developed with the Tram Station Cafe.

3. The two residential properties at 67 and 69 Main Street, Foxton are located on the eastern side of Main Street, with no.69 also having frontage on to Cook Street. These two properties by virtue of their location and frontage onto Main Street, read as part of the Foxton town centre streetscape. Both properties are developed with residential dwellings and accessory buildings. They are adjoined by Residential zoned and developed sections to the north and east. Industrial zoned and developed land is located across Cook Street to the south and a Commercial zoned property containing the Foxton Hotel located across Main Street to the west.



2010 Aerial photograph of the five submitters properties highlighted in green and surrounding area

4. Petersen (84.00) submitted in opposition to the proposed rezoning of 34 Harbour Street, Foxton from Residential to Commercial. This submission point queries "why if Council wants to rezone did they allow us to purchase and build on this section?"
5. Millar (85.00) submitted in opposition to the rezoning of 104 Main Street, Foxton from Residential to Commercial. Reasons for opposing this proposed rezoning are listed as follows;
 - (a) The current use of the property is residential,
 - (b) Adjacent properties on three sides are residential,

- (c) The property is adjacent to the Foxton River Loop and protection of existing residential sites should be paramount.
 - (d) There are existing commercial sites in Main Street and further along Harbour Street that remain vacant – no new Commercial sites at the expense of the existing residential sites are required.
 - (e) Harbour Street is a historical residential area overlooking the Manawatu River Loop at Foxton.
 - (f) This rezoning has not been requested by existing owners of the properties affected.
 - (g) Rezoning could affect existing resale opportunities for the current residential properties.
 - (h) Commercial properties could detrimentally affect the residential qualities of the property through noise, commercial waste, traffic, appearance, views etc.
6. Ivan Chambers (86.00) and Gail Chambers (88.00) as owners of 69 Main Street, Hapi (87.00) as the owner of 104A Main Street and Fowler (89.00) as the owner of 67 Main Street, Foxton all submitted in opposition to the rezoning of their sites from Residential to Commercial. The submissions stated that the existing zoning of these properties is appropriate as the surrounding properties on two sides are residential and the other two properties are very light commercial and town centre heritage.
 7. The basis for the proposed rezoning is to implement the direction contained in the Horowhenua Development Plan and subsequent Foxton Town Plan. These strategic planning documents evaluated the issues and aspirations for the future of the Foxton town centre and were formulated with community consultation. The overall strategy for the Foxton town centre was to consolidate commercial development around the Main Street area, improve connections to the river loop, and provide increased opportunities for tourism and other complementary development.
 8. To implement this strategic direction, some changes to the District Plan were identified, such as rezoning properties and refining the policy and rule frameworks, To achieve the consolidation of the commercial area on a Main Street hub and tourism area, this means incorporating the existing industrial and residential zoned land at the southern end of Main Street into the Commercial Zone. Also introduced was the idea of a Tourism Development Overlay. The area extending over the existing Commercial zone from Wharf Street was identified as the northern border of this area which would extend south to Union Street including a group of residentially developed properties on the eastern side of Main Street and a group of residentially developed properties on the eastern side of Harbour Street.
 9. These non-statutory plans which have been through a public consultative process have set in place a vision for the town centre of Foxton. The Foxton Town Plan provides a set of initiatives that collectively provide for the enhancement of Foxton's attributes and the qualities that the community values. This entire area is proposed to be rezoned Commercial. Policies have been proposed relating to the Commercial Zone to direct the development and commercial activity towards the Foxton Town Centre (Main Street). Policy 6.3.38 aims to *protect the viability, vitality and vibrancy of the town centres by controlling out of centre commercial and retail development, restricting commercial development extending along Johnston and Russell Streets in Foxton to maintain the viability and vitality of the Foxton Town Centre and maintain the safety and efficiency of the highway.* Policy 6.3.43 looks to

maintain and enhance the tourism focus of the central and southern part of the Foxton Town Centre by controlling new development and additions/alterations to existing buildings to ensure development is in keeping with the existing character.

10. Notwithstanding the above strategic direction, an evaluation of the benefits of costs of the rezoning is necessary to evaluate the submissions received. The benefits of rezoning the properties 104 and 104A Main Street and 34 Harbour Street from Residential to Commercial include:
 - (a) Providing the opportunity for future commercial related development to be located in this area and enabling the future vision for the Foxton town centre to be achieved.
 - (b) Providing a contiguous Commercial area enabling the efficient and effective use of the land due to the absence of the zone interface controls that would be applicable for different adjoining zones.
 - (c) Providing the opportunity for a concentration of commercial activities in close proximity to the area of anticipated future development.
 - (d) The existing land uses (i.e. residential dwellings) would have existing use rights and be able to continue occupy the current sites.
 - (e) The opportunity for mixed use development being created (commercial at ground floor and residential at first floor) and tourism development (e.g. museum, visitor accommodation) to support and complement the existing and planned facilities and activities in this area.

11. The costs of rezoning the properties 104 and 104A Main Street and 34 Harbour Street from Residential to Commercial include:
 - (a) Loss of residential land close to the town centre.
 - (b) Reduced level of amenity for residential occupants and potential for incompatibility issues between commercial activities and the existing residential activities on the rezoned properties as there would be no zone interface controls between the different uses in the same zone.
 - (c) Potential traffic effects with increased traffic movements associated with commercial activities and on-street parking.
 - (d) Change in character from a residential to a predominantly commercial character.
 - (e) Potential additional costs of meeting the noise insulation requirements to landowners who wish to create new habitable rooms within the Commercial zone.
 - (f) Potential additional consent costs of further residential development (e.g. accessory buildings or new dwellings not at first floor level).

12. The benefits of rezoning 67 and 69 Main Street, Foxton from Residential to Commercial include:
 - (a) Providing a contiguous Commercial area and the opportunity for future commercial related development to be located in this area and enabling the future vision for the Foxton town centre to be achieved.

- (b) The existing land uses (i.e. residential dwellings) would have existing use rights and be able to continue to occupy the current sites.
 - (c) Providing the opportunity to enhance and strengthen the town centre streetscape through future commercial development of these sites.
 - (d) Zone interface rules would protect the amenity of the adjoining residential zoned properties.
 - (e) The opportunity of mixed use development being created (commercial at ground floor and residential at first floor).
13. The costs of rezoning 67 and 69 Main Street, Foxton from Residential to Commercial include:
- (a) Loss of residential land close to the town centre.
 - (b) Reduced level of amenity for residential occupants and potential for incompatibility issues between commercial activities and the existing residential activities on the rezoned properties as there would be no zone interface controls between the different uses in the same zone.
 - (c) Change in character from a residential to predominantly commercial character.
 - (d) Potential additional costs of meeting the noise insulation requirements to landowners who wish to create new habitable rooms within the Commercial zone.
 - (e) Potential additional consent costs of further residential development (e.g. accessory buildings or new dwellings not at first floor level).
14. On balance I consider that although rezoning these properties and surrounding properties from Residential to Commercial may decrease the existing amenity for the existing residential activities I believe the policy direction to focus commercial activities within Main Street, Foxton and maintain and enhance a tourism focus in this area outweighs the adverse environmental effects of rezoning these properties. It is noted that the transition from Residential to Commercial land uses may take time and it is during the interim period while there is a mix of Residential and Commercial, which is where any incompatibility issues are most likely to be noticed. It is important that the long term strategic vision for this area is provided for and that the District Plan does not act as a deterrent to this by making it overly difficult for the desired activities to locate and develop in this part of Foxton or compromise the future vision by permitting a form of further development to occur that would restrict future development opportunities. I therefore consider that it is appropriate that the Proposed District Plan retain the zoning as notified and provide the opportunities for the long term vision to be fulfilled.
15. I note that the Foxton Community Board (90.01) submitted supporting rezoning the section of Harbour Street, Foxton from Residential to Commercial to enable future tourism development in the town. The submitter commented that the rezoning would not preclude existing residential sections being used residentially. This statement is correct for those properties that have been developed with residential dwellings, in that they have existing use rights and can continue to be used for residential activities. However, the same does not apply for those vacant residential sections that do not already have a dwelling. The Commercial zone rules do provide for residential activities provided they occur above ground floor. Therefore, if a landowner for one of the currently vacant Residential zoned sections proposed to construct a

new standalone dwelling, they would require resource consent. I was not sure from the submission whether the difference between existing and new residential activities had been appreciated by the submitter. The submitter may wish to confirm their understanding and support at the hearing or advise if this information affects their support. Based on the support in the submission point I recommend that submission point 90.01 be accepted.

16. I recommend the submission point by Petersen (84.00) in opposition to rezoning 34 Harbour Street, Foxton as Commercial is rejected for the above reasons.
17. I recommend the submission point by Millar (84.00) in opposition to rezoning 104 Main Street, Foxton as Commercial is rejected for the above reasons.
18. I recommend the submission point by Ivan Chambers (86.00) in opposition to rezoning 69 Main Street, Foxton as Commercial is rejected for the above reasons.
19. I recommend the submission point by Gail Chambers (88.00) in opposition to rezoning 69 Main Street, Foxton as Commercial is rejected for the above reasons.
20. I recommend the submission point by Hapi (87.00) in opposition to rezoning 34 Harbour Street, Foxton as Commercial is rejected for the above reasons.
21. I recommend the submission point by Fowler (89.00) in opposition to rezoning 67 Main Street, Foxton as Commercial is rejected for the above reasons.

Foxton River Loop

22. Anthony Hunt (35.00) submitted in opposition to an area west of Harbour Street, north of the Foxton Hotel Service Lane (including D143 – Clyde Street Water Bore) being zoned Residential. The submission point seeks the re classification of this area as recreational or under some covenant that recognises the area's heritage qualities. The submitter contends that this area is a focal point for the work being done to reclaim the River as an integral part of Foxton's Tourist Development.
23. The area in question on Harbour Street consists of approximately 2.9 ha of land alongside the bank of the Manawatu River. The majority of this is Crown owned land apart from a property of 2055m² at the western end of Clyde Street on the bank of the Manawatu River which is owned by the Awahou Indoor Bowls Association Incorporated and developed with this clubs building.



Aerial photograph of area shown outlined in red

24. All of the Crown owned land within this area which incorporates 2.8509 ha has been gazetted as Recreation Reserve. Horowhenua District Council administers this reserve and has prepared a Management Plan to assist with day to day management and provide long term direction for its management and use. This plan notes that the reserve carries historical significance for the town and the region as a whole with its reminder of Foxton's past days as a flourishing port. It was historically the site of the Foxton Harbour.
25. Under the Operative District Plan this site was zoned Residential 1. The Proposed Plan zoned this site Residential.
26. The Proposed Plan introduced an Open Space zone which was intended to specifically provide a suitable zoning for Council's parks and reserves. Under the Operative Plan all Council's parks and reserves were generally zoned the same as the surrounding land (e.g. Residential 1 or Rural).
27. As the property is gazetted Reserve Land administered by Council it would be appropriate to rezone this land Open Space. All Council Parks and Reserves have been proposed to be rezoned Open Space through the District Plan Review. This area was possibly not included as it is not Council owned. However, as it is Crown owned and is an important public recreation area within Foxton, and that the area is largely used for passive recreation with the walkways and play equipment encouraging these activities, the Open Space zoning is consistent with this purpose.

28. Rezoning this area Open Space would also be consistent with its existing and potential future use as recreation activities would be permitted activities within this area. The existing Residential zoning is not considered appropriate as this area is a gazetted recreation reserve and without a formal change to the reserve status would not be developed for residential activities. Rezoning this property Open Space would align with the reserve status of the land and the relief sought by the submitter Anthony Hunt (35.00).
29. I recommend the submission by Anthony Hunt (35.00) is accepted and that Sections 4 and 5 SO 31920 and Lots 1 and 2 DP 47692 be rezoned on the Planning Maps as Open Space.

28 Harbour Street

30. Te Taitoa Maori o Te Awahou (68.00) submitted requesting the rezoning of 28 Harbour Street which is the property adjoining the Whare Manaaki building on Harbour Street, Foxton from Residential to a zoning more appropriate for a future carpark to service Te Awahou-Nieuwe Stroom, Foxton.



Aerial photograph of site outlined in green and surrounding area

31. 28 Harbour Street is zoned Residential under the Operative Plan. The Proposed Plan rezones this property to Commercial and it is included within the Proposed Foxton Tourism Area Overlay. Carparks are provided as permitted activities within the Proposed Plan Commercial Zone, therefore this zoning would provide for the relief sought by the submitter.
32. On the basis the Proposed Plan provides for the relief sought, I recommend the submission by Te Taitoa Maori o Te Awahou (68.00) be accepted.

Ihakara Gardens

33. The Foxton Community Board (90.02) made a submission point in opposition of the Residential zoning of the Ihakara Gardens in Foxton. This submission point states that the Ihakara Gardens should be zoned Open Space as they are both a public garden and the site of graves.



Aerial photograph of Ihakara Gardens outlined in red

34. Ihakara Gardens is a 2555m² property owned and managed by Horowhenua District Council which is currently zoned Residential under the Operative District Plan and this zoning has been rolled over into the Proposed Plan. This property is a reserve and cemetery (dating back to 1850) that has significant cultural and historic importance and value. I note that the immediately adjoining property to the west which is vacant is a separate title and is in private ownership. It is noted confusion can arise over the extent of Ihakara Gardens as the adjoining vacant land can be mistaken for being part of the reserve.
35. The Proposed Plan proposes a new Open Space Zone which includes rules which provide for the use, development and protection of the District's parks and reserves. As discussed under Section 4.2.2 of this report, I have recommended that the Open Space Zone is the most appropriate zoning for all of the District's cemeteries.
36. It is noted that the Ihakara Gardens is proposed to be designated for 'cemetery' purposes. An underlying zone of Open Space is considered to better reflect the values of the Ihakara Gardens, compared to the Residential Zone. To that end, the relief sought by the Foxton Community Board 90.02) is considered appropriate.

37. It is recommended that the submission point by the Foxton Community Board (90.02) is accepted and that Ihakara Gardens (legally described as Awahou 97B) be rezoned on the Planning Maps as Open Space.

4.10.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
35.00		Anthony Hunt		Accept
68.00		Te Taitoa Maori o Te Awahou		Accept
84.00		Petersen		Reject
85.00		Millar		Reject
86.00		Ivan Chambers		Reject
87.00		Hapi		Reject
88.00		Gail Chambers		Reject
89.00		Fowler		Reject
90.01		Foxton Community Board		Accept
90.02		Foxton Community Board		Accept

4.10.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 15A rezone Sections 4 and 5 SO 31920 and Lots 1 and 2 DP 47692 as Open Space.

Amend Planning Map 15A to rezone Awahou 97B commonly known as Ihakara Gardens, Foxton as Open Space.

4.11 Planning Map 17

4.11.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
24.00	Peter & Vivien Wright	Oppose	Oppose the rezoning of 677 Waitarere Beach Road, Waitarere from Residential to Commercial. This property is commercial desirable however there is no demand for commercial land in Waitarere Beach. Commercial zoning will lower the value of the	Amend Planning Map 17 to change the zoning of 677 Waitarere Beach Road, Waitarere from proposed Commercial to Residential.	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			property and complicate consent applications for future additions and improvements to the existing residence. It will also impact on annual rating differentials.		
28.00	Peter & Vivien Wright	Oppose	Oppose the rezoning of Lot 42 DP 10023 being 673/675 Waitarere Beach Road, Waitarere from Residential to Commercial. This property is commercially desirable however there is no demand for commercial land in Waitarere Beach. Commercial zoning will lower the value of the property and complicate consent applications for future additions and improvements to the existing residence. It will also impact on annual rating differentials.	Amend Planning Map 17 to change the zoning of 677 Waitarere Beach Road, Waitarere from proposed Commercial to Residential.	

Two separate submission points were made relating to Planning Map 17 by the same submitters. Wright (24.00) made a submission point opposing the proposed rezoning of 677 Waitarere Beach Road, Waitarere Beach from Residential to Commercial. Wright (28.00) made a submission point opposing the proposed rezoning of 673/675 Waitarere Beach Road, Waitarere Beach from Residential to Commercial.

4.11.2 Discussion & Evaluation

1. Wright (24.00 and 28.00) submits in opposition of the rezoning 673/675 and 677 Waitarere Beach Road, Waitarere Beach from Residential to Commercial. Wright (24.00 and 28.00) owns these properties. They have been in ownership of 677 Waitarere Beach Road for over 30 years, 673/675 Waitarere Beach Road has been a family owned residence for over 70 years and has been the Wrights home for over 20 years. Wright (24.00) states that 677 Waitarere Beach Road is the most commercially desirable section in Waitarere Beach as it is flat, fenced, powered, has garages and a workshop, is next to a restaurant and close to the beach. Wright (24.00) has had many residential enquiries over the years but no one has ever shown interest in setting up a commercial venture on it. Wright (28.00) states that 673/675 Waitarere Beach Road is elevated and built on. It has limited space for off street parking and would be unsuitable for most commercial ventures. Wright (24.00 and 28.00) states that there is no demand for commercial land in Waitarere Beach. Two of the three purpose built shops behind the 4 Square store are vacant. The old service station has been empty for years. The Motel closed in 1991. The gift shop, hairdresser and Boyce Plumbing and hardware closed down. The "Hub" restaurant and other food ventures have failed. Wright (24.00) submits that on professional advice, commercial zoning will lower the value of the property and complicate consent applications for any future additions or improvements. Wright (24.00) states that it would also impact on Annual Rating differentials and that the list of restrictions, requirements and permitted activities in the Commercial Zone would dissuade any potential enterprise from proceeding. The submission states "while we can appreciate

the Council's vision, we consider, the Field of Dreams ("make it and they will come") presumption is overly optimistic.

2. 673/675 and 677 Waitarere Beach Road, Waitarere Beach are two properties located side by side just to the east of the Sail on Inn Restaurant and Bar in between Park Avenue and Rua Avenue, approximately 350 metres from the Waitarere beach front. 673/675 Waitarere Beach Road is a 1075m² property with a 25 metres road frontage to Waitarere Beach Road. It is developed with a residential dwelling located in the north eastern corner of the property, elevated above Waitarere Beach Road, a double garage with a second storey loft just south of the dwelling built in a similar style (Land Use Consent 2029 was granted in 2006 for this building exceeding 60m² allowed for accessory buildings on site and 4.5 metres maximum height for accessory buildings) and various other small sheds including a garage located on the boundary with Waitarere Beach Road. This property has two formed vehicle entranceways to Waitarere Beach Road. 677 Waiterere Beach Road is a 781m² flat section with a double garage in the south-western corner with a formed access on to Waitarere Beach Road. These two properties are zoned Residential under the Operative District Plan as are all surrounding properties.



673/675 and 677 Waitarere Beach Road highlighted in green - Proposed Commercial hatched red

3. These properties are located near the western end of an area of land spanning approximately 300 metres of the southern side of Waitarere Beach Road which is to be rezoned Commercial under the Proposed District Plan. This area is proposed to be rezoned Commercial implementing direction from the Development Plan which concluded that Waitarere Beach does not have an identifiable town centre but historically commercial activities were established on Waitarere Beach Road on residentially zoned land. It was recommended that a discrete area be rezoned Commercial to provide for the efficient and effective establishment of commercial activities in Waitarere Beach. It was considered that

the properties on which the existing commercial activities are located on (on Waitarere Beach Road) should commence the Commercial zone and continue towards the beach to create a continuous frontage of commercial activity for the future. This area starts from two residentially developed properties just east of the properties on the eastern corner of Kahukura Avenue which contain the Beachcomber Cafe and the Waitarere Beach Four Square and extends to the Sail on Inn Restaurant and Bar on the corner of Waitarere Beach Road and Rua Avenue which runs parallel to the beach front. The proposed Commercial zone within the Waitarere Beach area would allow for a mixed use including commercial and residential activities.

4. If this property is rezoned Commercial as proposed the residential use of the properties would be permitted. If the property owner wished to erect a residential dwelling on 677 Waitarere Beach Road this would be a Permitted Activity subject to compliance with conditions within 17.6 of the Proposed Plan. These conditions under 17.6.2 (d) which relate to the Waitarere Beach area have been written with commercial buildings in mind as there are requirements for all buildings to have display windows along the ground floor frontage and landscaping requirements (I note that a recommendation in the Section 42A Report for the Urban Environment has recommended a change to this requirement so residential buildings would be exempt from this). Developing these properties further may require land use consent as it is unlikely that further residential development would comply with the conditions under 17.6.2 (d). This would cause additional expense for the property owner.
5. Rezoning these properties Commercial would allow the property to be developed with a range of activities including commercial activities, retail activities and community activities. No building setback from boundaries would be required and the noise levels allowed would increase from residential to commercial levels. Onsite parking would be required for any additional commercial activity which would potentially mitigate any adverse effects on the safety and efficiency of the roading network.
6. Although this property is adjacent to an existing cafe, rezoning this property and surrounding properties Commercial could potentially lower the amenity of the property for its residential use especially if the vacant section directly east of this property developed commercially. The residents of this dwelling may experience higher noise levels and a difference in the appearance of buildings.
7. It is recognised that a transition to commercial uses for the identified commercial area may not happen for some time. It is however considered important to provide opportunities for a commercial centre to be established.
8. In terms of the effects of rezoning on rates, HDC has chosen not to use planning boundaries for rating purposes as some Councils do and is not intending to do so. Council has an urban rating area which is based on the extent of existing urban development, not the potential area for urban development (i.e. urban land zones). This is reviewed and updated periodically to reflect the extent of the built up area of urban development. Rates relating to services are based on the provision of services and again not based on District Plan zoning. The land value of a property is also used in part of the rating calculation. Therefore if in valuing a property, the valuers deem the rezoning to have an impact on the market value of the land value this could in turn affect the rates of a property. The value of the land may not change significantly coupled with the relatively high level of non-land value based rates that make up the total rates amount. In summary, rezoning this property could technically have an impact (indirectly) on rates if the rezoning resulted in a valuation that changed the land value

(this could result in an increase or a decrease). The actual rural and urban rating areas are quite independent of the District Plan zones. Given that there are so many other factors that influence both the rates and the land valuations, rezoning is not considered to have a significant impact on rates. In terms of environmental effects property rates and values are not considered environmental effects under the Resource Management Act 1991.

9. If these properties were left zoned Residential they would create a spot Residential zoned property within a strip of Commercial zoned properties which would limit the development opportunities of the adjacent Commercial zoned properties as they would be required to set buildings back 4.5 metres from a Residential zone boundary as well as interrupt any continuity of a commercial street frontage. This would make for untidy zoning but would go some way in protecting the residential amenity of the existing dwellings. It would also take an area from the land proposed to be rezoned Commercial within Waitarere Beach and would go against the strategic policy decision implementing direction from the Development Plan to create a discrete commercial area within Waitarere Beach with a continuous frontage of commercial activity for the future.
10. Alternatively if this whole area of land which is proposed to be rezoned from Residential to Commercial was zoned Residential the status quo would remain leaving Waitarere Beach with no identifiable town centre and not providing for the efficient and effective establishment of commercial activities in Waitarere Beach. This would be inconsistent with Policy 6.3.36 which aims to *"recognise the smaller-scale and diverse character of commercial areas in the smaller rural and coastal settlements by managing development to ensure an attractive and safe environment is created and maintained with well designed and attractive frontages and limited on-site vehicle access."*
11. Although rezoning these properties Commercial may decrease the existing amenity for the existing residential activities and create additional expense for the property owners with potential land use consent requirements for further residential development I believe the policy direction to create a discrete area of continuous frontage of commercial activity for the future along Waitarere Beach Road including the existing properties developed commercially outweighs the adverse effects and this property along with the area proposed to be rezoned Commercial should be rezoned Commercial.
12. I recommend the submission point by Wright (24.00) in objection to rezoning 677 Waitarere Beach Road from Residential to Commercial zone be rejected.
13. I recommend the submission point by Wright (28.00) in objection to rezoning 673/675 Waitarere Beach Road from Residential to Commercial zone be rejected.

4.11.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
24.00		Wright		Reject
28.00		Wright		Reject

4.11.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 17 as a result of these submission points.

4.12 Planning Maps 17 and 19

4.12.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
108.42	HDC (Planning Department)	In-Part	A section of Taonui Street, Waitarere Beach is displayed as Rural Zone on Planning Map 17 and 19. This should be displayed as road reserve to reflect its actual land use and correct zoning.	Amend Planning Maps 17 and 19 to identify Lot 14 DP 24470 as Road Reserve.	
108.43	HDC (Planning Department)	In-Part	Two sections connecting Kahukura Avenue and Park Avenue should both be displayed as road reserve to match the correct zoning of the accessway.	Amend Planning Map 19 to identify Lot 13 DP 42904 and Lot 173 DP 50461 as Road Reserve.	

One submission point was received relating to Planning Maps 17 and 19 requesting a section of Taonui Street, Waitarere Beach which is currently zoned Rural to be identified as road reserve.

One submission point was received relating to Planning Map 19 requesting two sections connecting Kahukura Avenue and Park Avenue to be identified as road reserve.

4.12.2 Discussion & Evaluation

1. HDC (Planning Department) (108.42) requesting a section of Taonui Street, Waitarere Beach which is currently zoned Rural to be identified as road reserve. Lot 14 DP 24470 is a 1019m² land parcel of Taonui Street vested in Council as road reserve and connects Kahukura Avenue and Rummel Street. Given the legal status of this land as road reserve, identifying this land for this purpose is considered appropriate.



Area of road outlined in green

2. I recommend the submission point by HDC Planning (108.42) requesting Lot 14 DP 24470 to be identified as road reserve be accepted.
3. HDC (Planning Department) (108.43) request two sections of accessway connecting Kahukura Avenue and Park Avenue to be identified as road reserve to reflect their legal status and use. A pedestrian accessway runs from the western end of Aranui Avenue through to the beach front. The section between Park Avenue and Rua Avenue and Rua Avenue and the beach front are shown as road reserve on Planning Map 19. The two areas of land legally described as Lot 13 DP 42904 and Lot 173 DP 50461 over which the accessway between Kahukura Avenue and Park Avenue is formed are identified as Residential 2 Zone although this land is vested in Council as road. Given this legal status, it would be appropriate to identify these areas as road reserve on Planning Map 19 to reflect this status and use.



Accessway outlined in green above

4. I recommend the submission point by HDC Planning (108.43) requesting Lot 13 DP 42904 and Lot 173 DP 50461 to be identified as road reserve be accepted.

4.12.3 Reporting Officer’s Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer’s Recommendation
108.42		HDC (Planning Department)		Accept
108.43		HDC (Planning Department)		Accept

4.12.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 17 to display Lot 14 DP 24470 as road reserve.

Amend Planning Map 19 to display Lot 14 DP 24470 as road reserve.

Amend Planning Map 19 to display Lot 13 DP 42904 and Lot 173 DP 50461 as road reserve.

4.13 Planning Map 21

4.13.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
112.00	Shannon Progressive Association	Support	Support the rezoning of 39a Margaret Street, Shannon from Residential to Open Space provided this enhances the waterwheel project which Shannon Progressive Association are proceeding with on this site.	Retain the propose rezoning of 39a Margaret Street, Shannon from Residential Zone to Open Space Zone on Planning Map 21.	

One submission point was received relating to Planning Map 21 supporting the rezoning of 39a Margaret Street, Shannon from Residential to Open Space Zone.

4.13.2 Discussion & Evaluation

1. Shannon Progressive Association (112.00) support the rezoning of 39a Margaret Street from Residential to Open Space (I note that the Council's property information records together with those held by Land Information New Zealand identify this property as no.35 Margaret Street, Shannon). The basis for this support is that the Open Space Zone zoning provides for the use and development of this land for open space purposes, including supporting the waterwheel project. This support for rezoning is noted.
2. In addition, it is noted a Land Use Resource Consent was applied for by the Shannon Progressive Association in September 2010 (LUC/3017/2010) to erect a Waterwheel structure on this property. This application is currently on hold awaiting further information. If this property is rezoned Open Space a Waterwheel structure would be a permitted activity in the Open Space Zone as a structure used in association with passive recreation subject to the permitted activity conditions. This structure and activity would be subject to compliance with the permitted activity conditions which include requiring all buildings or structures to be set back 4.5 metres from the Residential Zone Boundary and all buildings or structures greater than 10m² in area to be set back 4m from the road boundary. The current application plan shows the waterwheel structure 1.5 metres from the south-western property boundary and 1.5 metres from the boundary with SH 57. There are also access and parking requirements that would need to be complied with. If the rezoning is confirmed and when the Proposed District Plan is made Operative, the Shannon Progressive Association may wish to re-site the proposed waterwheel to comply with the setback requirements and any other applicable conditions.
3. I recommend the submission point by Shannon Progressive Association (112.00) in support of the rezoning of 35 Margaret Street, Shannon (Lot 2 DP 362338) from Residential to Open Space be accepted.

4.13.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation

112.00		Shannon Progressive Association		Accept
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4.13.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 21 as a result of this submission point.

4.14 Planning Map 26

4.14.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
18.00	Paul Pearce	Support	Support the rezoning of Lot 4 DP 53896 on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. The rezoning of this property reflects the long term activity of the land and is in keeping with the other lifestyle properties in the area.	Retain proposed rezoning of Lot 4 DP 53896 (corner of Hamaria and Mako Mako Roads, Levin) from Industrial to Rural.	
19.00	Grant Leslie & Anne Searle	Support	Support the rezoning of Lot 4 DP 53896 on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. The rezoning of this property reflects the long term activity of the land and is in keeping with the other lifestyle properties in the area.	Retain proposed rezoning of Lot 4 DP 53896 (corner of Hamaria and Mako Mako Roads, Levin) from Industrial to Rural.	
20.00	Robert Kel	Support	Support the rezoning of Lot 4 DP 53896 on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. The rezoning of this property reflects the long term activity of the land and is in keeping with the other lifestyle properties in the area.	Retain proposed rezoning of Lot 4 DP 53896 (corner of Hamaria and Mako Mako Roads, Levin) from Industrial to Rural.	
21.00	Errol Skelton	Support	Support the rezoning of Lot 4 DP 53896 on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. The rezoning of this property reflects the long term activity of the land and is in keeping with the other lifestyle properties in the area.	Retain proposed rezoning of Lot 4 DP 53896 (corner of Hamaria and Mako Mako Roads, Levin) from Industrial to Rural.	
22.00	Kevin MacMillan	Support	Support the rezoning of Lot 4 DP 53896 on the corner of Hamaria and Mako Mako Roads, Levin from	Retain proposed rezoning of Lot 4 DP 53896 (corner of Hamaria and Mako	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			Industrial to Rural. The rezoning of this property reflects the long term activity of the land and is in keeping with the other lifestyle properties in the area.	Mako Roads, Levin) from Industrial to Rural.	
115.00	Alan McKenna	Oppose	Oppose the rezoning of land on State Highway 1 South shown as proposed Industrial. There is adequate industrial land about the area including Tararua Road which should be promoted. Existing use of this land is consented and the status quo works well.	Amend Planning Map 26 to remove the proposed rezoning from Rural to Industrial on the properties south of Levin, State Highway 1, and maintain the current Rural zoning.	520.00 Homestead Group Ltd – Oppose

Five submissions were made relating to Planning Map 26 supporting the rezoning of the property on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. One submission point by Alan McKenna (115.00) erroneously stated it was in relation to Planning Map 26 but was actually in relation to Planning Map 29 so will be dealt with in the section relating to Planning Map 29.

4.14.2 Discussion & Evaluation

1. Pearce (18.00), Searle (19.00), Kel (20.00), Skelton (21.00) and MacMillan (22.00) support the proposed rezoning of the property (Lot 4 DP 53896) on the corner of Hamaria and Mako Mako Roads, Levin from Industrial to Rural. These submission points stated that this land area has been used for rural activities for over 30 years. Reasons given for this support included the rural zoning would reflect the long term activity of the land and is in keeping with other lifestyles properties in the area. Also the unusual land shape does not suit industrial usage and has only ever been used for lifestyle purposes.
2. This property is 2ha in size and is owned by Searle (19.00). This area consists of flat pasture land separated into paddocks with post and wire fencing used for grazing stock and equestrian purposes. Industrially zoned land borders this site to the north, south and west. Rurally zoned land is located to the east of this block. Various industrial land uses operate from the Industrial zoned properties. The rural zoned land to the east supports mainly lifestyle properties.
3. The support for the rezoning is noted. Rezoning this property Rural would allow for rural activities to be undertaken including primary production activities and residential activities subject to permitted activity conditions. It is noted this property is within the 800 metre buffer around the Levin Sewer Treatment Plant where the erection of a residential dwelling would be a controlled activity which would require land use consent. This requirement would not be any more onerous than the Industrial zoning where residential dwellings are only permitted where they are ancillary to and necessary for the operation of any permitted activity. Therefore land use consent would also be required for a residential dwelling on its own if the site was to remain zoned Industrial.

4. I recommend the submission points by Pearce (18.00), Searle (19.00), Kel (20.00), Skelton (21.00) and MacMillan (22.00) be accepted.

4.14.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
18.00		Pearce		Accept
19.00		Searle		Accept
20.00		Kel		Accept
21.00		Skelton		Accept
22.00		MacMillan		Accept

4.14.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 26 as a result of this submission point.

4.15 Planning Map 27

4.15.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
30.00	Peter Everton	Support	Support the proposed rezoning on Hokio Beach Road, Levin from Rural to Industrial.	No specific relief requested. Inferred: Retain the proposed rezoning of properties from Rural to Industrial on Hokio Beach Road, Levin on Planning Map 27.	
30.01	Peter Everton	In-Part	The submitter seeks the rezoning of Lot 2 DP 431415 from Rural to Industrial. This zoning would be consistent with the rezoning of adjoining properties.	Amend Planning Map 27 to include Lot 2 DP 431415 within the Industrial Zone.	

Two submission points were made relating to Planning Map 27. One submission point supports the proposed rezoning of an area of land on Hokio Beach Road, and the second submission point requests a property in Hokio Beach Road (Lot 2 DP 431415) be rezoned from Rural to Industrial as the land is currently used for industrial purposes.

4.15.2 Discussion & Evaluation

1. Everton (30.00) submits in support of the rezoning of a block of land on the southern side of Hokio Beach Road, Levin, approximately 130 metres west of the intersection with Bruce Road from Rural to Industrial. The land proposed to be rezoned incorporates three properties (Lots 1 and 2 DP 73882 and Lot 1 DP 18451) which adjoin the existing Industrial zoned land to the east and extend out from this in the same pattern as the existing Industrial zoned area. These blocks of land are currently used industrially as an automotive wreckers and a digger hire business. They were proposed to be rezoned Industrial as a result of the land use survey to match the existing land use and achieve a well-defined edge to the Industrial zoned land in this area and of Industrial land providing for an efficient land use and development pattern. The support from Everton (30.00) is noted and this submission point is recommended to be accepted.
2. Everton (30.01) requests his property in Hokio Beach Road (Lot 2 DP 431415) which partially adjoins the above rezoned land also be rezoned from Rural to Industrial. The submitter contends this rezoning is appropriate as it would be in line with the historic and current land use (e.g. truck depot/workshop/office/storage area since the early 1940's). The submitter notes he has previously met with Council officers regarding this rezoning request. The submitter also notes he had advised that he has informed his immediate neighbours of his intention to request that this property is rezoned from Rural to Industrial. They have not made a submission or further submission on this matter.
3. This property of 8189m² is located on the southern side of Hokio Beach Road and contains various outbuildings including an office and attached chiller rooms and implement sheds. It is located within the Rural zone under the Operative and Proposed Plan and is surrounded by Rurally zoned land to the north, south and west. The adjoining property to the east is Rurally zoned land which is proposed to be rezoned Industrial under the Proposed Plan as outlined above. This property gains access to Hokio Beach Road via a wide access strip and gravelled driveway. Three residentially developed properties are located between this property and Hokio Beach Road, 119 and 121 Hokio Beach Road are 911m² properties to the west of the access strip into this site, 109-113 Hokio Beach Road is a 2023m² property located between the property proposed to be rezoned Industrial at 101 - 107 Hokio Beach Road and the site under discussion. Although these properties are zoned Rural they offer very limited opportunities for typical rural activities due to their size.
4. To evaluate this request for rezoning, the benefits and costs are considered. In summary, the benefits of rezoning include:
 - (a) Provide for the efficient ongoing use and development of this land for the existing long-established activities (industrial/service).
 - (b) Provide an increased level of flexibility in the operation and nature of activities undertaken on this land.
 - (c) Contiguous with industrial zoned land forming an efficient pattern of land use planning and concentrates industrial activities in an established area.
5. The costs of rezoning include:
 - (a) Potential effects from industrial land uses on adjacent residential and rural activities, including building dominance, noise, odour and traffic.

- (b) Change in the character and amenity values of the area associated with more intensive industrial uses, whilst recognising the established industrial activities result in a different character compared to typical rural environments.
- (c) Untidy zoning pattern would create a spot rural zoned property at 109 - 113 Hokio Beach Road.
- (d) Availability of industrial land in other parts of Levin may not be efficiently used.



2010 Aerial photograph of site outlined in green and surrounding area- hashed purple is proposed Industrial, solid purple is existing Industrial

6. In terms of protecting the existing amenity of these small rural properties it would be necessary to retain the Rural zoning of this site so any further industrial uses which could create additional noise and odour effects would need to address the impacts on neighbouring properties as part of a land use resource consent. The submitter states in his submission that he the immediate neighbours to inform them of his intention to ask HDC to change the zoning of his property from Rural to Industrial. I note no submission or further submission has been received. I am therefore uncertain of whether these landowners are supportive of the rezoning. The submitter may be able to advise at the hearing on this and even demonstrate support for the proposed rezoning.
7. On weighing up the benefits and costs, on balance, I consider the potential effects on the adjoining residentially used properties and the uncertainty of whether they are supportive of the rezoning outweigh the benefits of providing for further development of this land for industrial activities. I recommend the submission point by Everton (30.01) in relation to rezoning Lot 2 DP 431415 from Rural to Industrial zone be rejected.

4.15.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
30.00		Peter Everton		Accept
30.01		Peter Everton		Reject

4.15.4 Recommended Amendments to the Plan Provisions

No amendments recommended to the planning maps as a result of these submission points.

4.16 Planning Maps 27A, 27B, 28A and 28B

4.16.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
5.01	Elaine Gradock	In-Part	Support an identified area for larger scale retail development but also support larger scale retail development within the Levin town centre.	No specific relief requested. Inferred: Amend the identified area for larger scale retail development in Levin to include the commercial town centre on Planning Maps 27A, 27B, 28A and 28B.	

One submission was received supporting identifying an area for larger scale retail development within the Levin town centre.

4.16.2 Discussion & Evaluation

1. Gradock (5.01) submitted in support of the identified area for large retail development. This submission point states that Levin badly needs a large big box retail site for choice.
2. The areas proposed to be covered by the Large Format Retail Overlay which would allow for large floor areas for retail activities is based on the evaluation and identification in the Development Plan. These areas are located over existing and proposed Commercial zoned properties north of the Levin Pedestrian Overlay Area. These areas were chosen outside of the Pedestrian focused area to ensure the vibrancy, vitality and character and amenity values of the main town centre are maintained and enhanced given that large scale retail can change and adversely affect these matters.
3. The area for the large format retail overlay was selected to complement the role, function and character of the main Levin town centre.

4. I recommend the submission point by Gradock (5.01) be accepted insofar as the submission supports the identification of a large format retail area.

4.16.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
5.01		Gradock		Accept

4.16.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Maps 27A, 27B, 28A and 28B as a result of this submission point.

4.17 Planning Map 27A

4.17.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
108.44	HDC (Planning Department)	In-Part	A small corner section on the corner of Stanley Street and Salisbury Street, Levin should be displayed as road reserve to reflect the correct land use.	Amend Planning Map 27A to identify Lot 3 DP 21580 as Road Reserve.	

One submission point was made relating to Planning Map 27A. HDC (Planning Department) (108.44) made a submission point requesting a section on the corner of Stanley Street and Salisbury Street to be displayed as road reserve.

4.17.2 Discussion & Evaluation

- HDC (Planning Department) (108.44) request a small section on the corner of Stanley Street and Salisbury Street, Levin (Lot 3 DP 21580) to be identified as road reserve to reflect the current land use. This small corner parcel of land is vested in Council as road, therefore it would be appropriate to identify this land parcel as road reserve on Planning Map 27A to reflect its legal status and land use.



Corner parcel highlighted in green

2. I recommend the submission point by HDC Planning (108.44) requesting Lot 3 DP 21580 to be identified as road reserve be accepted.

4.17.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
108.44		HDC (Planning Department)		Accept

4.17.4 Recommended Amendments to the Plan Provisions

Amend Planning Map 27A to display Lot 3 DP 21580 as road reserve.

4.18 Planning Maps 27A and 28A

4.18.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
114.00	Gary Spelman	Oppose	Oppose the rezoning of properties in the Exeter and Bristol Street, Levin area from Residential to Commercial. The submitter has	Amend Planning Maps 27A and 28A to remove the proposed rezoning of properties in the Exeter	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			concerns regarding the impact of commercial rezoning on abutting residential properties. Given the current low projected development, it is questioned whether the rezoning is necessary.	and Bristol Street, Levin area to Commercial and maintain as Residential.	

One submission was received opposing the rezoning of properties in Exeter and Bristol Streets, Levin, from Residential to Commercial.



Area proposed to be rezoned Commercial shown in hatched pink

4.18.2 Discussion & Evaluation

1. Spelman (114.00) opposes the rezoning of the area off Exeter and Bristol Street, Levin from Residential to Commercial. Reasons expressed by the submitter in relation to this rezoning include effects on adjoining residential properties, no immediate need for commercial land, large scale unattractive commercial buildings and activities, and potentially devaluing their properties. The submitter states that he understands the need for rezoning and respects Councils effort in making sensible and considered choices with an aim to meet the needs of all parties. If the rezoning proceeds Spelman (114.00) submits that there needs to be a re evaluation of any aspects that may cause difficulties between business in the commercial zone and the neighbouring residents. He makes specific reference to Commercial provisions also which have been addressed in the Urban Environment (Commercial) Section 42A Report and Hearing.

2. The area proposed to be rezoned Commercial on the north western corner of Exeter and Bristol Streets in Levin was assessed for rezoning through the land use survey conducted in 2012 which considered the benefits and costs. In summary, the benefits of rezoning include:
 - (a) Reflects the existing and historical commercial land use of some of this land (e.g. Electra office and large commercial buildings previously occupied by various activities (e.g. social, recreational, place of assembly).
 - (b) Located immediately opposite established commercial area and is located on the edge/transition of the commercial/residential interface.
 - (c) Meets the need for additional commercial land as demonstrated by recent new commercial development in this general area (e.g. Electra office, Countdown supermarket, redeveloped Courthouse).
 - (d) Within walking distance to the main commercial area.
 - (e) Wide streets provide for a level of on-street parking.

3. The costs of rezoning include:
 - (a) Loss of residential land close to the town centre
 - (b) Potential for incompatibility issues between commercial and residential activities on the interface between the zone boundary within the street block
 - (c) Potential traffic effects with increased traffic movements associated with commercial activities and on-street parking
 - (d) Change in character from a mixed commercial/residential to predominantly commercial

4. In weighing up the benefits and costs, on balance, I consider rezoning these properties to Commercial is the most appropriate zoning. Two out of these three properties are currently developed commercially and the zone interface rules would protect the adjoining residential properties. Therefore, I recommend that the submission point by Spelman (114.00) in opposition to this rezoning is rejected. I recommend no change to the Planning Maps or Plan provisions.

4.18.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
114.00		Spelman		Reject

4.18.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Maps 27A and 28A as a result of this submission point.

4.19 Planning Map 27B

4.19.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
6.01	Heather Benning	In-Part	The submitter seeks the rezoning of 28 Durham Street, Levin from Commercial to Residential with Medium Density Development Overlay. This zoning and overlay would be consistent with adjacent residential properties.	Amend Planning Map 27B to include 28 Durham Street, Levin within the Residential Zone and Medium Density Development Overlay.	
11.25	Philip Taueki	In-Part	The submitter seeks the rezoning of Pt Sec 28 Levin Suburban (the former Levin School site) from Residential to Commercial. This would provide for greater consistency in zoning along SH1.	Amend Planning Map 27B to include Pt Sec 28 Levin Suburban (former Levin School site) within the Commercial Zone.	519.20 Charles Rudd(Snr) - Support
60.22	Muaupoko Co-operative Society	In-Part	The submitter relies on the submission made by Philip Taueki for the following matters. The submitter seeks the rezoning of Pt Sec 28 Levin Suburban (the former Levin School site) from Residential to Commercial. This would provide for greater consistency in zoning along SH1.	Amend Planning Map 27B to include Pt Sec 28 Levin Suburban within the Commercial Zone.	

One submission was received seeking the rezoning of 28 Durham Street, Levin from Commercial to Residential with a Medium Density Development Overlay. Two submissions were received requesting the rezoning of the Levin Adventure Park site (Pt Sec 28 Levin Suburban) from Residential to Commercial. A further submission in support of this submission point.

4.19.2 Discussion & Evaluation

28 Durham Street



Aerial photograph with property outlined in green

1. Benning (6.01) request 28 Durham Street, Levin, be rezoned from Commercial to Residential with a Medium Density Overlay. The submitter notes this property has been owned by her family for a number of years as a family home while the central business district has encroached. The submitter contends rezoning this property Residential Zone and Medium-Density Overlay would bring it into alignment with all the other residential properties adjacent to it to the south and west.
2. The site at 28 Durham Street, Levin is a 1012m² section which is zoned Commercial under the Operative District Plan. It is a corner section with road frontage to both Durham Street and Salisbury Street. It is developed with a residential dwelling located centrally towards the Durham Street road frontage and two sheds located to the rear of the dwelling. The property gains vehicular access via a formed entranceway to Durham Street. This property is surrounded by Commercial zoned land to the north, west and across Salisbury Street to the east. To the north and west the Commercial sections are owned by Horowhenua District Council and are developed as long term vehicle parking spaces. These properties are also proposed to be Designated for car parking use along with 28 Durham Street, this aspect is addressed in the Designations Hearing Report. This carpark designation also applies to 28 Durham Street, and in response to submissions opposing this designation on this property, in the Section 42A Report on designations it is recommended the designation be removed from this property.

3. The Commercial land across Salisbury Street to the east is developed with a large commercial building used by WINZ and Contact Energy. Properties across Durham Street to the south are zoned Residential and are proposed to have a Medium Density Overlay to allow for higher density development. These properties are residentially developed. Land past the commercial property to the west is also zoned and developed Residential.
4. If this property was zoned Residential with a Medium Density Overlay it would be a spot Residential zoned property surrounded by Commercial zoned properties. This single property residential zoning would better reflect the existing use and development on the subject site. However, it is considered to result in an inefficient and ineffective zoning pattern, as it is more effective to have contiguous properties with the same zoning to provide for a consistent character and amenity in an area and minimise interzone controls impinging on adjoining properties (e.g. commercial buildings are to be setback from residential zoned properties).
5. Existing use rights would remain for the residential use of this property and leaving the property zoned Commercial would provide for continuous Commercial zoning in this area and potentially more efficient use of land.
6. I recommend the submission point by Benning (6.01) requesting the rezoning of 28 Durham Street, Levin to Residential with Medium Density Overlay is rejected. I recommend no changes to the Planning Maps for this site.

Levin Adventure Park Site

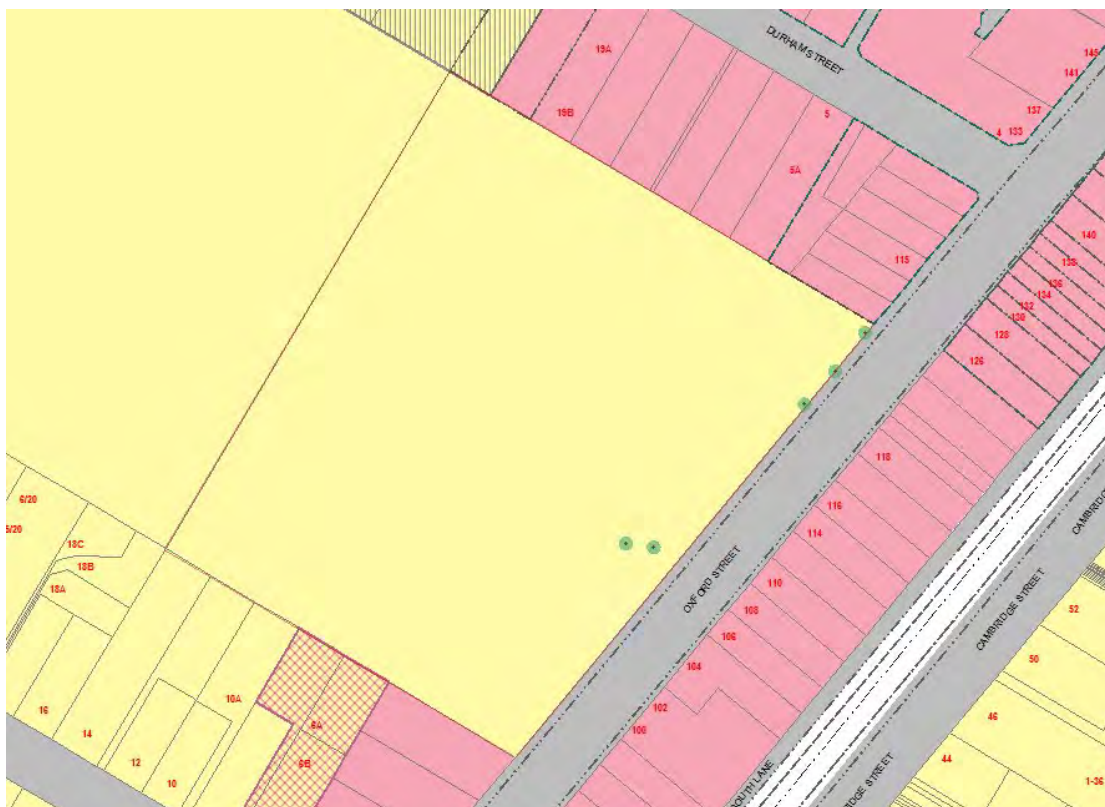


Levin Adventure Park site outlined in red

7. Taueki (11.25) requests the rezoning of the Levin Adventure Park site (legally described as Pt Sec 28 Levin Suburban) from Residential to Commercial. The submitter states that this Residential zoning is inconsistent with the Commercial zoning of adjoining properties along

Oxford Street and that commercial zoning is appropriate given Oxford Street is Levin's main commercial street. Muaupoko Co-operative Society (60.22) submitted in opposition to Chapter 6 for the same reasons as those stated in the submission point by Taueki (11.25).

8. The site Pt Sec 28 Levin Suburban is a 3.2767 ha property located on the western side of Oxford Street, Levin (State Highway 1), between the intersections with Stuckey and Durham Streets. This property is zoned residential under the Operative and Proposed District Plan. This property was historically the site of the Levin School. The Horowhenua Visitor Information Centre and the Levin Adventure Park were developed on this site with resource consent granted for the Visitor Information Centre in 1998. The Visitor Information Centre recently relocated to Te Takere.
9. The property is currently held by the Office of Treaty Settlements and is leased by the Horowhenua District Council who maintains the Adventure Park. This property is a wide spacious grassed area with a range of trees mainly around the perimeter of the site including 18 Oak trees lining the road frontage of the property which are Notable Trees under the Operative District Plan. Five of these are proposed to be Notable Trees under the Proposed District Plan. Three formed vehicle entranceways provide access to the site from Oxford Street. One at the south eastern corner of the site accesses a large parking area. A vehicle entranceway located centrally on the road frontage connects with another parking area on the north eastern corner of the property and another entrance/exit to the site on the north eastern corner. Facilities within the park include a basketball court, a flying fox, a range of children's outdoor play equipment and a children's train. Two buildings are located centrally within the park, one of these is a toilet block and the other contains kitchen and dining facilities for park users. The building which the Visitor Information Centre formerly occupied is located in the southwestern corner of the property.



Adventure park property and surrounds showing Proposed District Plan zoning - yellow - existing Residential - pink - existing Commercial - hatched pink - Proposed Commercial

10. This property shares its western boundary with Saint Joseph's School, which is a private primary school also zoned Residential under the Operative and Proposed District Plans. Commercial zoned and developed properties border the majority of the northern boundary apart from one Residential zoned property bordering the north western corner which is owned by Horowhenua District Council and is developed with a portion of the Jack Allan Community House. This property and the property east of this property are proposed to be designated for use as a Community Centre (D160). The properties adjacent to this site near the road frontage to the north are proposed to be within the Pedestrian Overlay Area within the Commercial zone. One Residential zoned property owned by Council borders the site on its south western corner, this property is vacant and is used as park access. Two Residential zoned and developed properties border the park just east of the Council property. Commercial zoned sites are located south of this property near the road frontage developed with Saint Andrews Church, part of the Church property is currently zoned Residential and is proposed to be rezoned Commercial under the Proposed District Plan.
11. In evaluating the requested rezoning from Residential to Commercial, the benefits include:
 - (a) Allow the property to be developed with a range of activities including commercial activities, retail activities, community activities, commercial garages and vehicle service stations, making efficient and effective use of this land.
 - (b) Provides for continuity of Commercial zoning along this area of Oxford Street which is close to the centre of Levin and provides a contiguous zoning pattern with adjoining commercially zoned land.
 - (c) Better reflects the existing and previous use of this land for commercial purposes, with new commercial development more in keeping with the surrounding commercial character and amenity values.
 - (d) Future residential development on this site could be incompatible with the surrounding commercial character and amenity values.
12. The costs of the requested zoning include:
 - (a) Loss of open space valued by the community and visitors for its recreational, visual and social values.
 - (b) Potential to undermine the town centre and large format retail overlay due to the size of the site and its development potential.
 - (c) The potential size and scale of Commercial development could adversely affect the adjoining residential zoned properties. Given the size of the site a master plan would be appropriate for proposed development of the site.
 - (d) Notable Trees would make it difficult to provide a continuation of the Oxford Street commercial frontage.
 - (e) Potential traffic impacts with increased traffic movements associated with commercial development and potential access issues off State Highway 1 with onsite parking requirements outside of the Pedestrian Overlay.
 - (f) Change in character and amenity values from a large, open, landscaped area to an area that could be developed with a high proportion of buildings and hard surfaces.

13. In weighing up the benefits and costs, on balance, I believe the costs outweigh the benefits of rezoning this property Commercial.
14. I believe the appropriate zoning for the site which would reflect its existing use and recognise the important contribution that this space makes to open space in the District would be Open Space although this is not within the scope of the submission. This property is a very popular open space for both locals and passing visitors and can be a destination in itself at a regional level with users travelling from out of town to specifically use and enjoy this area. The open space zoning would be unlikely to have the same level of adverse effects on the surrounding properties. The Levin Golf Club, another privately owned space is also recommended to be rezoned as Open Space so the Plan is open to the Open Space Zone not just being for Council Parks and Reserves.
15. As rezoning this area Open Space is outside of the scope of this submission the only alternative at this stage is to leave the property zoned Residential. If this property was left zoned Residential the benefits would be:
 - (a) No consent costs to landowner to develop residentially subject to meeting the standards.
16. The costs of leaving the site zoned Residential include:
 - (a) The residential development of such a large area could have significant impact by creating a new settlement.
 - (b) Potential to undermine the medium density areas that have been identified for residential development close to the town centre.
 - (c) Areas for residential development have been identified and rezoned through Plan Change 21.
 - (d) Potential traffic impacts with increased traffic movements associated with residential development and potential access issues off State Highway 1.
17. As indicated above, I believe the costs of rezoning this property Commercial outweigh the benefits. Leaving this property Residential is not ideal but as rezoning the site Open Space is outside the scope of this submission I believe it should be left zoned Residential at this stage. Due to the lack of scope from the submissions lodged I believe it would be appropriate for a plan change be undertaken to revisit the zoning of this site in the future.
18. I recommend the submission point by Taueki (11.25) requesting the rezoning of Pt Sec 28 Levin Suburban from Residential to Commercial be rejected.
19. I recommend the submission point by Muaupoko Co-operative Society (60.22) requesting the rezoning of Pt Sec 28 Levin Suburban from Residential to Commercial be rejected.
20. I recommend the further submission point by Rudd (519.20) in support of the submission point by Taueki (11.25) requesting the rezoning of Pt Sec 28 Levin Suburban from Residential to Commercial be rejected.

4.19.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
6.01		Benning		Reject
11.25	519.20	Taueki Rudd	Support	Reject Reject
60.22		Muaupoko Co-operative Society		Reject

4.19.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 27B as a result of these submission points.

4.20 Planning Map 28A

4.20.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
8.00	Graham & Sonia Broughton	Oppose	Oppose the rezoning of 189 Cambridge Street, Levin from Residential to Commercial. The rezoning would negatively impact on the residential feel of the street and neighbouring properties.	Amend Planning Map 28A to change the zoning of 189 Cambridge Street, Levin from proposed Commercial to Residential.	
43.00	Franklyn Leong & Heather Brown	Oppose	The submitter lives on the corner of Bristol Street and Essex Street and opposes the rezoning of Residential properties to Commercial. Reasons for opposing this rezoning generally include concerns relating to traffic, the environment, health, pets, children and elderly. Existing vacant commercial and industrial buildings should be utilised before encroaching on Residential dwellings.	Amend Planning Map 28A to rezone the properties in Essex Street that are proposed to be rezoned Commercial, by zoning them Residential.	
73.02	McDonald's Restaurants (New Zealand) Limited	In-Part	The McDonald's site is shown on Planning Map 28A as being part of a 'Proposed Pedestrian Area'. This is considered to be inappropriate. This notation does not appear to be based on a detailed assessment of the existing environment. For example, the site has frontage to	73.02	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			<p>Oxford Street with this street acknowledged as being a road of primary importance for the movement of vehicles. Further, the block of land shown with the proposed notation is dominated by at-grade car parking. These two factors alone mean that the site is inappropriate for a pedestrian area notation.</p> <p>The consequence of the 'Pedestrian Area' notation is the related urban design controls that result. These include, among other things, requirements for buildings to front sites, a glazing requirement for building frontages and the provision of a verandah. Such controls have no cognisance of the existing environment or the operational characteristics of the existing McDonald's activity.</p>		

One submission was received in opposition of the rezoning of 189 Cambridge Street, Levin from Residential to Commercial. One submission was received in opposition to the rezoning of the area on the corner of Bristol and Essex Streets, Levin from Residential to Commercial. One submission was received opposing the McDonald's site being within the proposed Pedestrian Overlay.

4.20.2 Discussion & Evaluation

189 Cambridge Street (corner of Tyne and Cambridge Streets)

1. Broughton (8.00) oppose the rezoning of 189 Cambridge Street, Levin from Residential to Commercial as it will negatively impact their properties at 185 and 187 Cambridge Street should commercial property development be allowed at this location. Other reasons for this opposition include:
 - (a) No need for rezoning this section, given the entire area of Cambridge Street is zoned Residential
 - (b) Negatively impact the residential feel of the neighbourhood
 - (c) The direct neighbour (187) property is rented long term to an elderly gentleman and the submitter feels it would negatively impact on his privacy and peace to have commercial property operating directly next door
 - (d) Properties were purchased for a fair price based on a residential street, not as part of a mixed zone
 - (e) Loss of their properties value will be incurred should the proposed rezoning take place and they feel this is unfair and inappropriate

- (f) Any building of structures allowable under Commercial zoning could severely overshadow their adjoining properties, given 189 Cambridge is on the northern boundary of their properties
- (g) Under a Commercial zone, businesses which attract large amounts of traffic could be erected which would detract for the neighbouring properties rental prospects and also impact on the safety and 'feel' of the street
- (h) The Commercial zoning will not restrict the type of business set up and a business such as a service station etc. will be an undesirable neighbour for any future tenants.

2. The property subject to the rezoning (189 Cambridge Street, Levin) is a 1062m² property which is made up of three allotments on one title. It is a corner section with road frontage to both Tyne Street and Cambridge Street and forms an L shape with two allotments extending south and sharing a boundary with the railway reserve. This property is developed with a large building located up to it's boundary with the railway reserve, which operates as Ken Masons Auto Electrician. A large sealed area is located near the properties road frontage with Tyne and Cambridge Streets. This property is surrounded by Residential zoned and developed land to the south, across Cambridge Street to the east and across Tyne Street to the north. Two attached residential dwelling units are located in close proximity to the workshop at 187 and 185 Cambridge Street, Levin. Across the main trunk railway line and service lane to the west are Commercial zoned and developed properties. Land Use Consent (XN/1998/788) was granted in 1998 for an auto electrical workshop to be established on this site. A further land use consent was granted in 2007 (501/2007/2304) to build a new office and workshop on the site.



189 Cambridge Street shown in hatched pink

3. The proposed rezoning of this property to Commercial was assessed as part of the land use survey undertaken in 2012 which considered the benefits and costs. In summary, the benefits of rezoning include:

- (a) Commercial zoning would reflect existing use and development on the site, and providing for its efficient use and development for this purpose.
 - (b) Site is located on a busy corner site adjacent to the railway crossing and signals.
 - (c) Front yard boundary setbacks would force any residential dwelling to be located closer to the railway line
 - (d) Although the site could be considered a spot zone (i.e. it is separate from existing commercial zoned area by railway line), it would be adjacent to the commercial zoned properties also fronting onto Tyne Street.
4. The costs of rezoning include:
- (a) Potential for more intensive commercial use to operate from this site which could potential adversely affect the adjoining residential properties
 - (b) The spot zone could potentially attract businesses away from the town centre.
5. Weighing up the benefits and costs, on balance, I consider the Commercial zoning of this property is the most appropriate. The commercial zoning provides for the effective and efficient use of this land for the established purpose. The Proposed Plan includes a number of measures to minimise effects where commercial zoned land adjoins residential zoned land. These measures include a larger building setback (4.5m from boundary), Residential daylight setback envelope applies, and Residential noise levels at the Residential Zone boundary would also apply. I consider these measures would go some way in protecting the amenity of the adjoining Residential properties bordering the site.
6. As the site has an existing commercial use, I do not consider that rezoning this property Commercial is likely to compromise the viability of the town centre by attracting businesses away from the town centre.
7. I also note that under the current zoning it would be possible for a residential dwelling to be erected on this site in close proximity (1.5 metres) to the submitter's property resulting in some of the same environmental effects the submitter has raised in relation to commercial development on this site.
8. I recommend the submission point by Broughton (8.00) in opposition to the rezoning of 189 Cambridge Street, Levin from Residential to Commercial be rejected and that no changes are made to the Planning Maps as a result of this submission.

Bristol and Essex Streets, Levin

9. Leong and Brown (43.00) submitted in opposition of the rezoning of the area on the corner of Bristol and Essex Streets, Levin from Residential to Commercial. Concerns expressed by the submitter about the proposed rezoning include:
- (a) Increase in traffic volume and noise, as trucks are increasing in size there has been an increase in accidents since the submitters have lived in the area. Specifically safety concerns have been raised regarding children, the elderly and pets.
 - (b) Unattractive barb wire fences and glaring security lighting at night around new commercial buildings and that there would be an increase in rodents e.g. rats, mice and feral cats.

- (c) Health associated with the stress put on family, it is hard to understand some areas of the proposals. In addition, family members suffer from asthma and sinus trouble and an increase in heavy traffic would stir more dust into the air
 - (d) Question why empty buildings that are already zoned Commercial or Industrial for retail are not used first without encroaching on residential dwellings and land
 - (e) If existing dwellings were filled with retail outlets or other business purposes the submitter believes there would be a increase in vandalism and graffiti
 - (f) No consultation with home owners about the proposed change of zoning.
10. From 2006 – 2009 Council researched, evaluated, consulted and adopted a plan (Horowhenua Development Plan) on areas appropriate for new commercial, industrial and residential development. For commercial development in Levin, the area between York Street, Bristol Street, Exeter Street and Oxford Street was identified as the preferred location for future commercial development, in particular, large format retail. This future provision for commercial development in this location partially implemented in the Proposed District Plan by rezoning land from Residential to Commercial up to Essex Street.
11. Prior to rezoning this land in the Proposed Plan, the Council considered the existing properties, their size and configuration, and use, including the Levin Lawn Bowling Club (clubrooms and bowling greens) and four residential properties/flats on Essex Street.
12. In evaluating the rezoning, the benefits include:
- (a) Identifying the whole street block with a single commercial zoning provides for an efficient and effective zoning pattern and subsequent form of commercial development. This location has been identified as the most appropriate location to provide for larger format retail activities in Levin.
 - (b) Forms a contiguous pattern of commercial zoning with existing commercial zoning, and supports and complements existing town centre
 - (c) Concentrates commercial development in a single area rather than scattering throughout other residential areas in Levin
 - (d) The width of streets can provide for physical separation between the incompatibility of activities, such as between commercial and residential activities



Area proposed to be rezoned Commercial shown in hatched red

13. The costs of rezoning this area to Commercial include:
- (a) Loss of character and amenity values for existing residential properties from new commercial development, such as building dominance, shading and noise.
 - (b) Increased traffic movements on local roads.
 - (c) Potential difficulties in acquiring land for commercial development given relatively high level of fragmentation of existing properties.
14. Weighing up the benefits and costs, on balance, I consider the Commercial zoning of this area is the most appropriate. The commercial zoning provides for the effective and efficient use of this land to meet the current and future commercial land requirements in Levin. The Proposed Plan includes a number of measures to manage the effects of commercial development including:
- (a) Vehicle access, parking and loading standards to traffic movements are safe.
 - (b) Minimum building setbacks from the street edge with a landscaping strip along the frontage.
 - (c) Maximum noise standards, although not as stringent as the residential zone.
15. I recommend the submission point by Leong and Brown (43.00) in opposition to the rezoning of the area on the corner of Bristol and Essex Streets, Levin from Residential to Commercial be rejected and that no changes are made to the Planning Maps as a result of this submission.

Pedestrian Overlay (McDonald's Site)

16. McDonald's (73.02) oppose the McDonald's site being within the proposed Pedestrian Overlay. Reasons for this opposition include:
 - (a) Does not appear to be based on a detailed assessment of the existing environment.
 - (b) Oxford Street is a road of primary importance for the movement of vehicles.
 - (c) The block of land is dominated at-grade car parking.
17. The McDonald's site is located on the corner of Oxford Street (State Highway 1) and Stanley Street. The main frontage is to Oxford Street, with secondary frontage to Stanley Street. Vehicle access to/from the carpark and drive-through is from Stanley Street with the drive-through exit to Oxford Street.
18. Directly north of the McDonald's property is a property developed with a two storey commercial building built up to the front boundary with the footpath with a verandah extending over the footpath. A similar building is located north of this building. Further north in this street block is the Countdown supermarket shares it's western boundary with the McDonald's site. Part of the Countdown carpark is located to the north of the commercial buildings north of McDonald's with frontage to Oxford and Exeter Street.
19. This area is zoned Commercial 2 under the Operative District Plan and is proposed to be zoned Commercial under the Proposed Plan (the two previous Commercial Zones have been consolidated into a single zone) with the Pedestrian Overlay Area introduced to differentiate between 'pedestrian' and 'vehicular' oriented areas. The Proposed Plan continues many of the underlying principles and approach in the Operative District Plan for the commercial areas, but changes the planning techniques and where they apply.
20. Policy 6.3.35 in the Proposed Plan states:

Recognise and protect the pedestrian environment within the core part of commercial areas in the main urban settlements by managing development to ensure an attractive and safe pedestrian focused environment with active, transparent and continual building frontages, shelter and limited on-site vehicle access.
21. In Levin, the main commercial area is concentrated on Oxford Street, with the area between Queen Street and Bath Street ("between the Lights") recognised as the core retail area. In addition, the areas extending north and south of Queen Street and Bath Street intersections respectively are also recognised as forming a core part of this central pedestrian environment. Based on the generally accepted principle of a reasonable walking distance being 400m or 5 minutes, applying this distance from the intersection of Queen Street, it extends roughly to Devon Street to the north. Reviewing the predominant pattern and form of development (historical and current) along this section Oxford Street, it predominantly reflects and creates a pedestrian focused environment with buildings sited on the front boundary, verandahs and display windows. There are very few exceptions to this pattern and form of development in the core part of the Levin commercial area along Oxford Street, with the McDonald's and Countdown sites two of these exceptions. Given the above, and the policy direction, it is considered appropriate the McDonalds' site forms part of the Pedestrian Overlay.

22. I recommend the submission point by McDonald's (73.02) in opposition to the McDonalds' property being within the Pedestrian Overlay Area be rejected and that no changes are made to the Planning Maps as a result of this submission.

4.20.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
8.00		Broughton		Reject
43.00		Leong and Brown		Reject
73.02		McDonald's Restaurants (New Zealand) Limited		Reject

4.20.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 28A as a result of these submission points.

4.21 Planning Map 28B

4.21.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
111.00	Mark Dunn	Oppose	Oppose the Medium Density Area on Manchester Street, Levin. All properties identified as within the Medium Density Area excluding 14 Manchester Street, have been subdivided below 700m ² therefore there is no need to change the zoning.	Amend Planning Map 28B to remove all properties on Manchester Street, Levin that are within the Medium Density Area.	

One submission was received in opposition to the Proposed Medium Density Area on the southern side of Manchester Street, Levin.

4.21.2 Discussion & Evaluation

1. Dunn (111.00) submitted in opposition to the Proposed Medium Density Area on the southern side of Manchester Street, Levin on the basis all affected properties except number 14 have been subdivided below 700m² therefore there is no need for the Medium Density Overlay in the submitter's opinion.



Properties to have Medium Density Overlay on southern side of Manchester St shown with hashed white lines - Existing Commercial - pink

2. Manchester Street is a local road of approximately 220 metres in length which extends between Cambridge Street and Winchester Street close to the Town Centre of Levin. Land use and zoning in this area is mixed with a group of properties towards the western end on the southern side of the street, closest to the town centre zoned Commercial and the remainder of the street zoned residential. The Saint Mary's Anglican Church is located on the north eastern corner of Cambridge and Manchester Street. The southern side of Manchester Street, especially the south eastern corner has experienced a significant amount of infill subdivision with lots ranging from approximately 330m² to 750m² apart from 14 Manchester Street which is 1012m².
3. Provision for medium density residential development (i.e. development slightly more intensive than previous infill subdivision/development) has been introduced in the Proposed Plan to facilitate greater residential density closer to the town centre. The location and extent of the medium density areas has been defined based on a reasonable walking distance to the town centre and the character and amenity of the area could accommodate more intensive development. When identified and evaluating areas for this medium density overlay it was recognised that some properties may have already been developed with infill subdivisions which may limit their potential for further intensification (i.e. medium density development), therefore a greater area was provided to allow for further opportunity.
4. For the area in Manchester Street proposed to be within the Medium Density Overlay Area it is recognised it has limited opportunities for re-development given the existing infill subdivision. However, it is considered there is some potential for medium density development to occur on some of properties, either individually or if developed as a group.

5. If the Medium Density Overlay is removed from this area any future subdivision or development would be subject to the standard residential rules which would allow a minimum net site area of 330m² per allotment. This density would result in less efficient use and development of this land, which is considered a lost opportunity and is contrary to the policy of supporting more intensive development close to the town centre. Given the location of this area which is very close to Levin's town centre I believe it is appropriate for the Medium Density Overlay Area to remain over the Residential zoned properties on the southern side of Manchester Street, Levin.
6. I recommend the submission point by Dunn (111.00) be rejected for the above reasons and that no changes are made to the Planning Maps as a result of this submission.

4.21.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
111.00		Dunn		Reject

4.21.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 28B as a result of this submission point.

4.22 Planning Map 29

4.22.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
2.00	Homestead Concrete Homes Ltd	Support	Support the proposed rezoning of 70-90 Main Road South, Levin from Rural to Industrial to match the former and current land use of these sites.	Retain proposed rezoning of 70-90 Main Road South, Levin from Rural to Industrial on Planning Map 29.	
31.00	The Surveying Company (Wellington) Ltd	In-Part	The properties at 15 and 15A Keepa Street, Levin are respectively zoned Residential and predominantly Industrial. The owner plans to undertake a boundary adjustment to add more land to the Industrial site at 15a to extend the current workshop. The owners seeks that the new Lot 2 be rezoned Industrial.	Amend Planning Map 29 to rezone Lot 2 of the proposed subdivision of Lots 1 & 2 DP 56588 (15 and 15a Keepa Street, Levin) from Residential to Industrial.	
37.00	Homestead Group Limited	Support	Support the extent of the proposed rezoning of land from Rural to Industrial on Planning Map 29.	Retain the proposed rezoning of land from Rural to Industrial on Planning Map 29.	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
108.45	HDC (Planning Department)	In-Part	A roadside section on Hokio Beach Road should be zoned as residential to reflect the current land use.	Amend Planning Map 29 to identify Section 1 SO 37969 as within the Residential Zone.	
115.00	Alan McKenna	Oppose	Oppose the rezoning of land on State Highway 1 South shown as proposed Industrial. There is adequate industrial land about the area including Tararua Road which should be promoted. Existing use of this land is consented and the status quo works well.	Amend Planning Map 26 to remove the proposed rezoning from Rural to Industrial on the properties south of Levin, State Highway 1, and maintain the current Rural zoning.	520.00 Homestead Group Ltd - Oppose

Five submissions were received relating to different areas for the area covered by Planning Map 29. Two submissions support the proposed rezoning of an area of 70-90 Main Road South, Levin, while one submission opposes this rezoning. One submission requested rezoning a property from Residential to Industrial to reflect the recent subdivision that has occurred in Keepa Street. One submission requested rezoning a roadside section (Section 1 SO 37969) from Road to Residential.

4.22.2 Discussion & Evaluation

70–90 Main Road South, Levin

1. Homestead Homes Ltd (2.00) and Homestead Group Ltd (37.00 and 520.00) support the rezoning of 70-90 Main Road South, Levin, from Rural to Industrial. Homestead Homes operate their business from 74 and 76 Main Road South. Reasons given for supporting this rezoning are:
 - (a) The Industrial zoning better reflects the existing activities in this area of a commercial nature for some years, with one property previous being a County Council quarry and public work depot, another property has two buildings rented out for industrial/service purposes (one to a panel beater and the other to a septic tank business, prior to this a building company and plumbers used these buildings).
 - (b) Provides a better policy framework for the current use of the land and a suite of other provisions. Support ongoing industrial use without the need for resource consent.
 - (c) The Industrial zoning would enable the existing and established industrial uses to continue to operate providing important social and economic benefits to the local District.
2. McKenna (115.00) who owns and lives on the property 80-82 Main Road South submits in opposition to the proposed rezoning of 70-90 Main Road South (State Highway 1) for the following reasons:
 - (a) There is adequate industrial land available (including a large area in Tararua Road) which should be promoted before rezoning more land Industrial.

- (b) Existing use of land in this area is either permitted or consented and the status quo works well. He states that the exception to consented use is the property owned by Goode (88-90 Main Road South) which contains a large number of wrecked vehicles.
3. McKenna seeks the existing Rural zoning of this area be retained and that Council enforce the consent or correct use of the land occupied/owned by Goode. Homestead Group Ltd (37.00 and 520.00) made a further submission in opposition to the submission by McKenna (115.00).
 4. The land proposed to be rezoned incorporates 4 properties (70, 74-76, 80-82 and 90 Main Road South (State Highway 1)) which immediately adjoin the existing Industrial zoned land to the north. The property 70 Main Road South is an established rural lifestyle block, 2 hectares in size and contains an existing residential dwelling. The northern boundary of this property abuts the existing Industrial zone.
 5. The property 74-76 Main Road South consists of one property on two titles totalling approximately 2.8 hectares. This property was formerly used as a Levin Borough Council landfill and public works depot. The site currently contains large industrial buildings from which Homestead Concrete Homes Ltd operate their business. There has been a history of complaints made by the owner of the neighbouring property at 80-82 Main Road South Council regarding noise and hours of operation from the Homestead site. Land use consent was granted in 2010 (LUC/2010/2974) to operate this facility and an application was recently lodged to change the conditions of this consent relating to hours of operation. This application is currently being processed on a limited notified basis, with the submission period recently closing on (22 April 2013 with one submission received). A date for the hearing had yet to be confirmed at the time of preparing this report.
 6. The property 80-82 Main Road South is a 1.2643 hectare property containing an existing dwelling (occupied by Mr McKenna) and sheds on the northeast side of the property. At the front of the property there is a vacant office and storage unit formerly used by Transbuild and an office and storage depot currently occupied by Davis and Montague plumbing and drain layers. The balance of the land is used for grazing.
 7. The property 90 Main Road South is a 2 hectare property containing a residential dwelling, accessory buildings an area of plantation forest and a large number of wrecked motor vehicles. A motor vehicle wrecking business appears to be operating from this site.



2010 Aerial photograph of sites and surrounding area- hashed purple is proposed Industrial, solid purple is existing Industrial

8. As demonstrated by the brief description and history of this area above, it highlights this area has been subject to some previous and existing industrial use (historically and more recent) as well as ongoing rural land use. As this area is located near the edge of the existing urban/rural boundary, tension between land use activities is not uncommon. The District Plan Review process provides the opportunity to review the appropriate land use planning framework for this area and determine whether the existing Rural zoning is appropriate, or a change (to Industrial) would be more appropriate.
9. In 2009 Council adopted the Horowhenua Development Plan which evaluated and identified areas for new urban development (residential, commercial and industrial) for the next 20+ years. Two areas in Tararua Road (one on the north side, the other on the south side) were identified to provide for the future industrial land supply for Levin. The land on the northern side was rezoned from Rural to Industrial through a Private District Plan Change (Plan Change 17) in 2008, which, in conjunction with existing area zoned Industrial, is considered to provide ample land for industrial purposes for the foreseeable future. A submission on the Proposed Plan by Future Map Limited has sought some modifications to the zoning of this area including increasing the amount of Industrial land. Notwithstanding this situation, discrete areas (such as 70–90 Main Road South and Hokio Beach Road) could be rezoned Industrial to address specific issues in these locations and reflect the established and historic land uses. To determine the appropriate zoning of this land, the benefits and costs of rezoning the four properties at 70–90 Main Road South from Rural to Industrial are evaluated below.

10. The benefits of rezoning these properties from Rural to Industrial include:
 - (a) Provides for the efficient use and development of this land for industrial purposes, reflecting the existing use of some properties and activities
 - (b) Increases the flexibility of industrial activities to operate to meet their operational and functional needs
 - (c) Reflects in part the existing character and amenity of this location as a transitional area on the fringe of Levin
 - (d) Contiguous with an existing industrial area which provides an efficient and uniform land use planning pattern of development
 - (e) Existing use rights would enable those non Industrial activities to continue as they are at present.
11. The costs of rezoning these properties from Rural to Industrial include:
 - (a) Change from a rural to urban character and amenity values. Specifically, existing residents within rezoned area would need to anticipate and expect a potentially lower level of amenity (e.g. increased noise levels, larger buildings, etc).
 - (b) Reduced level of control on the effects which may cause nuisance to residents within the rezoned area (i.e. no zone interface controls)
 - (c) Potentially increased traffic movements from more intensive Industrial operations which may impact on the safety and efficiency of the State Highway
 - (d) Potential for ongoing 'zoning creep' with no fixed or firm edge to the urban boundary, leading to further ribbon development along State Highway 1
12. In rezoning any area, it is recognised there would be a transition period where existing activities and development may be sensitive to new activities and development. Depending on the nature and rate of development, this transition period could be for short or long periods. As discussed above, it is considered there is a large supply of industrial land in Levin and currently limited new demand. The existing activities (residential, rural and industrial) in this area have functioned for a number of years, with periodic incompatibility issues arising due to the nature and intensity of industrial land use. The mixed pattern of residential and industrial uses on alternative properties may be a contributing factor to these incompatibility issues.
13. While I acknowledge the potential for existing residential dwellings to have a lower level of amenity if the rezoning goes ahead I am aware of the long history of how land in this area in particular the site 74 Main Road South has been used. This site for a very long time has supported industrial activities having been used by the County Council as a quarry and then the Levin Borough Council as a landfill and public works depot. The ground level of the site being much lower than the road level together with the contamination status of the land mean that the sites 74-76 Main Road South are generally not considered suitable for any typical rural or residential activity.
14. While concerns may be expressed about the urban creep that this rezoning (as included in the Proposed Plan) could lead to, I am satisfied that the identified area provides a justified edge to the urban zone. The properties immediately south of the proposed rezoned area

have a distinct rural character and appearance about them which is consistent with their current use, while the subject properties exhibit a predominantly industrial character when viewed from public location (i.e. the street).

15. New provisions introduced by the Proposed Plan (Rule 16.6.3) would require new industrial activities on these sites to ensure that where these sites have frontage to State Highway 1, buildings are to be setback from the road frontage (10m setback), this area between any building or car park and the front boundary shall include a landscaping strip. These provisions are designed to help improve the visual amenity of the Industrial properties that form the gateway entrances to Levin and Foxton. As these properties (70-90 Main Road South) would essentially become the urban edge and southern gateway(i.e. the first properties from the south) there is an exciting opportunity of creating a more visually pleasing entrance to the urban area of Levin if the proposed rezoning occurs.
16. I note no submissions or further submissions were received from the landowners or occupiers at 70 Main Road South or 88-90 Main Road South.
17. Weighing up the benefits and costs, on balance, I consider rezoning all properties in this area to Industrial is the most appropriate zoning. I consider by rezoning these properties Industrial it would provide for a transition to occur, noting this would have an impact on existing residents.
18. An alternative option is to only rezone part of this area from Rural to Industrial. For example, the properties from 70–76 Main Road South could be rezoned Industrial and the properties 80–90 Main Road South be retained as Rural zoning. This alternative would provide for the industrial use of the Homestead property (satisfying the submission points 2.00, 37.00 and 520.00) and retain the rural zoning for the McKenna property. In addition, this alternative zoning configuration would achieve a contiguous pattern of industrial zoning. However, as the Homestead/McKenna property boundary would be the zone boundary, the ‘zone interface’ controls would apply to the Homestead property as it would immediately adjoin rurally zoned land. This alternative zone boundary would provide a less distinctive urban edge and would not include the current business premises located at the front 80-82 Main Road South. Submitters (Homestead and McKenna) may wish to comment at the hearing and advise the Hearing Panel whether they consider this alternative zoning configuration to be more appropriate and/or acceptable to them.
19. On the basis of the submissions received, I recommend the submission points by Homestead Homes Ltd (2.00) and Homestead Group Ltd (37.00 and 520.00) in support of rezoning 70-90 Main Road South, Levin from Rural to Industrial zone be accepted.
20. I recommend the submission point by McKenna (115.00) in opposition to rezoning 70-90 Main Road South, Levin be rejected.

Keepa Street, Levin

21. The Surveying Company (Wellington) Ltd (31.00) submitted requesting Lot 2 of a recently granted subdivision consent (502/2012/3329) at 15-15a Keepa Street, Levin be rezoned from Residential to Industrial to cover the entire property which has increased in size due to a boundary adjustment.



Approved subdivision plan 502/2012/3329

22. Keepa Street has a mixture of Residential, Industrial and Commercial zoned properties. The property at 15 Keepa Street is a 1108m² property with an existing dwelling located centrally towards the front of the property and is zoned Residential. The property at 15A Keepa St is a rear section located behind 15 Keepa Street, accessed via a driveway running adjacent to the western boundary of 15 Keepa Street. This property is zoned Industrial and contains two workshops currently used by Engine Restorations Ltd for vintage care restoration work. The boundary adjustment (501/2012/3329) granted in January 2013 increased the size of 15A Keepa Street and reduced the size of 15 Keepa Street by 520m² which consisted of the rear grassed area of 15 Keepa Street.

23. As this rear area now forms part of the adjoining property, it would be appropriate to rezone the balance land (i.e. Lot 2 of the subdivision) from Residential to Industrial to avoid split zoning of one property and to allow the existing industrial use of this land to develop in an efficient and effective manner. The amenity of the adjoining residential use of 15 Keepa Street would be protected by the zone interface rules which would apply the Residential zone standards for daylight setback envelope and screening of outdoor carparking, storage, servicing and loading areas as well as requiring a 4.5 metre building setback.
24. I recommend the submission point by The Surveying Company (Wellington) Ltd (31.00) to rezone Lot 2 of 501/2012/3329 from Residential to Industrial be accepted and that the Planning Maps be amended to reflect this.

Shamrock Street, Levin

25. HDC (Planning Department) (108.45) submitted to rezone Section 1 SO 37969 from Road to Residential. This strip of land of 211m² is a part of 43 Shamrock Street and was mistakenly zoned as part of Hokio Beach Road reserve. . Given this error, it is considered appropriate to rezone this portion of land Residential as it is part of a residential property.
26. I recommend the submission point by HDC (Planning Department) (108.45) to rezone Section 1 SO 37969 as Residential be accepted and that the Planning Maps be amended to reflect this.

4.22.3 Reporting Officer’s Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer’s Recommendation
2.00		Homestead Concrete Homes Ltd		Accept
31.00		The Surveying Company (Wellington) Ltd		Accept
37.00		Homestead Group Ltd		Accept
108.45		HDC (Planning Department)		Accept
115.00	520.00	Alan McKenna Homestead Group Ltd	Oppose	Reject Accept

4.22.1 Recommended Amendments to the Plan Provisions

Amend Planning Map 29 to rezone Lot 2 of 501/2012/3329 from Residential to Industrial.

Amend Planning Map 29 to rezone Section 1 SO 37969 Residential.

4.23 Planning Map 30

4.23.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
54.00	Warwick Meyer	In-Part	The submitter seeks the Plan to be amended to make provision for the site on the corner of Queen Street and Arapaepae Road, Levin (Part Lot 1 DP 86925) to be used for businesses normally associated with roads such as vehicle service stations, food preparation and sales, visitor accommodation and local produce stores. The site has substantial transport corridor restrictions on it for future highway work. The proposed activities sought by the submitter provide controlled development for activities associated with transport corridors.	Amend Planning Map 30 to rezone Part Lot 1 DP 86925 being the land on the corner of Queen Street and Arapaepae Road, Levin with a special zoning to provide for vehicle service stations, food preparation and sales, visitor accommodation and local produce stores as a permitted activity. Alternatively amend the permitted activities for underlying zone of the site to include vehicle service stations, food preparation and sales, visitor accommodation and local produce stores on this site.	526.00 Truebridge Associates Ltd- Oppose

One submission was received requesting a special zoning for the land on the south eastern corner of Arapaepae Road and Queen Street East, Levin to provide for vehicle service stations, food preparation and sales, visitor accommodation and local produce stores as a permitted activity. Truebridge Associates (526.00) made a further submission in opposition to this submission.

4.23.2 Discussion & Evaluation

1. Meyer (54.00) submitted requesting a special zoning for his land on the south eastern corner of Arapaepae Road (State Highway 57) and Queen Street East, Levin to provide for vehicle service stations, food preparation and sales, visitor accommodation and local produce stores as a permitted activity. Alternatively, the submitter requests retain the Rural Zoning but amend the rules to permit the use of the land for this purpose. Therefore, two questions arise in relation to this relief sought:
 - (a) Is it appropriate to permit vehicle service stations, food preparation and sales, visitor accommodation and local produce stores in this location?
 - (b) If yes, what is the most appropriate planning mechanism within the Proposed Plan framework (site specific new zone and rule or site-specific rule in Rural Zone) to enable this?
2. The submitter outlines various reasons why they contend the use of this land for the proposed activities is appropriate. These reasons include:

- (a) Restrictions imposed on this land by the Gladstone Greenbelt Structure Plan. Specifically, the requirement for part of this land for a future State Highway and intersection upgrade.
 - (b) Future upgrade of State Highways through the Horowhenua District generally which could lead to the restriction of this type of activity in other locations (i.e. as several individual sites along the State Highway), and the subject site is appropriate to enable this type of activity to be concentrated adjacent to the State Highway.
3. The land is located on the south eastern corner of Arapaepae Road (State Highway 57) and Queen Street East, Levin, is a 12.8393 ha in area. This location is on the corner of a busy intersection which acts as the main eastern gateway to Levin for traffic travelling along State Highway 57. NZTA has recently announced as part of package of works for State Highway works between Levin and Otaki improvements at this intersection in the form of a new roundabout. However, in the recent announcement, NZTA comment "the cost of a roundabout and the impact on heavy vehicles would be considerable, we have decided to maintain the current arrangement here also. We will continue to review the performance of this intersection".



Aerial photograph of site outlined in green and surrounding area

4. This property is zoned Rural under the Operative District Plan and is identified as Rural land to be rezoned Greenbelt Residential (deferred) under Proposed Plan Change 21. Under Proposed Plan Change 21 the rules of the Rural Zone apply within any Greenbelt Residential (Deferred) Zone until the deferred status is lifted. The deferral status would be removed when adequate capacity is available for reticulated infrastructure to service this area. At this time, Council has made no commitment in its Long Term Plan (i.e. next 10 years) to service this area.

5. In 2009, Council prepared a Structure Plan for the Gladstone Greenbelt area which includes the submitter's site. This Structure Plan was prepared as part of the ongoing programme of work for implementing the Horowhenua Development Plan and would be introduced into the District Plan sometime in the future (no time specified). I acknowledge that following the extended consultation undertaken with landowners in this area the Structure Plan was adopted by Council but at this point does not form part of the Proposed Plan. The timeframe for implementing development within the Structure Plan area was recognised as "20 or more years" given the size of the growth area and anticipated level and demand for development. Key features of the Structure Plan in relation to this land included:
- (a) Over half the property was identified as within a 'Transport Corridor (Future Upgrade)'
 - (b) State Highway intersection modification
 - (c) Future pedestrian overbridge
 - (d) Landscape, stormwater, pedestrian and cycling connection with open spaces along eastern boundary and Queen Street East frontage
 - (e) Existing vegetation area to be retained
6. The use of this land for vehicle service stations, food preparation and sales, visitor accommodation and local produce stores could have some benefits, such as providing goods and services for local residents and passing travellers. As it is located on a major intersection and State Highway, it would have a high level of visibility and accessibility. As the Gladstone Greenbelt area develops, the proposed activities in this location could meet the needs of new local residents. However, this location is not considered ideal in this respect as it is located on the edge of the new growth area, with the Structure Plan showing a more central local for a 'future local commercial' area as more appropriate for servicing the needs of the local residents. I acknowledge that the submitter's 'target market' would seem to be more the passing traffic, who may be heading north but more likely south and may not wish to drive into Levin to stop for petrol, goods, food or produce. For this target market the site is ideally located in terms of having that visibility, being a convenient distance between destinations such as Wellington and Palmerston North and being sited so motorists can pull off the highway but not have to drive into the Levin town centre.
7. Conversely, the use of this land for these activities could have some costs. These costs include change to the current and future character and amenity of this area, with an open pastoral landscape changing to a more commercial and built character which differs from the future anticipated greenbelt residential character. Other adverse effects on amenity values include potential increased noise and odour. In addition, locating commercial activities with comparative goods and services to that provided in the Levin town centre could have distributional effects and negatively impact the vitality and vibrancy of Levin town centre.
8. Traffic impacts could also be significant, particularly the interaction with any future planned changes to the State Highway and intersection. Although it is noted the submitter states these matters would be addressed in consultation with NZTA. Truebridge Associates (526.00) oppose the submission by Meyer on the basis that this area is a frequent crash site and would therefore be unsafe to be developed in this manner. I acknowledge that the current road layout would potentially create some transport safety concerns if the site was to be developed for the land uses as suggested by the submitter. I do however appreciate that

changes to the intersection could make it possible to design a safer option that is less likely to raise the same traffic safety and transport network efficiency concerns.

9. Given the absence of specific details about the proposed future use of the site and the uncertainty around the timing and nature of any changes to the State Highway and intersection, it would seem premature to change the zoning of this site now or to create rules in the Proposed Plan to manage any potential adverse effects arising. I accept that in time the submitter's proposal may be an appropriate type of development in this location, however I consider the timing and uncertainty surrounding the proposal and the highway upgrade to currently work against it.
10. Furthermore, while the exact nature of the commercial development is uncertain at this point, it could if zoned permit a wide range of Commercial activities in this location. I recognise that some of these potential commercial activities could be ones that would be appropriate to be in the town centre and therefore this proposal would be contrary to the policy (Policy 6.3.38) of protecting the viability, vitality and vibrancy of town centres by restricting out-of-centre development.
11. Considering the benefits and costs, I consider the costs outweigh the benefits and therefore do not consider it appropriate to provide for the listed activities as permitted on this property. Permitting these activities could have significant adverse environmental effects which would be contrary and inconsistent with many objectives and policies in the District Plan, including urban environment, rural environment, greenbelt residential environment and land transport. I consider retaining this property zoning at Rural/Greenbelt Residential (deferred) with no site-specific rule or zone providing for the proposed use is the most appropriate. If the submitter wished to establish and operate one or more of the activities of the nature suggested by the submitter, I consider the resource consent process provides an efficient and effective method to assess the details and effects of a specific proposal
12. I recommend the submission point by Meyer (54.00) be rejected for the above reasons.
13. I recommend the further submission point by Truebridge Associates (526.00) in opposition to the submission point by Meyer (54.00) be accepted.
14. I acknowledge that Mr Meyer (the submitter) is employed by the Horowhenua District Council, however this submission has been made in his personal capacity.

4.23.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
54.00		Meyer		Reject
	526.00	Truebridge Associates Ltd	Oppose	Accept

4.23.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 30.00 as a result of this submission point.

4.24 Planning Map 36

4.24.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
49.00	Alan & Marie Blundell	Oppose	Oppose the Rural grading [zoning] of Reay MacKay/Strathnaver Drives at Waikawa Beach and seek that it be rezoned Residential. Submitter seeks to be aligned with the same arrangements as those given to Waitarere.	Amend Planning Map 36 so that the properties of Reay MacKay/Strathnaver Drives at Waikawa Beach are rezoned from Rural to Residential.	525.14 Maurice and Sophie Campbell - Support

One submission was received requesting properties in Reay Mackay/Strathnaver Drive at Waikawa Beach be rezoned Residential. One further submission supported this submission point.

4.24.2 Discussion & Evaluation

- Blundell (49.00) seeks the rezoning of properties in Reay Mackay/Strathnaver Drives, Waikawa Beach from Rural to Residential. Campbell (525.24) made a further submission point in support of this submission point. This submitter made an associated submission point (49.01) opposing the Coastal Natural Character and Hazard Area Overlay which has been addressed in the Coastal Environment Section 42A Report. The submitter contends the previous subdivision and development approvals and subsequent change questions whether the rural zoning is now appropriate, and that residential zoning would be more appropriate the same as Waitarere.
- I note the extent of residential zoning (i.e. providing for urban growth) at Waikawa Beach was specifically evaluated as part of Proposed Plan Change 21, including rezoning all or part of Strathnaver Glen subdivision to residential. There were a significant number of submissions on this matter. It was determined not rezoning all or part of Strathnaver Glenn residential was not appropriate for a number of reasons including, rural and natural character and amenity, natural hazards, traffic and servicing. I consider these issues still apply and rezoning from Rural to Residential would not be appropriate for this area.
- I recommend the submission point by Blundell (49.00) and further submission by Campbell (525.14) be rejected for the above reasons.

4.24.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
49.00		Blundell		Reject
	525.14	Campbell	Support	Reject

4.24.4 Recommended Amendments to the Plan Provisions

No amendments recommended to Planning Map 36.00 as a result of this submission point.

4.25 Planning Maps - General Matters

4.25.1 Submissions Received

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
65.07	Horowhenua Farmers' Ratepayer Group	In-Part	The Highly Versatile Land supplied by the Regional Council is not accurate and should not be used. If Council regulates activities according to land use capability, the maps should be updated.	Amend Planning Maps to accurately identify areas of class 1 and 2 soils.	
65.08	Horowhenua Farmers' Ratepayer Group	Oppose	In the 'Decisions of Hearing Panel' for Plan Change 22 the commissioners recommend that Council need to further consider the 100m contour line as a Hill Country Domain in a future District Plan Review. It is suggested this should be tied to slope.	Amend the extent of the Hill Country Domain so that the western boundary for the Hill Country Domain is where land rises sharply and continuously at the base of the foothills at a slope of 40 degrees.	
66.07	Bruce & Christine Mitchell	In-Part	The Highly Versatile Land supplied by the Regional Council is not accurate and should not be used. If Council regulates activities according to land use capability, the maps should be updated.	Amend Planning Maps to accurately identify areas of class 1 and 2 soils.	
66.08	Bruce & Christine Mitchell	Oppose	In the 'Decisions of Hearing Panel' for Plan Change 22 the commissioners recommend that Council need to further consider the 100m contour line as a Hill Country Domain in a future District Plan Review. It is suggested this should be tied to slope.	Amend the extent of the Hill Country Domain so that the western boundary for the Hill Country Domain is where land rises sharply and continuously at the base of the foothills at a slope of 40 degrees.	
67.07	Taiao Raukawa Environmental Resource Unit	In-Part	The submitter considers the inclusion of a Planning Map of Kuku as an appendix.	Amend Chapter 2 to include a Planning Map of Kuku.	
99.50	Transpower New Zealand Ltd	Oppose	The Planning Maps forming part of the Proposed Plan do not illustrate the electricity transmission network. The absence of this nationally significant infrastructure is contrary to Policy 12 of the NPSET, which the District Plan must give effect to. Transpower can provide GIS data	Amend all relevant Planning Maps, so that the electricity transmission network is identified on the District Plan Planning Maps.	

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested	Further Submission
			for this purpose free of charge.		

Two submissions requesting the Planning Maps be amended to accurately identify areas of class 1 and 2 soils. Two submissions also requested the amendment of the 100m contour line which would amend the extent of the Hill Country Domain. One submission requested consideration of the inclusion of a Planning Map of Kuku. One submission requested all relevant Planning Maps to be amended to identify the electricity transmission network.

4.25.2 Discussion & Evaluation

Land Use Classification (Class 1 and 2 Soils)

1. Horowhenua Farmers' Ratepayer Group (65.07) submitted requesting the Planning Maps be amended to accurately identify areas of class 1 and 2 soils. This submission states that the LUC supplied by Horizons are not accurate enough to be used as the scale is too large. The submitter contends that if Council wishes to regulate activities according to Land Use Capability, the maps should be updated so they are accurate. Mitchell (66.07) made a submission supporting this submission point.
2. The only rules relating to Land Use Classification (Class 1 and 2 soils) within the Proposed Plan are associated with rural subdivision (reviewed as part of the Proposed Plan Change 20). There are no land use rules relating to Land Use Classification. During the preparation, processing and determination of the subdivision policies and rules under Plan Change 20, the appropriateness (including the accuracy) of using the Land Use Classification system was considered. It was concluded the use of the Land Use Classification system was appropriate as the nature and intensity of the subdivision affects the safeguarding the life-supporting capacity of the soil.
3. As the provisions of Proposed Plan Change 20 (including mapping Class 1 and 2 soils) are not open for submission through the District Plan Review therefore these submissions are outside of the scope of the Proposed District Plan.
4. I recommend the submission points by Horowhenua Farmers' Ratepayer Group (65.07) and Mitchell (66.07) are rejected for the above reasons.

100 Metre Contour – Hill Country Landscape Domain Boundary

5. Horowhenua Farmers' Ratepayer Group (65.08) submitted requesting the amendment of the 100 metre contour line which would amend the extent of the Hill Country Domain. Their submission states that in the 'Decisions of the Hearing Panel' for Plan Change 22 the commissioners recommend that HDC needs to further consider the 100m contour line as a boundary for the Hill Country DHLA in a future District Plan Review which they suggest should be tied to slope. Mitchell (66.08) made a submission supporting this submission point.
6. The 100 metre contour and the Hill Country Landscape Domain Areas are part of Proposed Plan Change 22 which is not yet operative and appeals are being worked through. The provisions of Proposed Plan Change 22 are not open for submission through the District Plan Review therefore these submissions are outside of the scope of the Proposed District Plan and cannot be addressed here. Council Officers are aware of the Commissioner's comments

in the decision on Plan Change 22 and plan to revisit the Hill Country Landscape Domain boundary line once Plan Change 22 becomes operative.

7. On this basis, I recommend the submission points by Horowhenua Farmers' Ratepayer Group (65.08) and Mitchell (66.08) are rejected for the above reason.

Kuku

8. Taiao Raukawa Environmental Resource Unit (67.07) submitted requesting consideration of the inclusion of a Planning Map of Kuku.
9. The District Planning Maps cover the Horowhenua in a grid method by area. The insert maps display settlements at a smaller scale so that different zones and other legend entries can be more clearly seen. All land in the Kuku area is zoned Rural and all overlays and features in this area can be clearly seen on the Planning Maps (i.e. Planning Map 7). I do not believe adding a specific Planning Map of Kuku to the District Plan Maps would add any value as it would not display any features at a smaller scale.
10. I recommend the submission point by Taiao Raukawa Environmental Resource Unit (67.07) is rejected for the above reason.

Electricity Transmission Network

11. Transpower (99.50) submitted requesting all relevant Planning Maps to be amended to identify the electricity transmission network. This submission states that the Planning Maps forming part the Proposed Plan do not illustrate the electricity transmission network apart from Map 40 and 41 which form part of Plan Change 22. Transpower (99.50) submits that the absence of this nationally significant infrastructure is contrary to Policy 12 of the NPSET, which the District Plan must give effect to. The submission states that Transpower can provide GIS data for this purpose free of charge.
12. The electricity transmission network is displayed on Planning Maps 40 and 41 which also displays the Districts Outstanding Natural Features and Landscapes. These maps were drawn up as part of Proposed Plan Change 22 and replaced earlier maps in the Operative District Plan (Maps 32 and 33). In my view, displaying the electricity transmission network on these two maps does fulfil Policy 12 of the NPSET. It is considered effective to show the electricity transmission network as this map scale (1: 120,000) to easily show the overall location and alignment of the electricity transmission network across the entire District .
13. Another option would be to also display the electricity transmission network on Planning Maps 1-11 (map scale of 1:50,000) which are used for the rural environment which display the District's zoning and other features (e.g. notable trees). While I do not consider this is necessary to be consistent with the NPSET policy, I consider adding them to the rural maps would assist plan users and alert them to the presence of this feature. In addition to the Planning Maps, the electricity transmission network is currently displayed on Council's internal mapping system (GIS) therefore council staff are aware of this when assessing any building consent or subdivision in close proximity to any transmission lines.
14. While not part of this submission point, as a consequential change to achieve consistency across the Plan, I recommend that the gas transmission pipeline which is also currently displayed on Planning Maps 40 and 41 with the electricity network should be displayed on

Planning Maps 1-11. This would have the effect of displaying all features on Planning Maps 1-11 rather than having some displayed on Planning Map 40 and 41 and the others on Planning Maps 1-11. I recommend that the electricity transmission network and gas transmission pipelines should be removed from Planning Maps 40 and 41 so they are only displayed in one part of the Proposed Plan. I note that Planning Maps 40 and 41 form part of Proposed Plan Change 22 and were not open for submission so depending on the timing of Plan Change 22 becoming operative and the decisions on the Proposed District Plan being adopted there may be some scope to make this change before the decision on the Proposed Plan is notified. Alternatively the Commissioners through their decision may wish to signal that this should be actioned at the appropriate juncture.

15. I recommend the submission point by Transpower (99.50) be accepted for the above reasons.

4.25.3 Reporting Officer's Recommendation

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
65.07		Horowhenua Farmers' Ratepayer Group		Reject
66.07		Mitchell		Reject
65.08		Horowhenua Farmers' Ratepayer Group		Reject
66.08		Mitchell		Reject
67.07		Taiao Raukawa Environmental Resource Unit		Reject
99.50		Transpower		Accept

4.25.4 Recommended Amendments to the Plan Provisions

Amend Planning Maps 1, 2, 3, 4, 5, 6, 6A, 7, 8 and 10 by adding the high voltage transmission line network and gas transmission pipeline.

5. Conclusion

The Proposed changes to the Planning Maps have been made through policy direction from the Horowhenua Development Plan and Foxton Town Plan, a land use survey of particular sites zoned inappropriately identified by Council staff, landowners and parties through consultation and direction from the District Plan Review Advisory Group. A total of 61 submission points have been received in relation to the Planning Maps from wide range of submitters including private landowners, organisations, interested members of the public, the Foxton Community Board, Iwi representatives, ratepayer groups and Horowhenua District Council. The submissions generally either, support the proposed changes in Planning Maps, oppose proposed changes in Planning Maps or request a zoning change to a particular piece of land that has not been proposed to be changed. The amendments proposed by submitters vary considerably and my assessment of these submissions in this report has gone into a degree of detail that reflects the level of contention surrounding the relief sought. I have made recommendations based on policy direction and environmental effects of any proposed change to the Planning Maps. The recommended changes to Planning Maps are varied and can be found in Appendix 6.2 below.

6. Appendices

6.1 Resource Management Act Extracts

Resource Management Act 1991, Part 2 Purpose and Principles

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, **sustainable management** means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

6 Matters of national importance

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:
- (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:
- (c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:
- (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:
- (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:
- (f) the protection of historic heritage from inappropriate subdivision, use, and development:
- (g) the protection of protected customary rights.

7 Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

- (a) kaitiakitanga:
- (aa) the ethic of stewardship:
- (b) the efficient use and development of natural and physical resources:
- (ba) the efficiency of the end use of energy:
- (c) the maintenance and enhancement of amenity values:
- (d) intrinsic values of ecosystems:
- (e) *[Repealed]*

- (f) maintenance and enhancement of the quality of the environment:
- (g) any finite characteristics of natural and physical resources:
- (h) the protection of the habitat of trout and salmon:
- (i) the effects of climate change:
- (j) the benefits to be derived from the use and development of renewable energy.

8 Treaty of Waitangi

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

74 Matters to be considered by territorial authority

(1) A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations.

(2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—

(a) any—

- (i) proposed regional policy statement; or
- (ii) proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and

(b) any—

- (i) management plans and strategies prepared under other Acts; and
- (ii) *[Repealed]*
- (iii) relevant entry in the Historic Places Register; and
- (iii) regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—to the extent that their content has a bearing on resource management issues of the district; and

(c) the extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

(2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

(3) In preparing or changing any district plan, a territorial authority must not have regard to trade competition or the effects of trade competition.

6.2 Proposed District Plan as amended per officer's recommendations

Planning Map 1-4:

Amend Planning Maps 1, 2, 3 and 4 so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 5:

Amend Planning Map 5 so that the Okunui Hall site, Okuku Road, Shannon (Lot 1 DP 20312) is zoned Rural.

Rezone Koputaroa Cemetery, Koputaroa Road (Legally described as Pt Lot 1 DP 4297) from Rural to Open Space.

Rezone Foxton Cemetery, Hickford Road, Foxton (Legally described as Sec 614 Town of Foxton & Lot 2 DP 61106) from Rural to Open Space.

Rezone Shannon Cemetery, Brown Street, Shannon (Legally described as Lots 486 & 488 DP 369) from Rural to Open Space.

Amend Planning Map 5 so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 6 and 6A:

Amend Planning Maps 6 and 6A so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 7:

Rezone Avenue Cemetery, Avenue North Road, Levin (Legally described as Lot 3 DP 397828) from Rural to Open Space.

Amend Planning Map 7 to rezone the Levin Golf Club at 142 - 160 Moutere Road, Levin (Horowhenua XIB41 North B4B1 and Horowhenua XIB41NorthB4B2) from Rural to Open Space.

Amend Planning Map 7 so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 8:

Rezone Koputaroa Cemetery, Koputaroa Road (Legally described as Pt Lot 1 DP 4297) from Rural to Open Space.

Amend Planning Map 8 so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 10:

Rezone Manakau Cemetery, South Manakau Road, Manakau (Legally described as Pt Lot 28A DP 415) from Rural to Open Space.

Amend Planning Map 10 so that the HV voltage transmission lines and gas pipelines are shown.

Planning Map 13:

Amend Planning Map 13 to take off the rural zoning from Part Lot 4 DP 9897 and Part Lot 3 DP 10243 and identify this area as road reserve.

Planning Map 15:

Amend Planning Map 15 to rezone 36 Johnston Street, Foxton Commercial.

Amend Planning Map 15 to rezone the Residential zoned portions of 149 and 151 Union Street, Foxton Rural.

Amend Planning Map 15 to rezone Section 4 SO 31290 Open Space.

Planning Map 15A:

Amend Planning Map 15A rezone Sections 4 and 5 SO 31920 and Lots 1 and 2 DP 47692 Open Space.

Amend Planning Map 15A to rezone Awahou 97B commonly known as Ihakara Gardens, Foxton Open Space.

Planning Map 17:

Amend Planning Map 17 to display Lot 14 DP 24470 as road reserve.

Planning Map 19:

Amend Planning Map 19 to display Lot 14 DP 24470 as road reserve.

Amend Planning Map 19 to display Lot 13 DP 42904 and Lot 173 DP 50461 as road reserve.

Planning Map 27:

Rezone Mako Mako Road (Old Levin Cemetery), Levin (Legally described as Section 29 Blk Waiopehu SD) from Residential to Open Space.

Planning Map 27A:

Amend Planning Map 27A to display Lot 3 DP 21580 as road reserve.

Planning Map 29:

Amend Planning Map 29 to rezone Lot 2 of 501/2012/3329 from Residential to Industrial.

Amend Planning Map 29 to rezone Section 1 SO 37969 Residential.

Amend Planning Map 29 to rezone 70-90 Main Road South, Levin from Industrial to Rural.

Amend Chapter 4: Open Space and Access to Water Bodies as follows:

Amend the Introduction for Chapter 4: Open Space and Access to Water Bodies as follows:

Insert the following as paragraph 2:

"Privately owned open spaces also provide opportunities for recreational activities and are valued and enjoyed by the community (e.g. golf courses). The District Plan can recognise privately owned open spaces, where the landowners of these areas support the continued use and development for recreation activities and seek the protection of the open space qualities."

Amend the final paragraph as follows:

"The open space areas in this chapter primarily covers land owned and managed by Council for parks and reserve purposes. Privately owned open spaces, such as the Levin Golf Course, can also be recognised and provided for by this chapter. There are other areas used and managed for recreational activities and open space, such as land administered by the Department of Conservation which is covered by other chapters in the District Plan."

Amend Issue 4.1 Open Space Zone as follows:

"The use, development and protection of Council's parks and reserves, and where appropriate, privately owned open spaces, so a range of recreation activities are provided for and developed to meet the needs of the community, while being compatible with the nature, character and amenity of the open spaces and the surrounding environment. "

Amend the Issue Discussion for Issue 4.1 as follows:

Insert the following as paragraph 3:

"Privately owned open spaces can provide opportunities for recreation and are appreciated and valued by the community (e.g. golf courses). Recognition of these privately owned open spaces should be made, along with the Council's parks and reserves, where the landowners of these areas seek to align the land use management with the Open Space Zone."

Amend Objective 4.1.1 as follows:

"Council's parks and reserves and privately owned open spaces are efficiently used and developed with a range of recreational activities and opportunities that meet the changing needs of community, while ensuring the uses and development are compatible with the character and amenity of the open spaces and their surrounding environment."

Insert New Policy 4.1.15 to read:

"Identify and recognise privately owned land within an Open Space Zone, where the individual landowners seek to manage land use in a way that promotes the recreational use and development, while protecting open space qualities."

Amend paragraph 1 of the Explanation and Principle Reasons for Objective 4.1.1 as follows:

"A range of recreational activities and facilities are expected to occur within the Open Space Zone. The Open Space Zone ensures that Council's parks and reserves are valued for their contribution to both urban and rural environments throughout the District. The Open Space Zone can also recognise and provide for the use, development and protection of privately owned open spaces, should landowners seek to manage their properties in this way, where these areas are also valued by the community for their open space role."

Insert the following as bullet point 2 of the District Plan Methods for Issue 4.1 & Objective 4.1.1:

- "Identify Zone privately owned open spaces, where sought by the landowner, as Open Space Zone where their role and qualities are consistent with this zone."

Amend the Explanation note for the Methods for Issue 4.1 & Objective 4.1.1 to read:

"A combination of methods are necessary to utilise Council's parks and reserves in a way that meets the community's recreational needs and minimises environmental effects on the open spaces and adjoining properties.

Financial and strategic decision making through use of the Open Space Strategy in conjunction with the Long Term Plan process will prioritise resources and actions.

The Open Space Zone recognises the value of Council's parks and reserves, and where appropriate, recognises privately owned open spaces. The regulatory framework provides certainty on the use, development and protection of recreation activities. The Open Space Zone sets thresholds on the nature and scale of development that can be tolerated within the parks and reserves and relationship with adjoining residential properties. Resource consents are required when amenity and building thresholds are exceeded, or where non-recreation activities are proposed, for example a permanent commercial activity, or a new community facility. Temporary activities, such as community events are permitted, subject to compliance with the relevant standards in the same way as they apply to other zones across the District. This process allows a commensurate level of assessment to understand whether the proposed development is appropriate in context."

LEGEND
ZONES

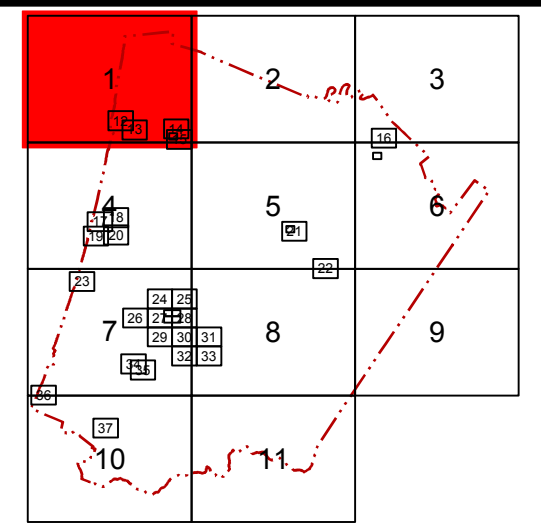
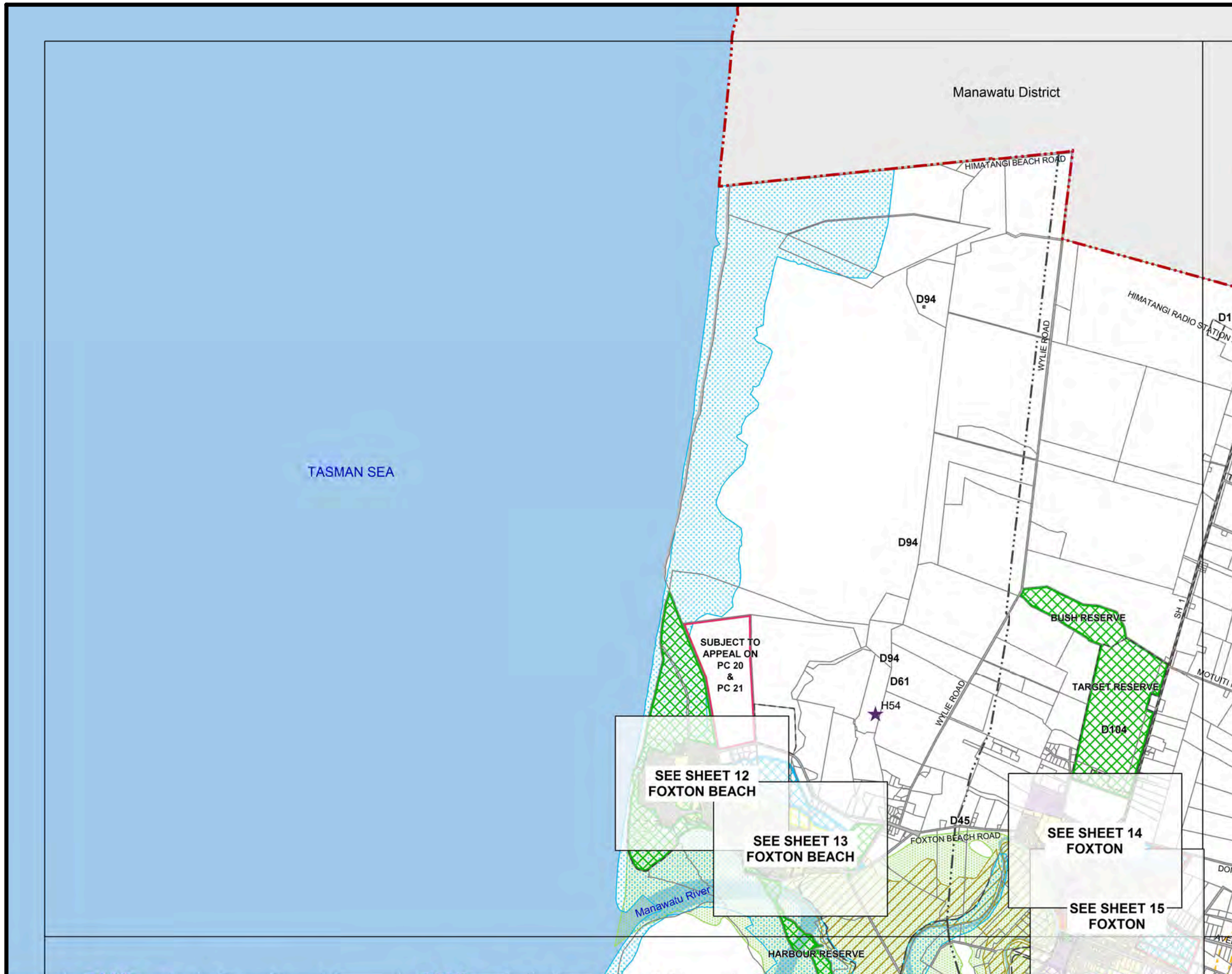
- Commercial Zone
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OVERLAYS

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- 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
- High Voltage Electricity Transmission Line
- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN

RURAL

Planning Map 1

LEGEND
ZONES

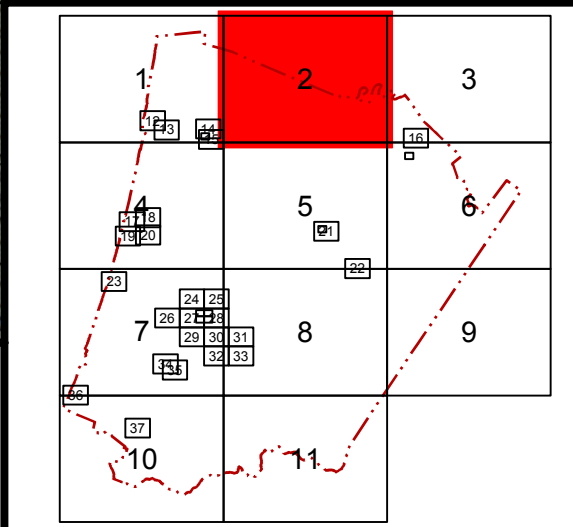
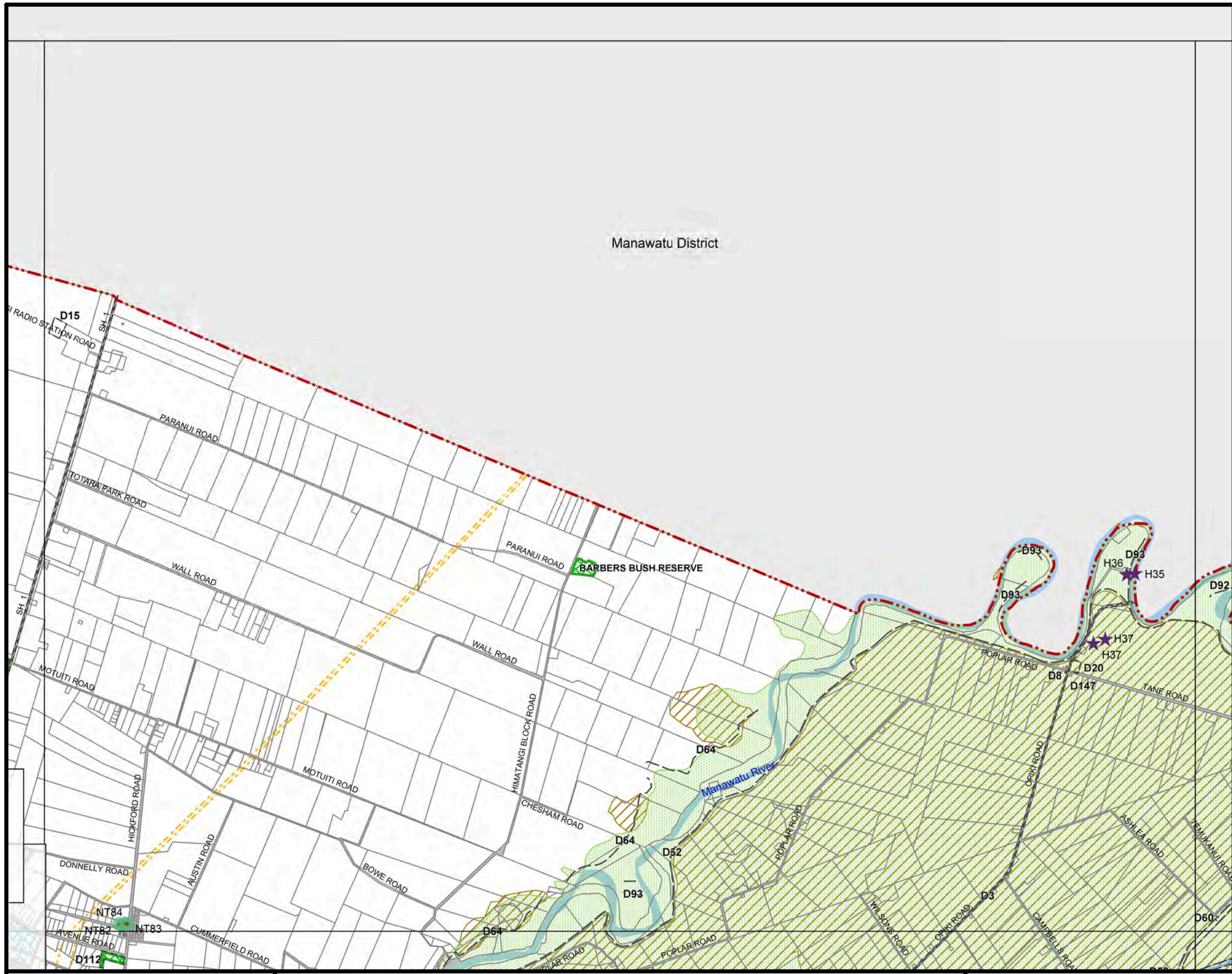
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OVERLAYS

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FEATURES

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- Historic Heritage Building, Structure or Site
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- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 2

LEGEND
ZONES

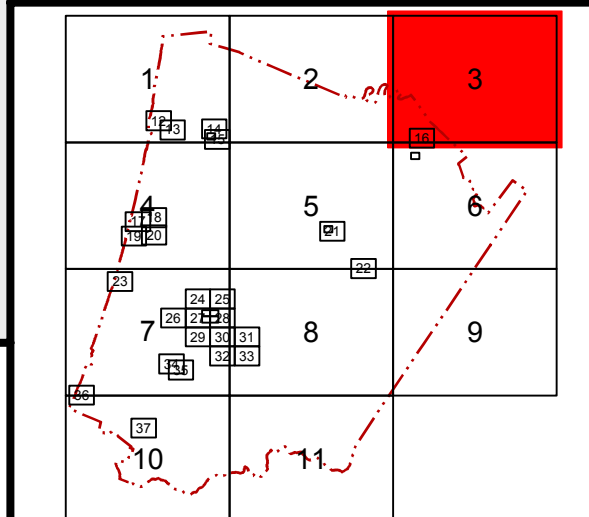
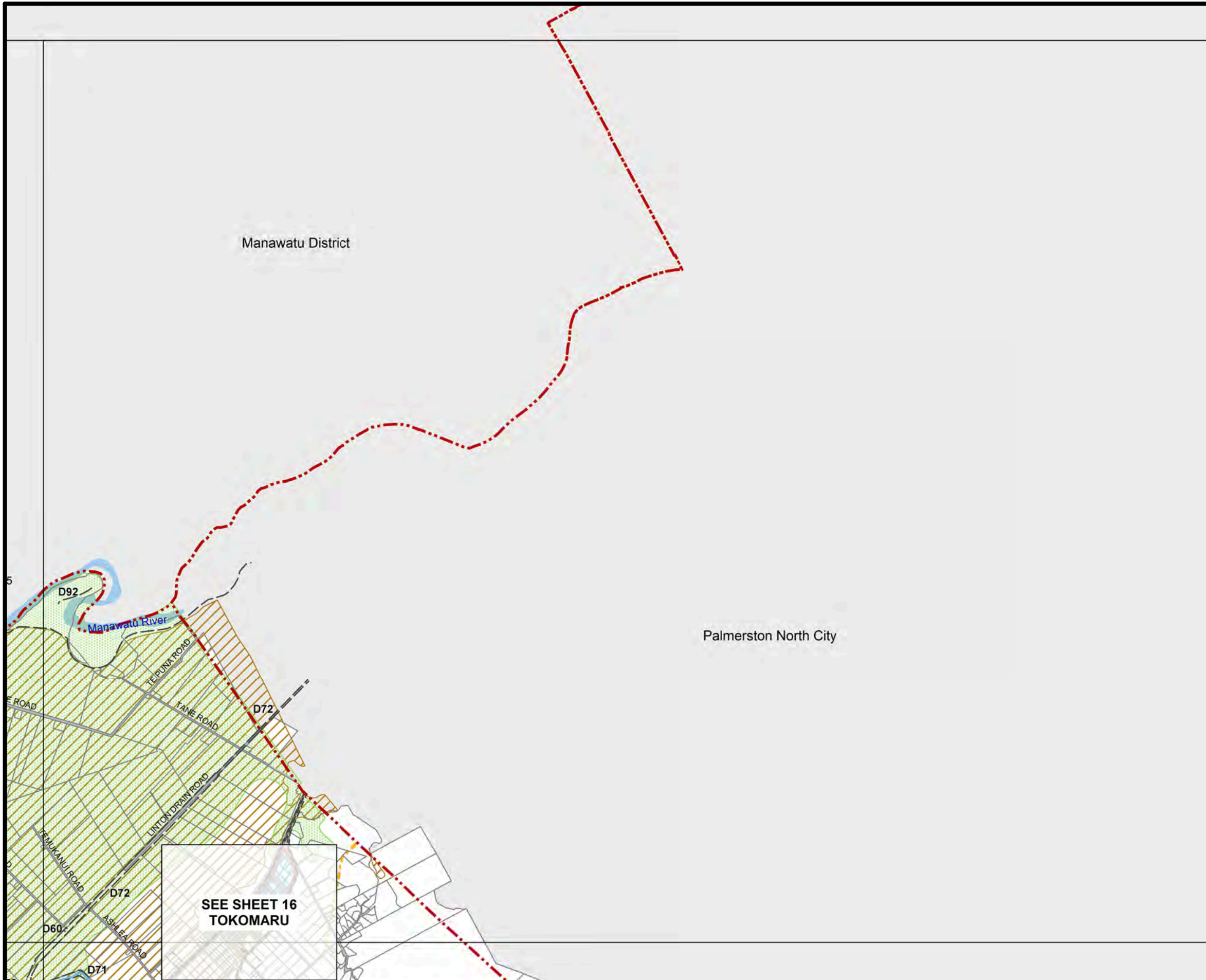
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FEATURES

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- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 3

LEGEND
ZONES

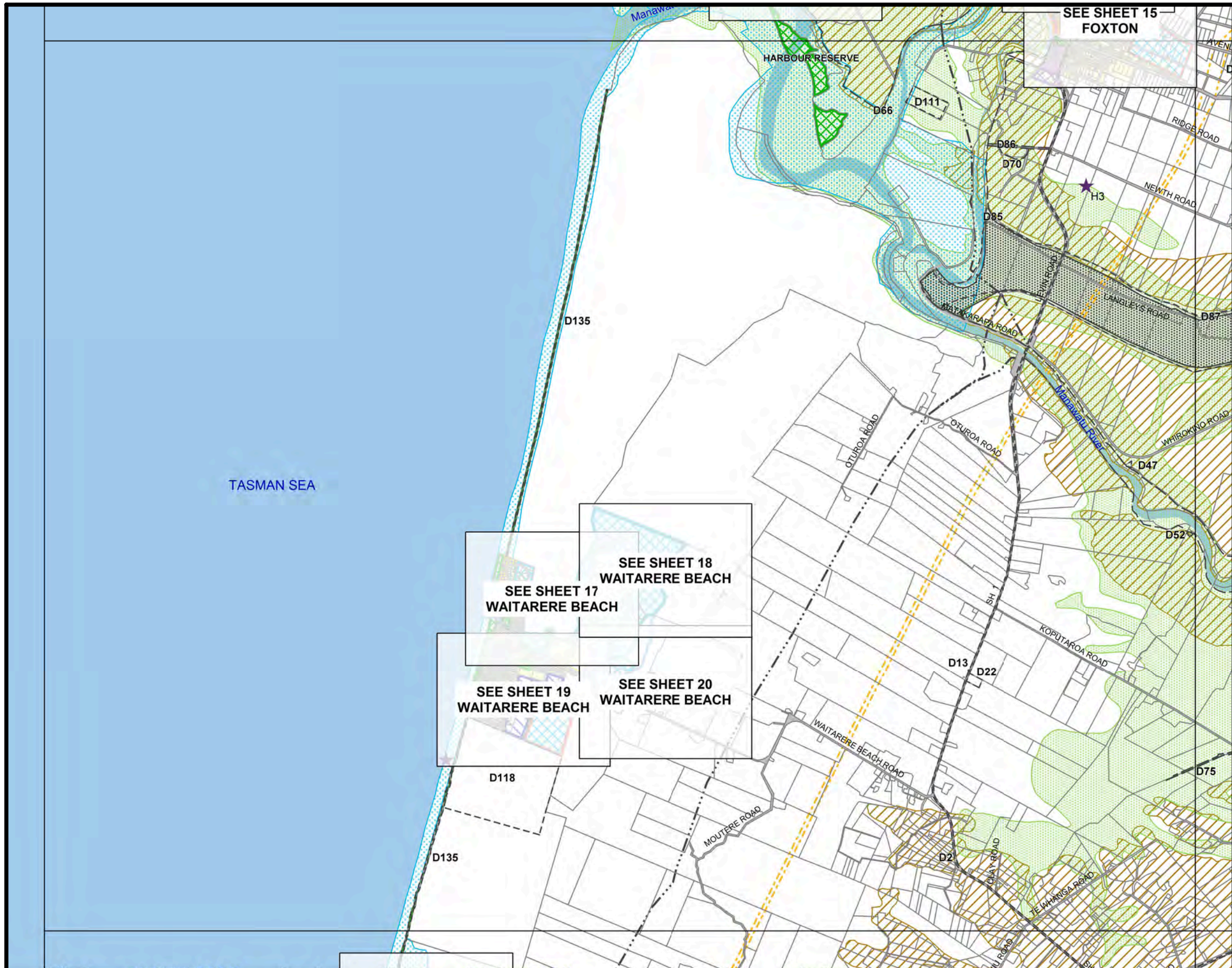
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OVERLAYS

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FEATURES

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- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road

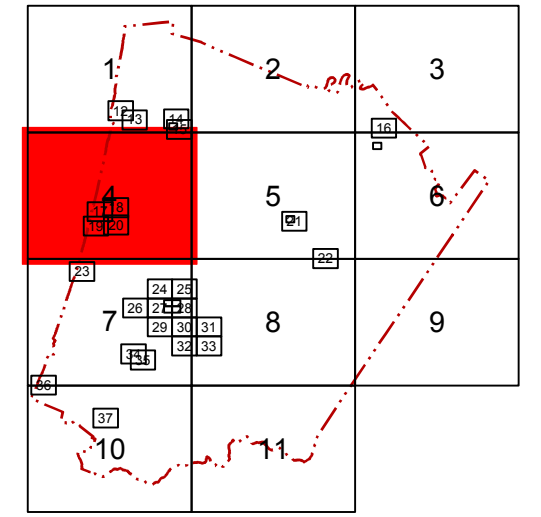


SEE SHEET 17
WAITARERE BEACH

SEE SHEET 18
WAITARERE BEACH

SEE SHEET 19
WAITARERE BEACH

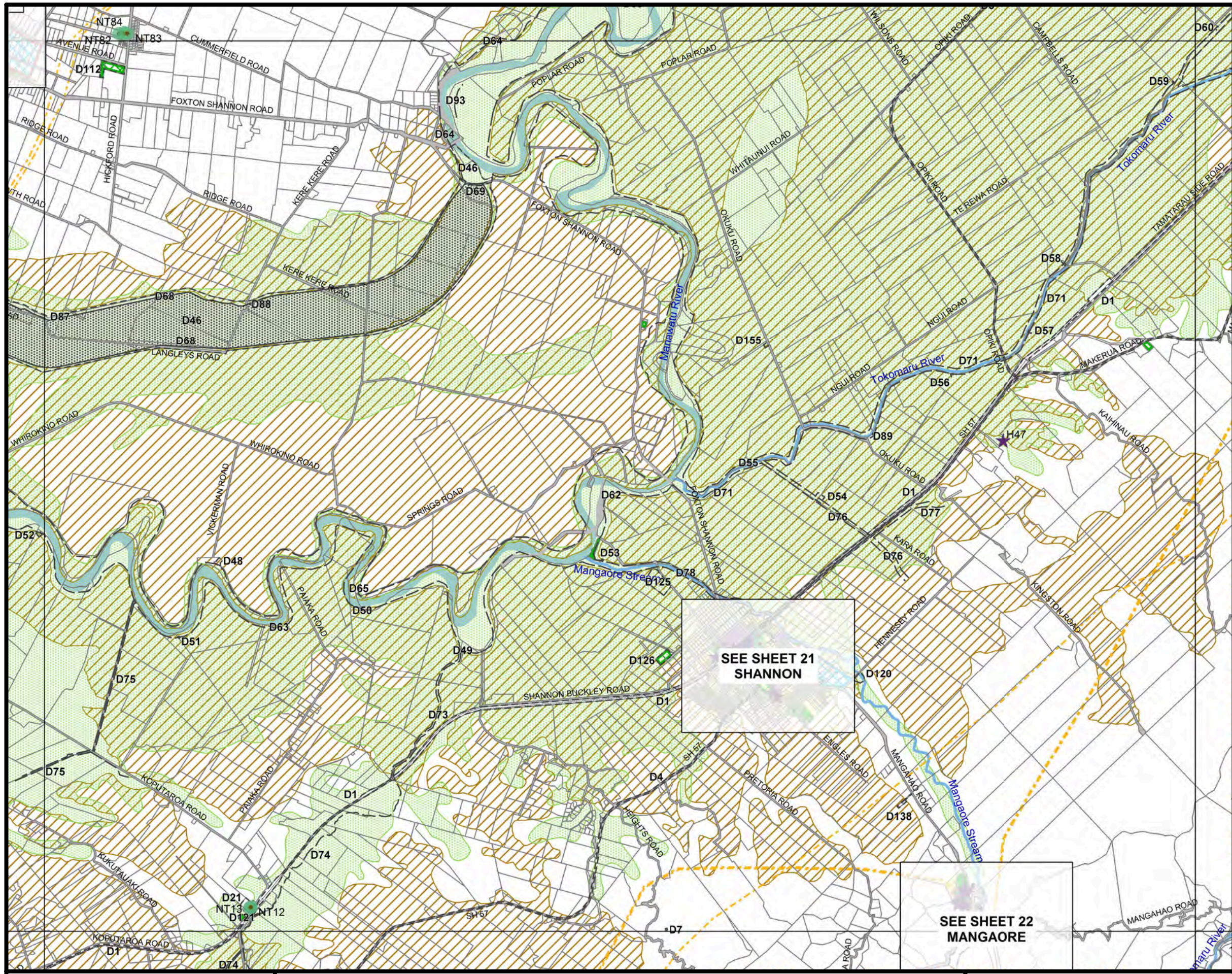
SEE SHEET 20
WAITARERE BEACH



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 4



LEGEND
ZONES

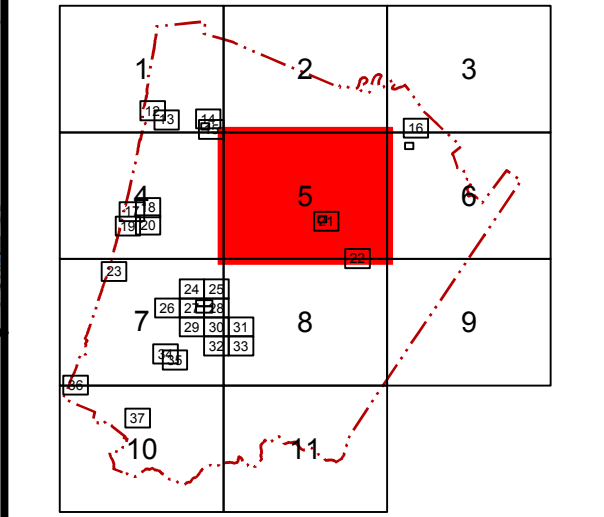
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OVERLAYS

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- Moutoa Floodway (1:50,000 Rural Maps Only)
- Versatile Land (LUC Class I & II Soil)

FEATURES

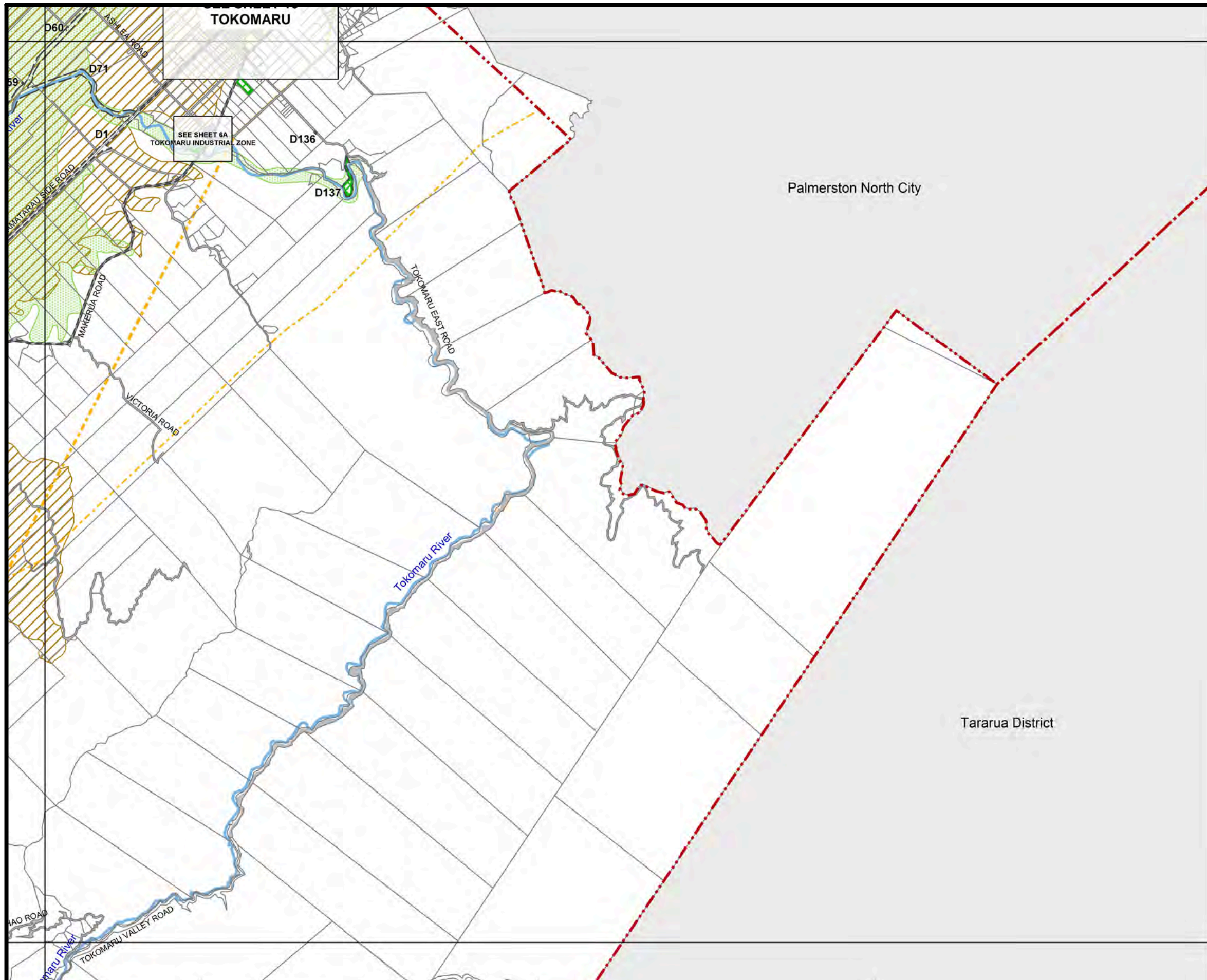
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- High Voltage Electricity Transmission Line
- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 5



LEGEND
ZONES

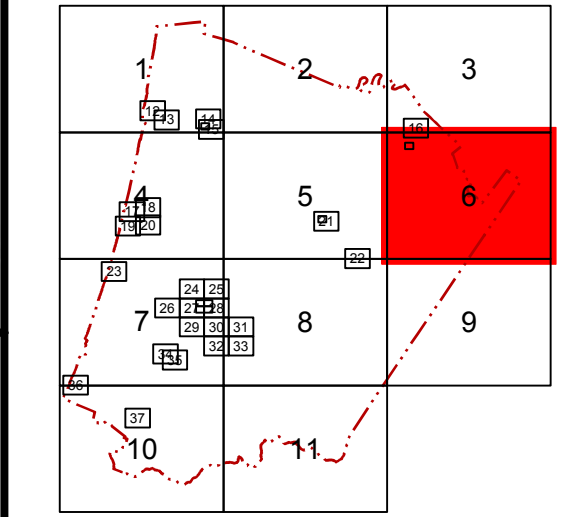
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OVERLAYS

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- Versatile Land (LUC Class I & II Soil)

FEATURES

- Notable Tree
- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 6

LEGEND
ZONES

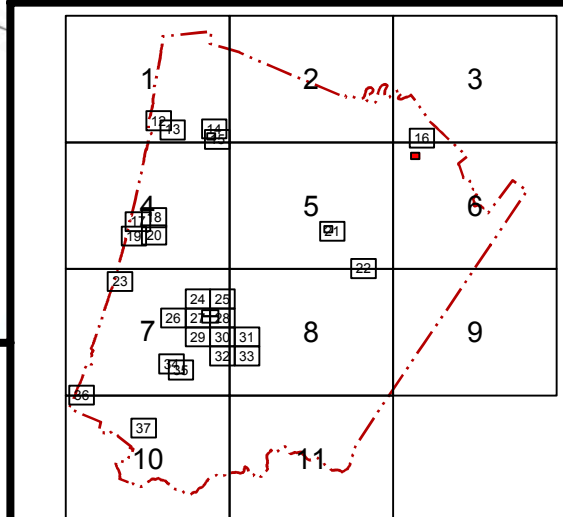
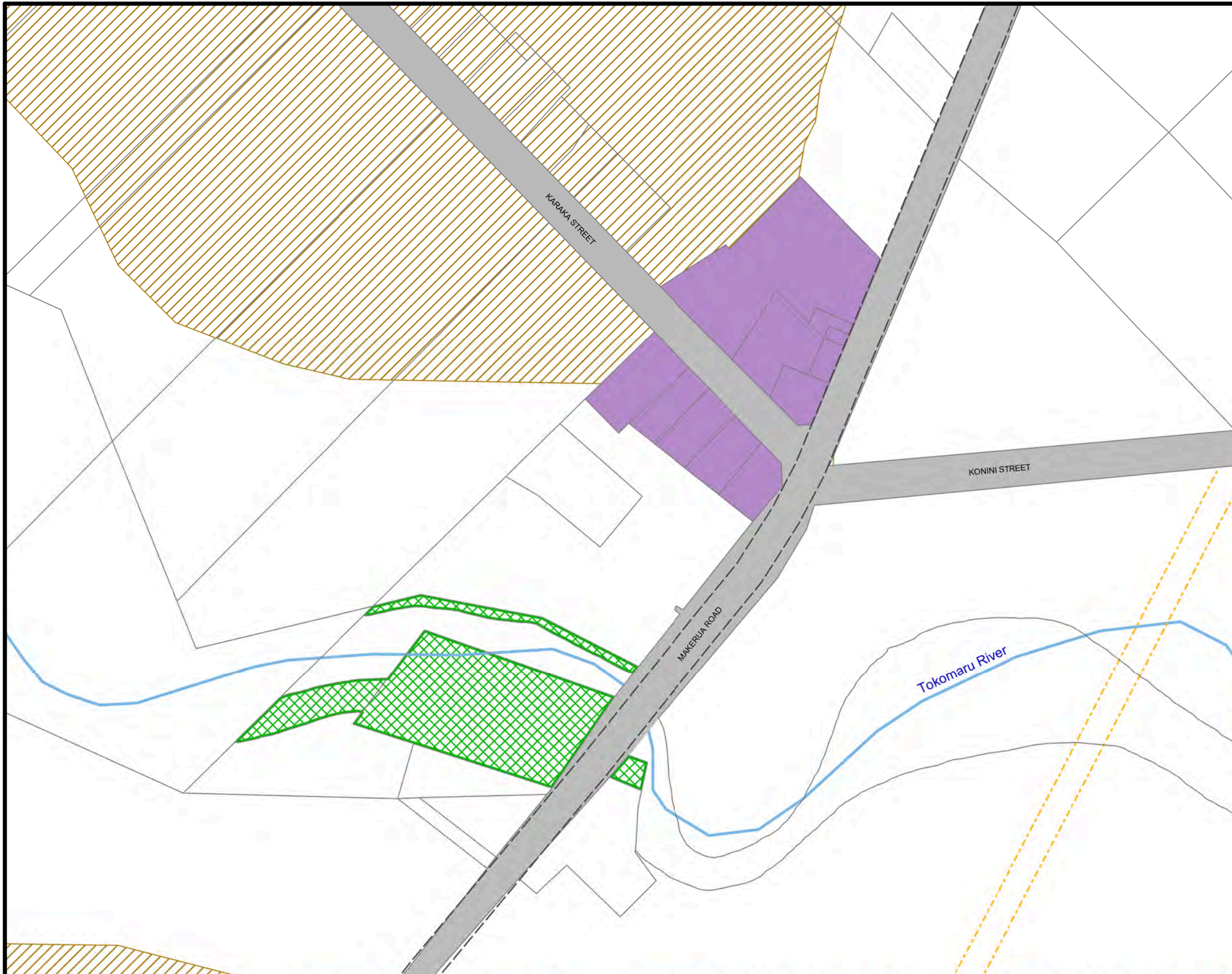
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OVERLAYS

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- Versatile Land (LUC Class I & II Soil)

FEATURES

- Notable Tree
- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road



 Scale 1 : 2,500

PROPOSED HOROWHENUA DISTRICT PLAN
TOKOMARU INDUSTRIAL ZONE

Planning Map 6A

LEGEND
ZONES

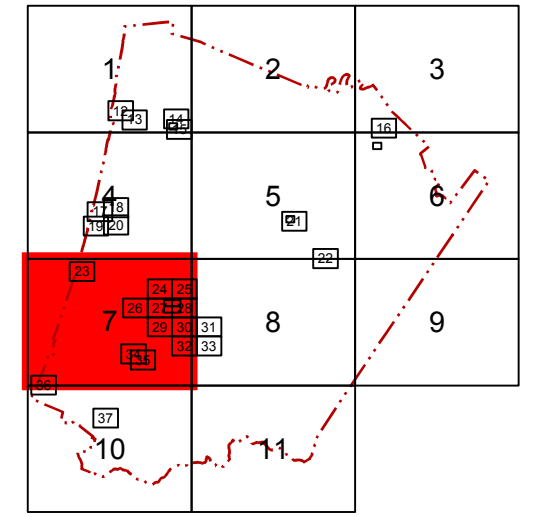
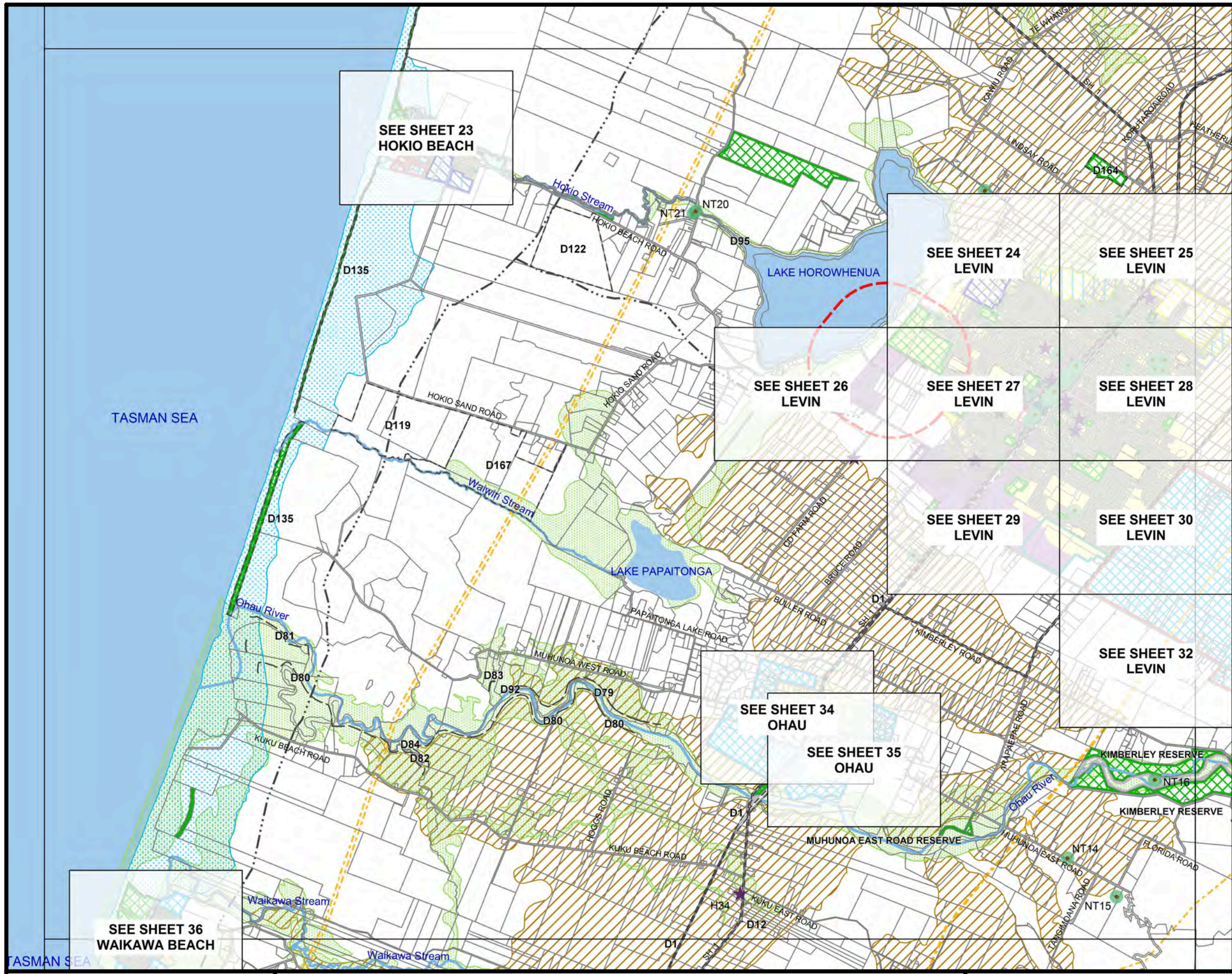
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- Versatile Land (LUC Class I & II Soil)

FEATURES

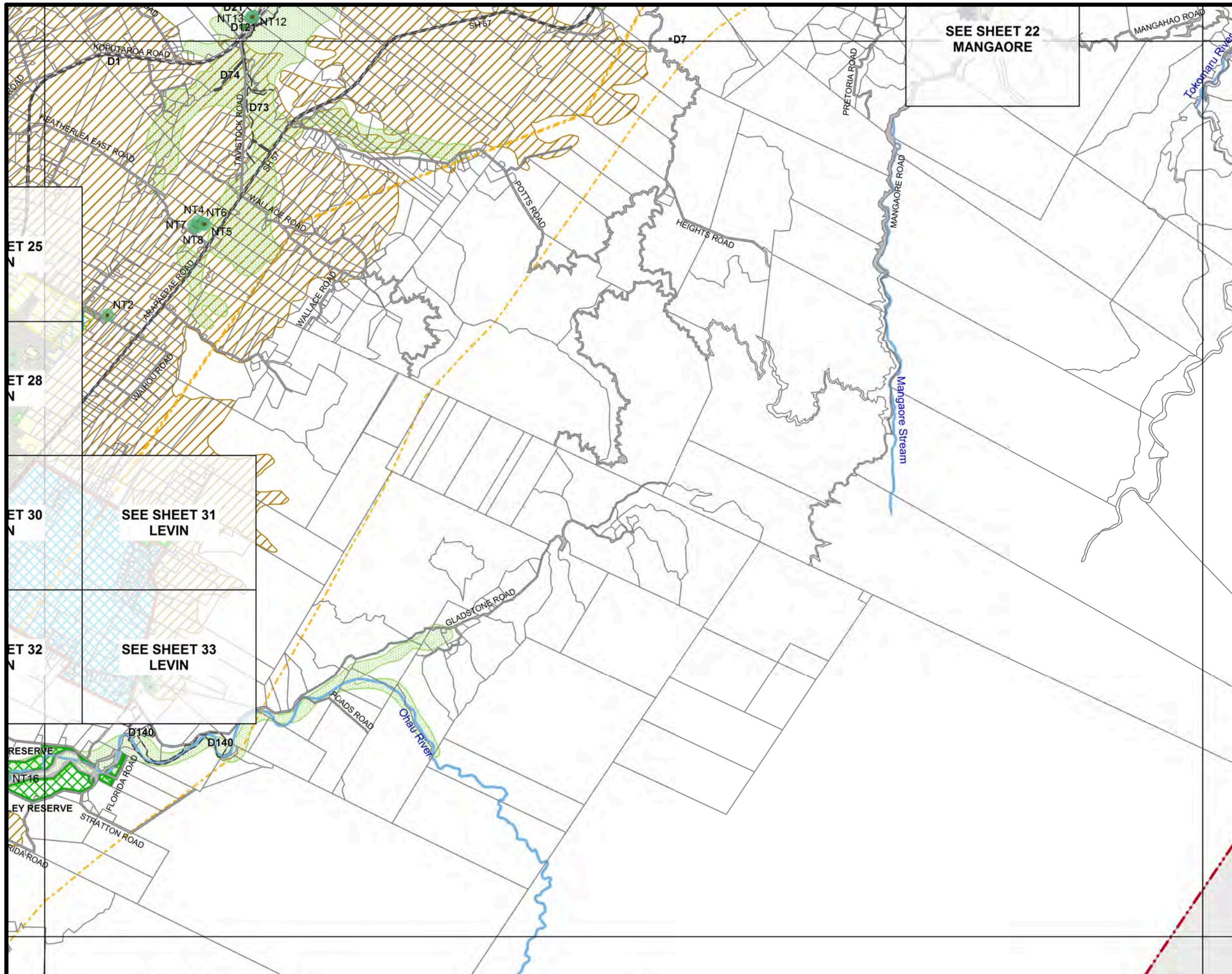
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- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 7



SEE SHEET 22
MANGAORE

LEGEND
ZONES

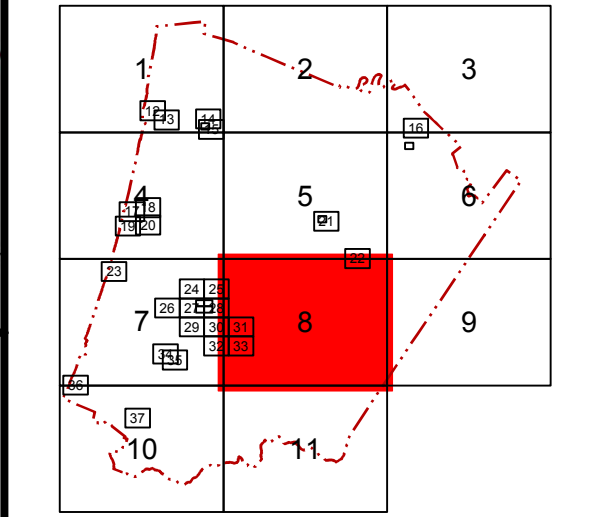
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OVERLAYS

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FEATURES

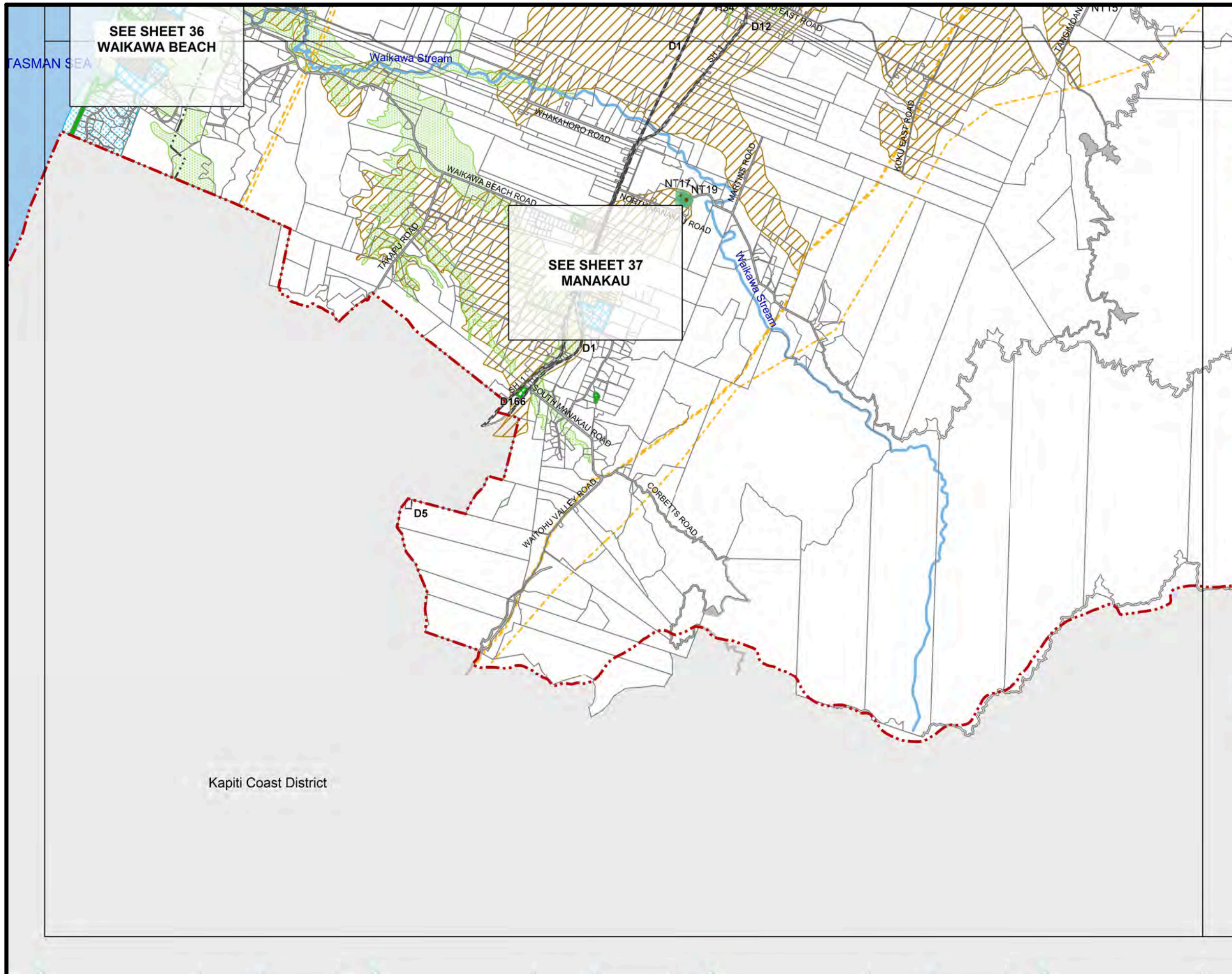
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- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 8



LEGEND
ZONES

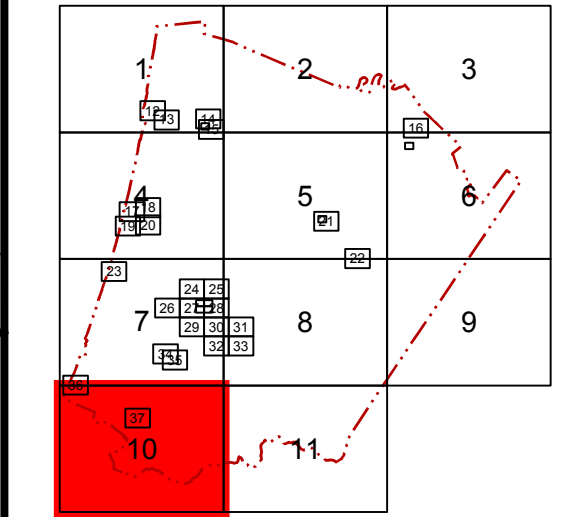
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OVERLAYS

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FEATURES

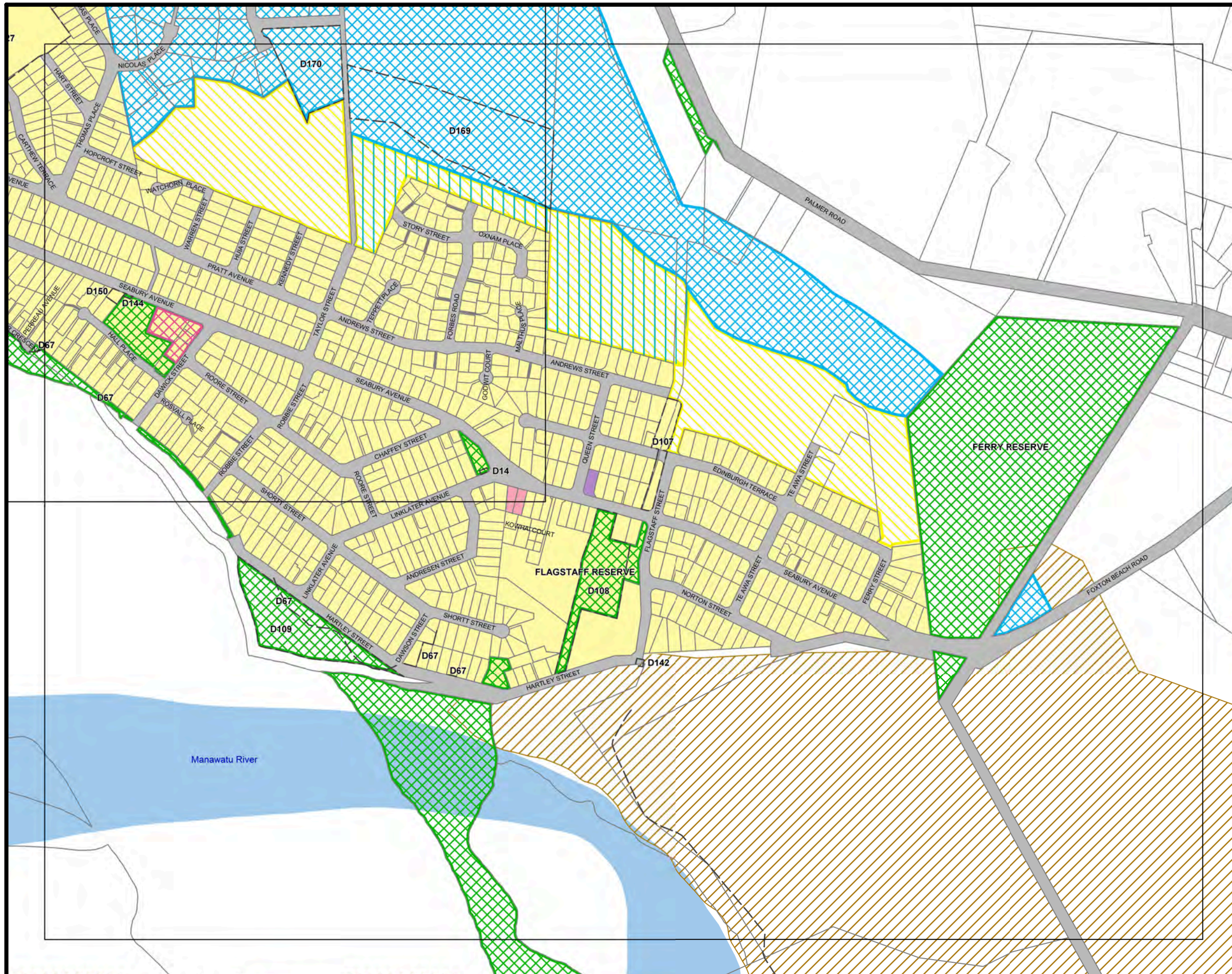
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- Designation
- Road



Scale 1 : 50,000

PROPOSED HOROWHENUA DISTRICT PLAN
RURAL

Planning Map 10



LEGEND

ZONES

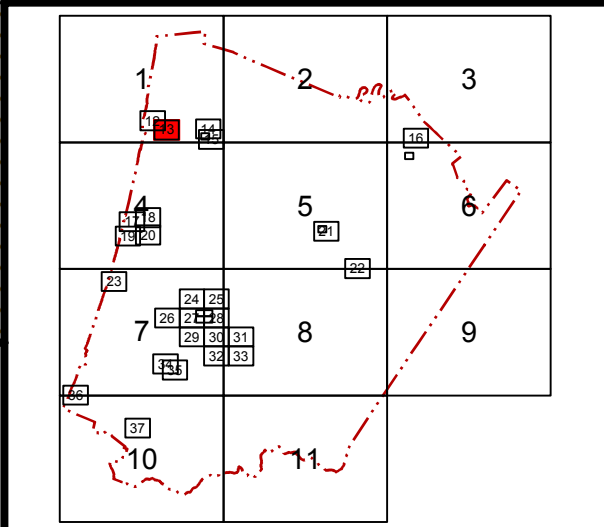
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OVERLAYS

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FEATURES

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- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road



 Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
FOXTON BEACH

Planning Map 13

LEGEND
ZONES

- Commercial Zone
- Industrial Zone
- Residential Zone
- Rural Zone
- Proposed Commercial Zone
- Proposed Greenbelt Residential Zone (part of PC 21)
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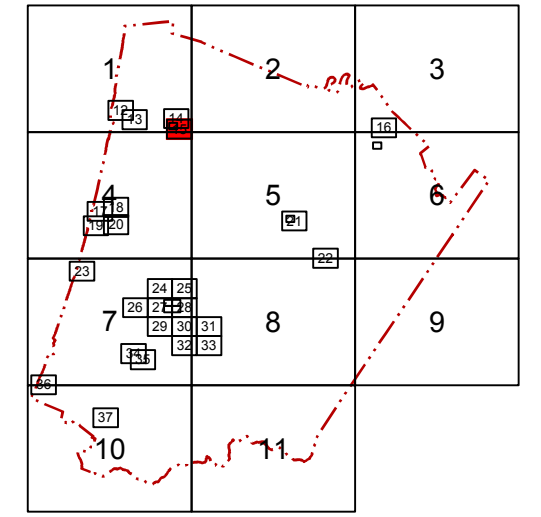
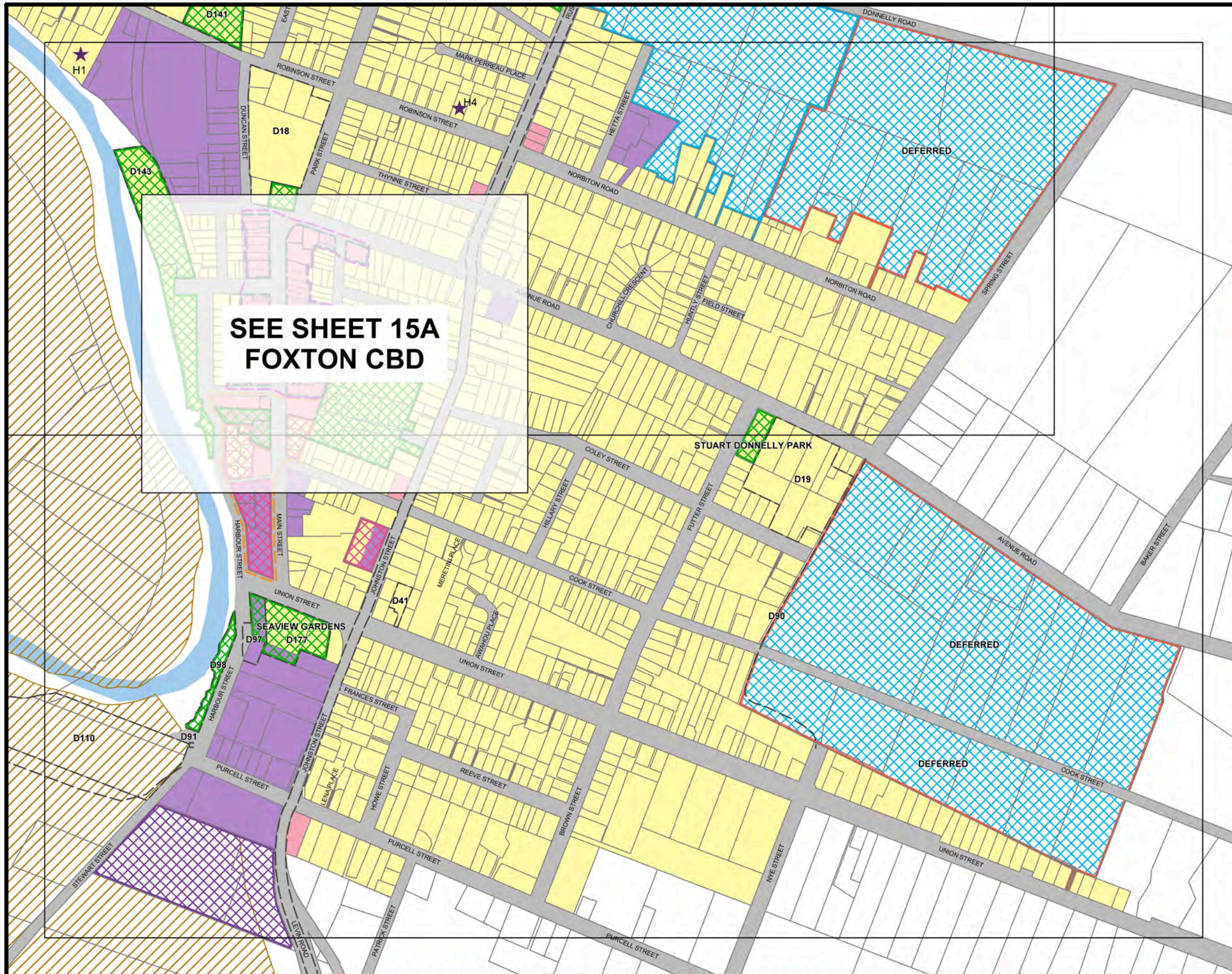
OVERLAYS

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FEATURES

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- Historic Heritage Building, Structure or Site
- Designation
- Road

**SEE SHEET 15A
FOXTON CBD**



Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
FOXTON

Planning Map 15

LEGEND
ZONES

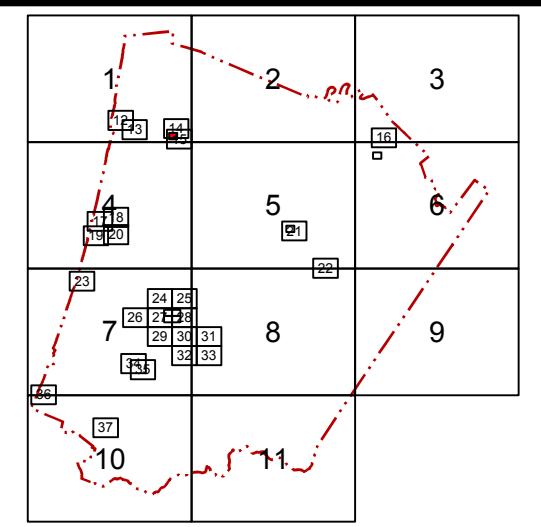
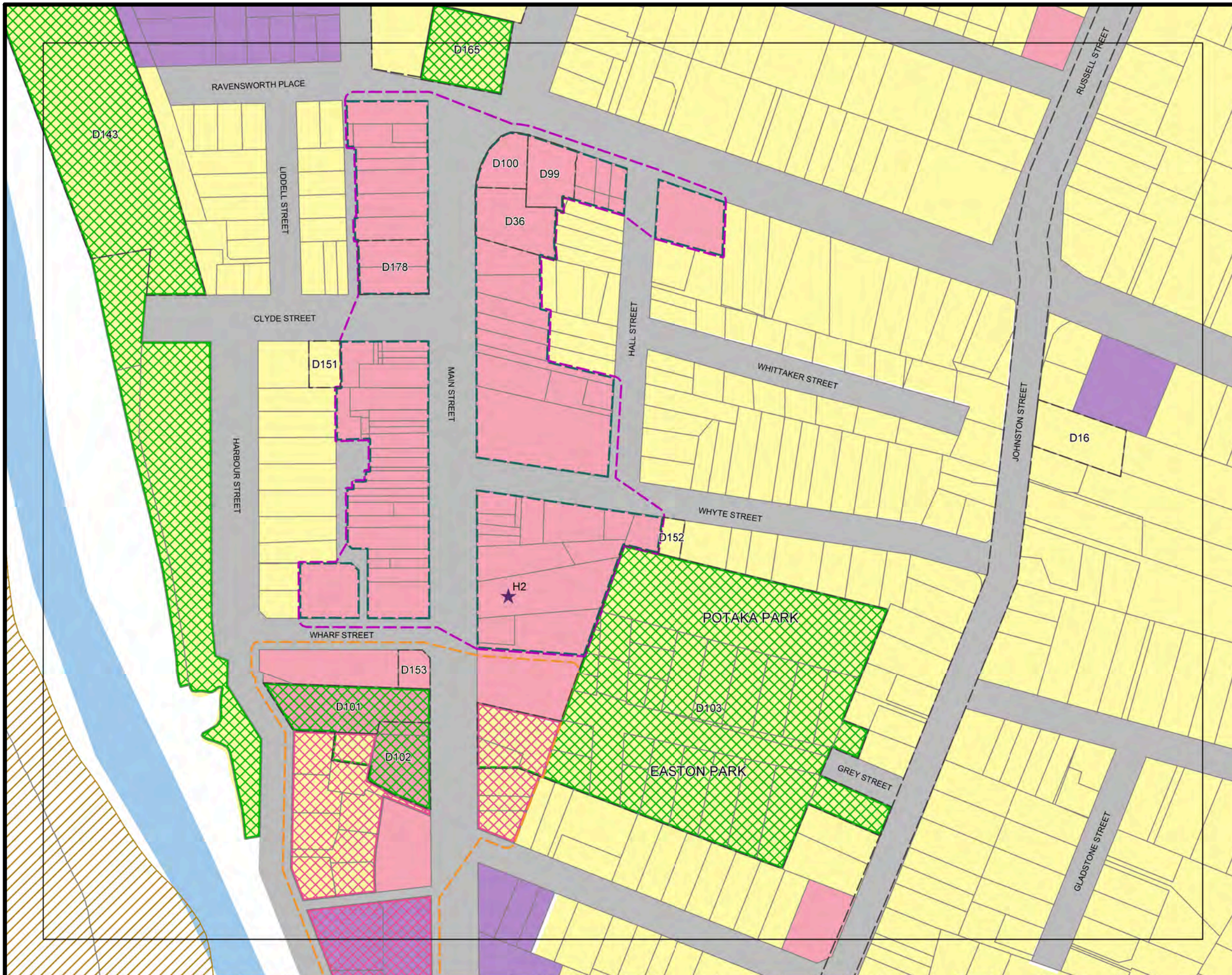
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FEATURES

- Notable Tree
- Historic Heritage Building, Structure or Site
- Designation
- Road



PROPOSED HOROWHENUA DISTRICT PLAN
FOXTON CBD

Planning Map 15A

Scale 1 : 2,500

LEGEND
ZONES

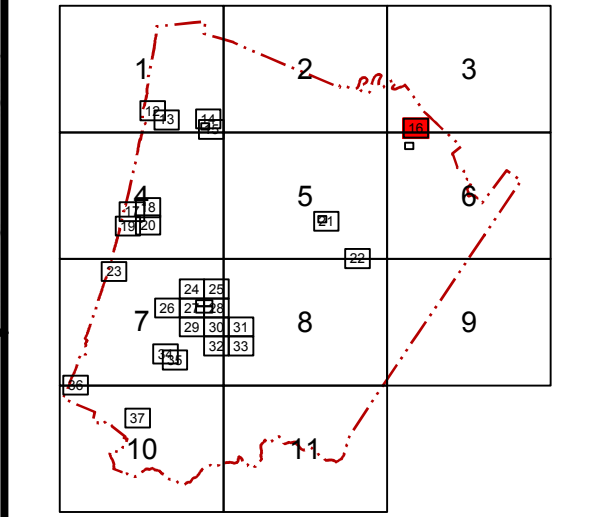
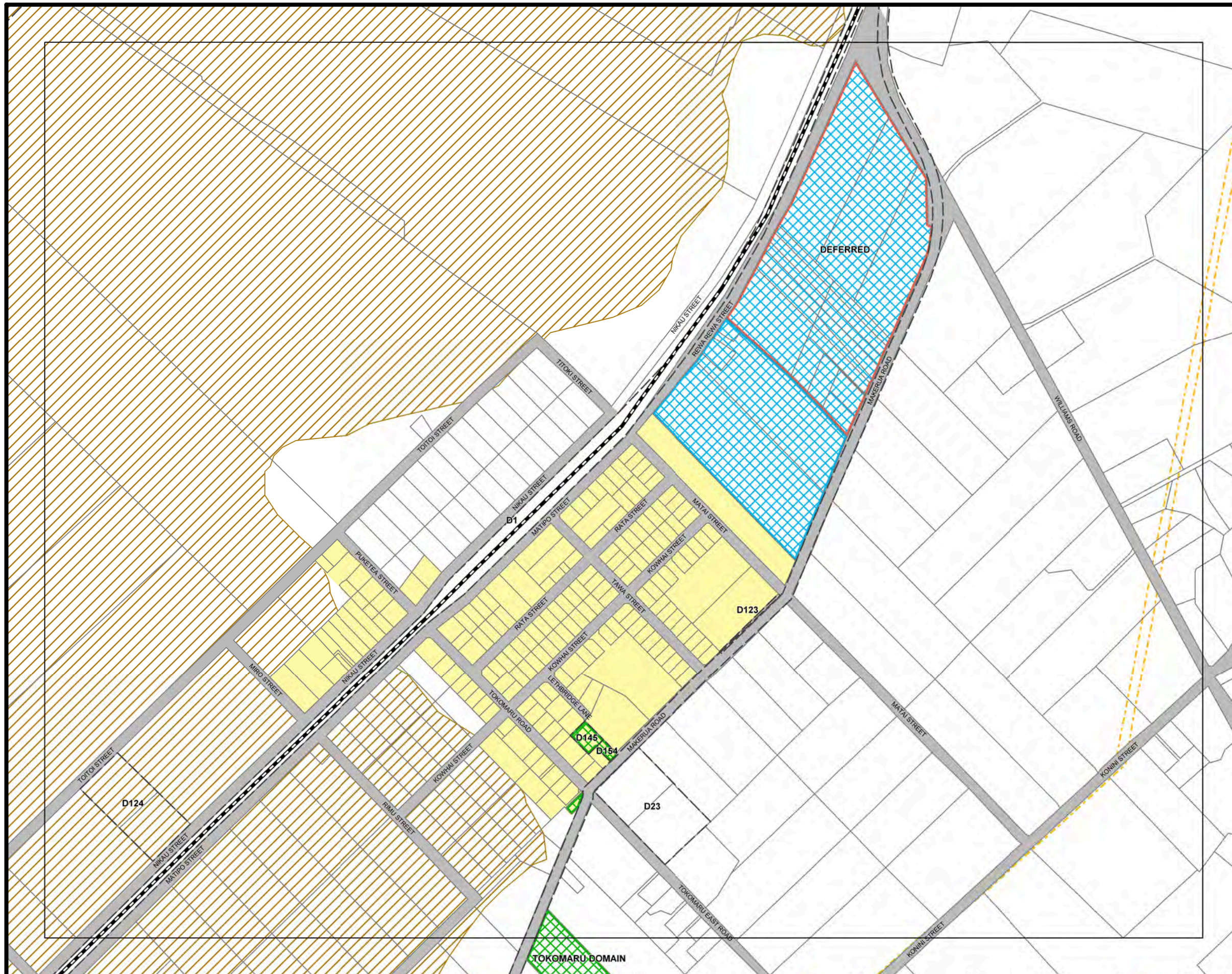
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FEATURES

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- Designation
- Road




 Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN

TOKOMARU

Planning Map 16

LEGEND
ZONES

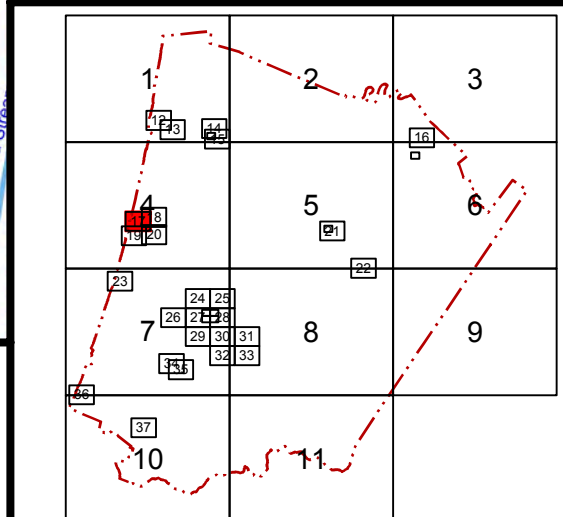
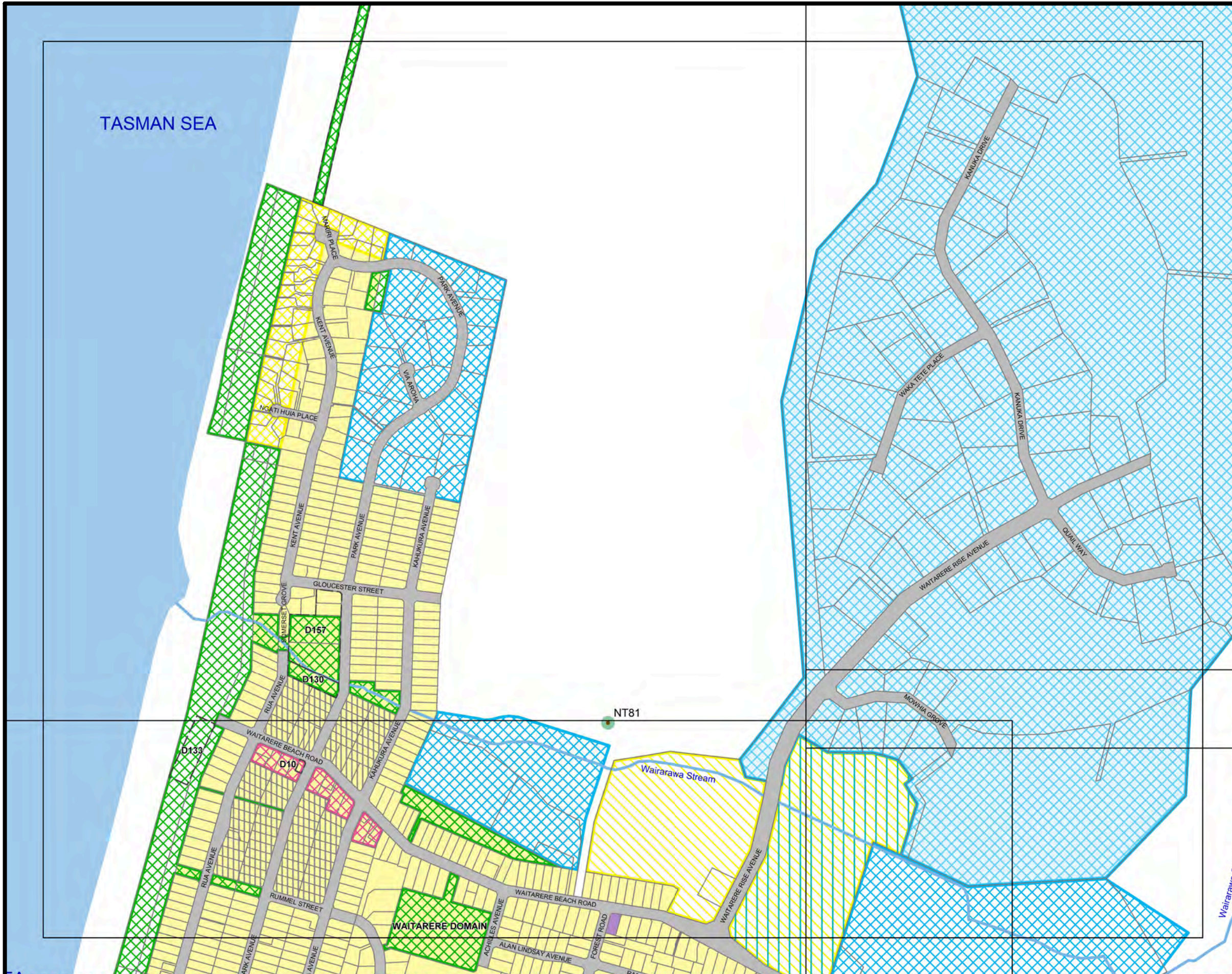
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- Proposed Residential Deferred Zone
- Proposed Rural Zone

OVERLAYS

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- Proposed 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
- Designation
- Road



PROPOSED HOROWHENUA DISTRICT PLAN
WAITARERE BEACH

Planning Map 17

Scale 1 : 7,500

LEGEND
ZONES

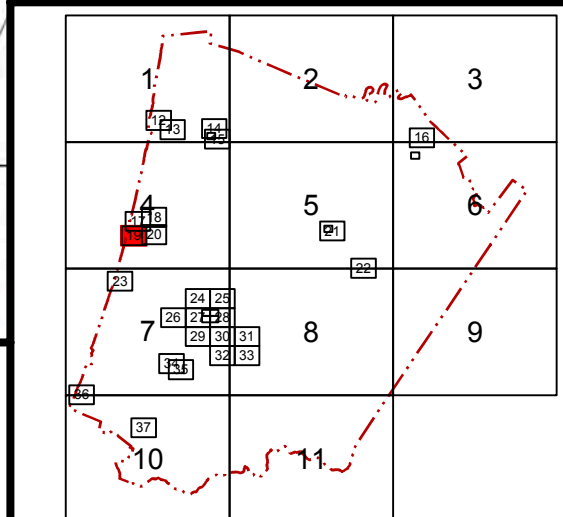
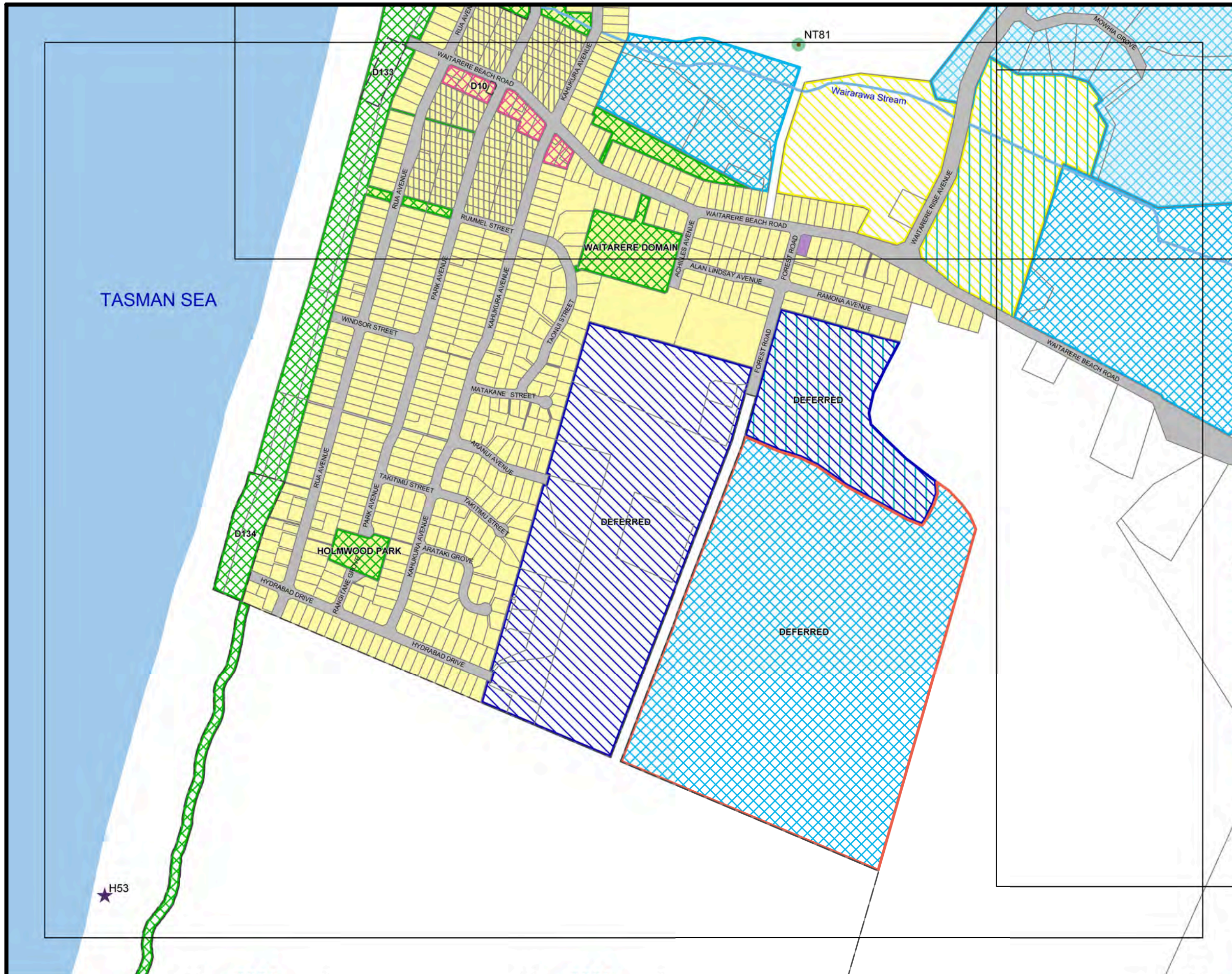
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FEATURES

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- Designation
- Road



Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
WAITARERE BEACH

Planning Map 19

LEGEND
ZONES

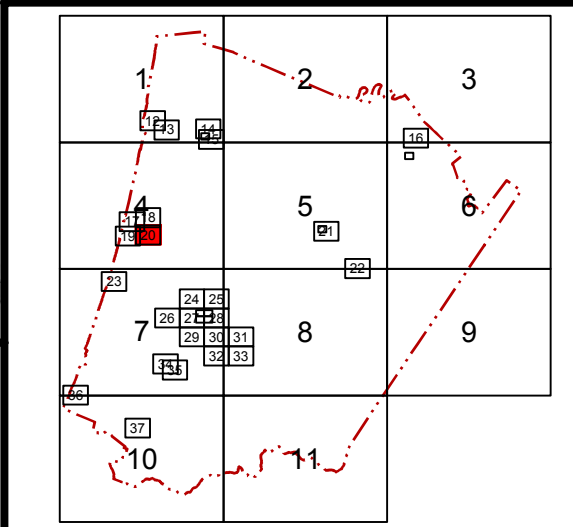
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FEATURES

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- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road




 Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN

WAITARERE BEACH

Planning Map 20

LEGEND
ZONES

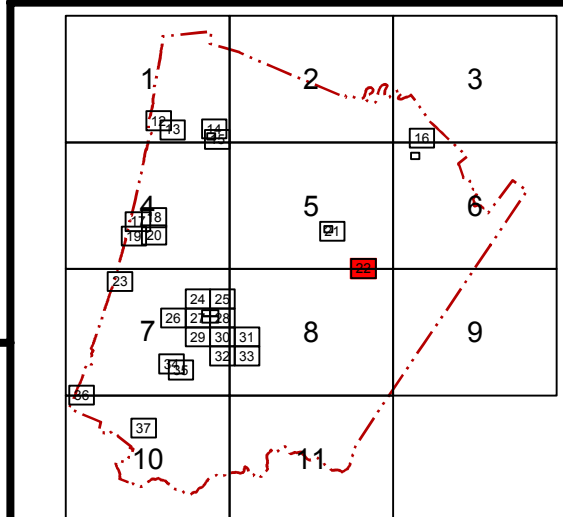
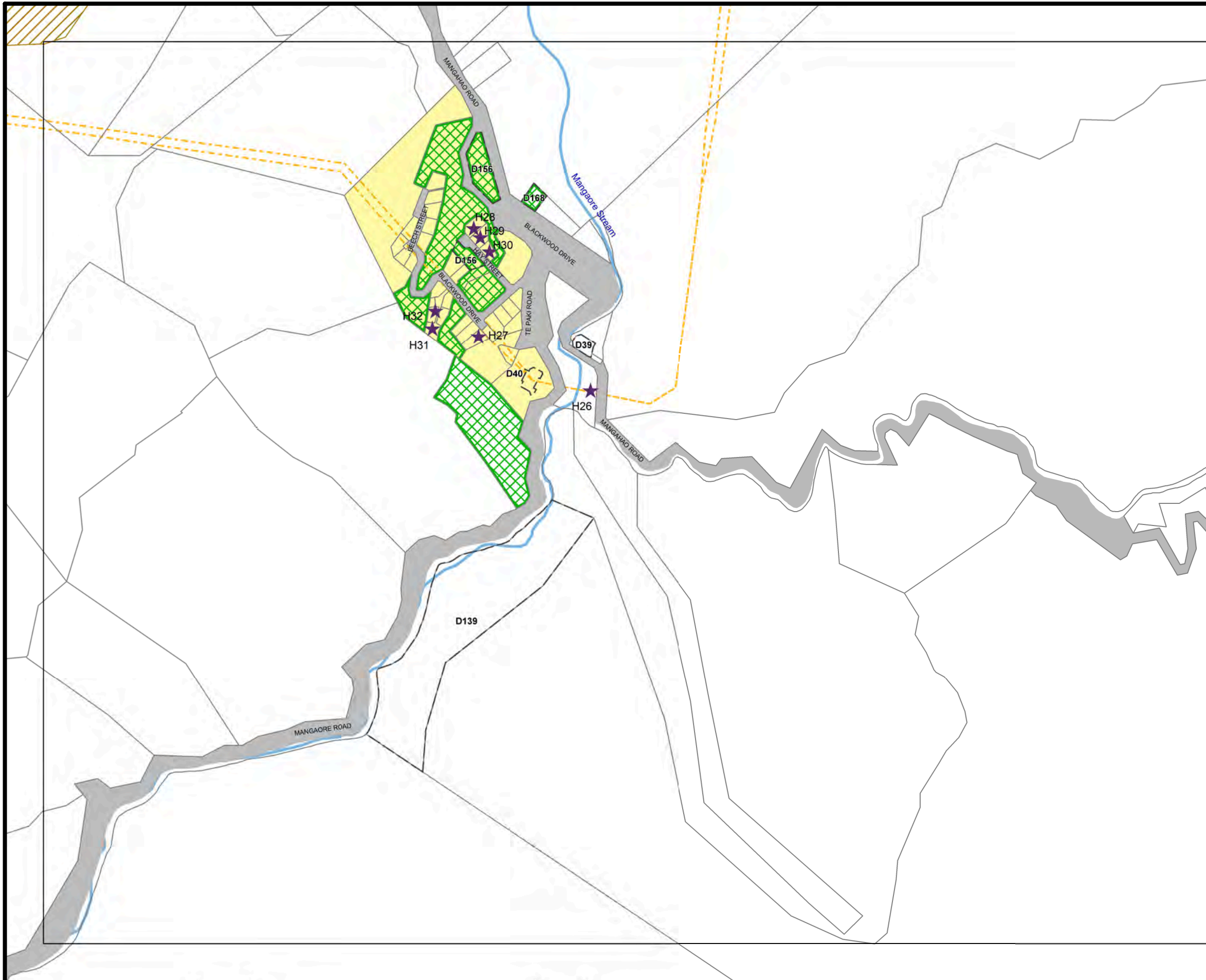
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FEATURES

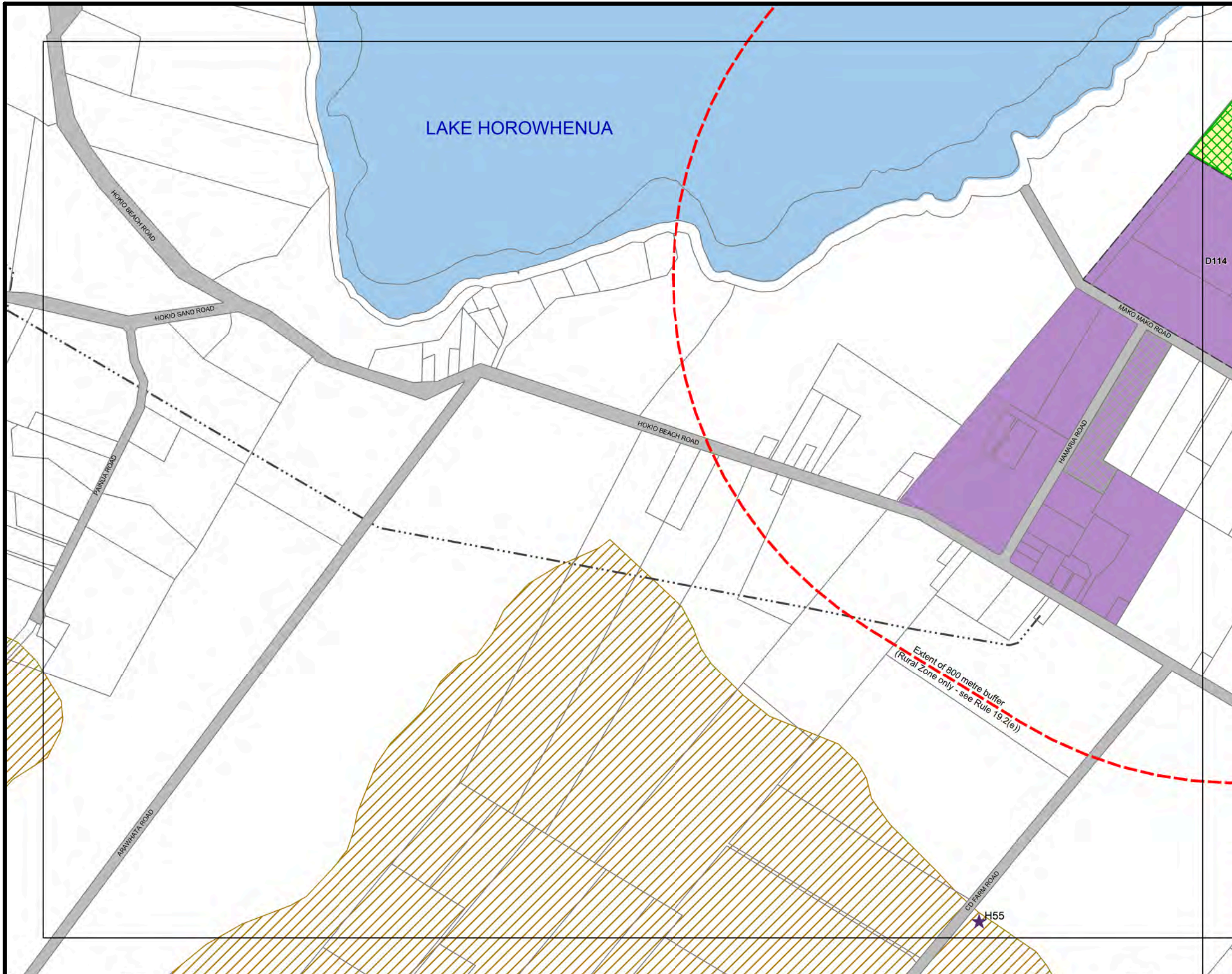
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- Historic Heritage Building, Structure or Site
- Gas Transmission Pipeline
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- Designation
- Road



PROPOSED HOROWHENUA DISTRICT PLAN
MANGAORE

Planning Map 22

Scale 1 : 7,500



LEGEND
ZONES

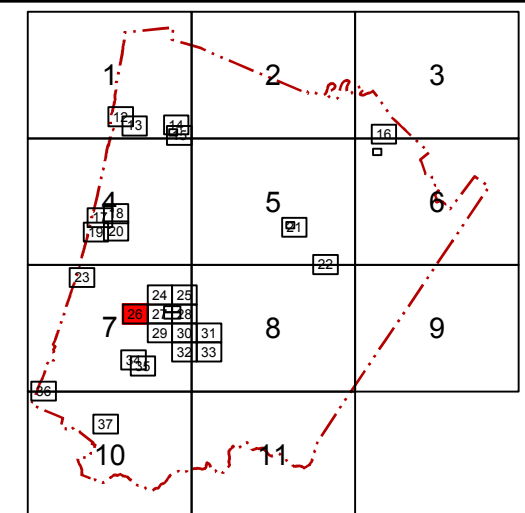
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FEATURES

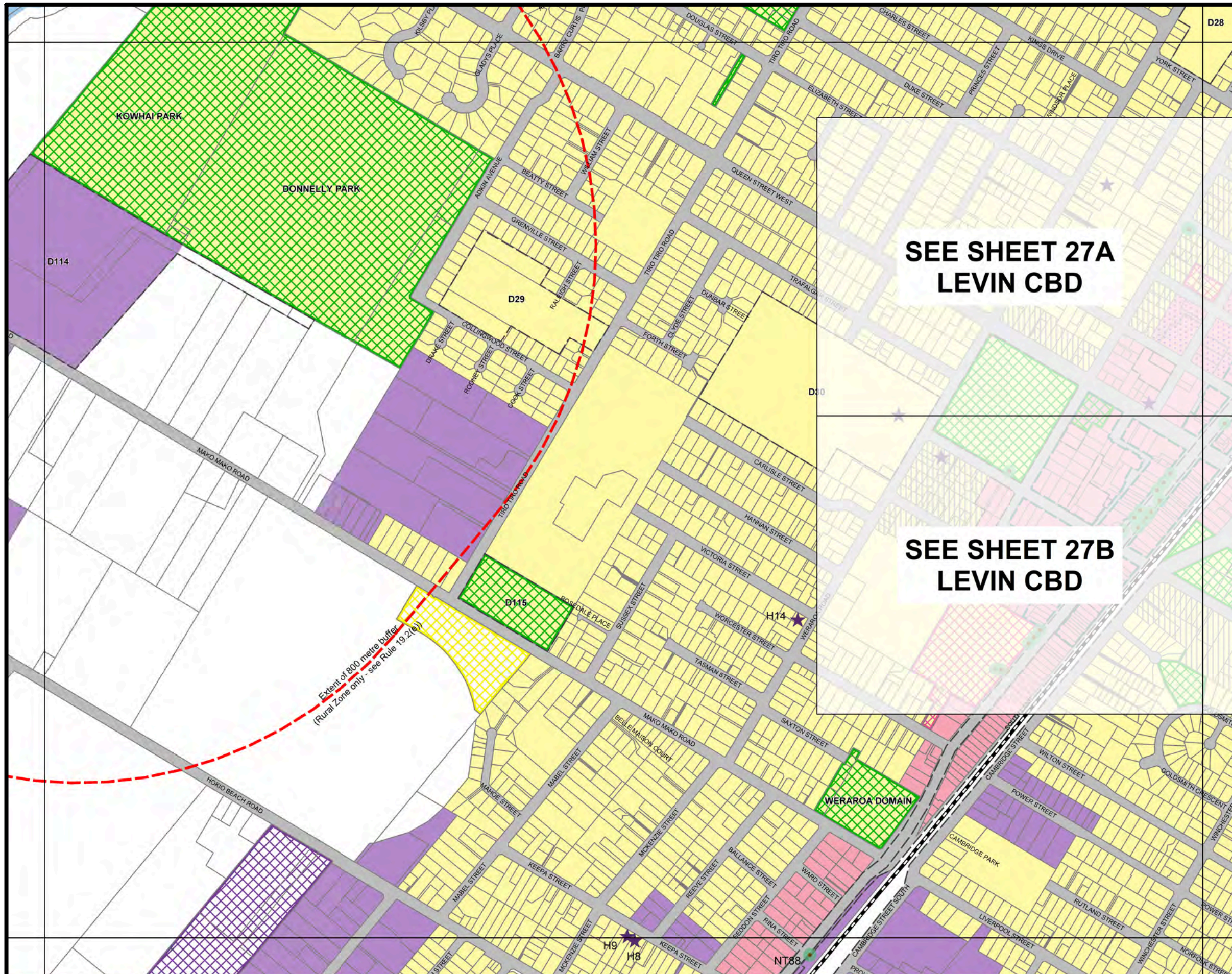
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- Gas Transmission Pipeline
- High Voltage Electricity Transmission Line
- Designation
- Road



Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 26



LEGEND
ZONES

- Commercial Zone
- Industrial Zone
- Residential Zone
- Rural Zone
- Proposed Commercial Zone
- Proposed Greenbelt Residential Zone (part of PC 21)
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FEATURES

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- Historic Heritage Building, Structure or Site
- Designation
- Road

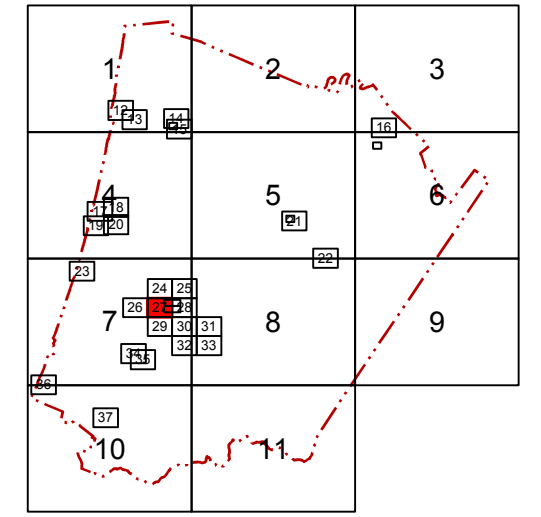
**SEE SHEET 27A
LEVIN CBD**

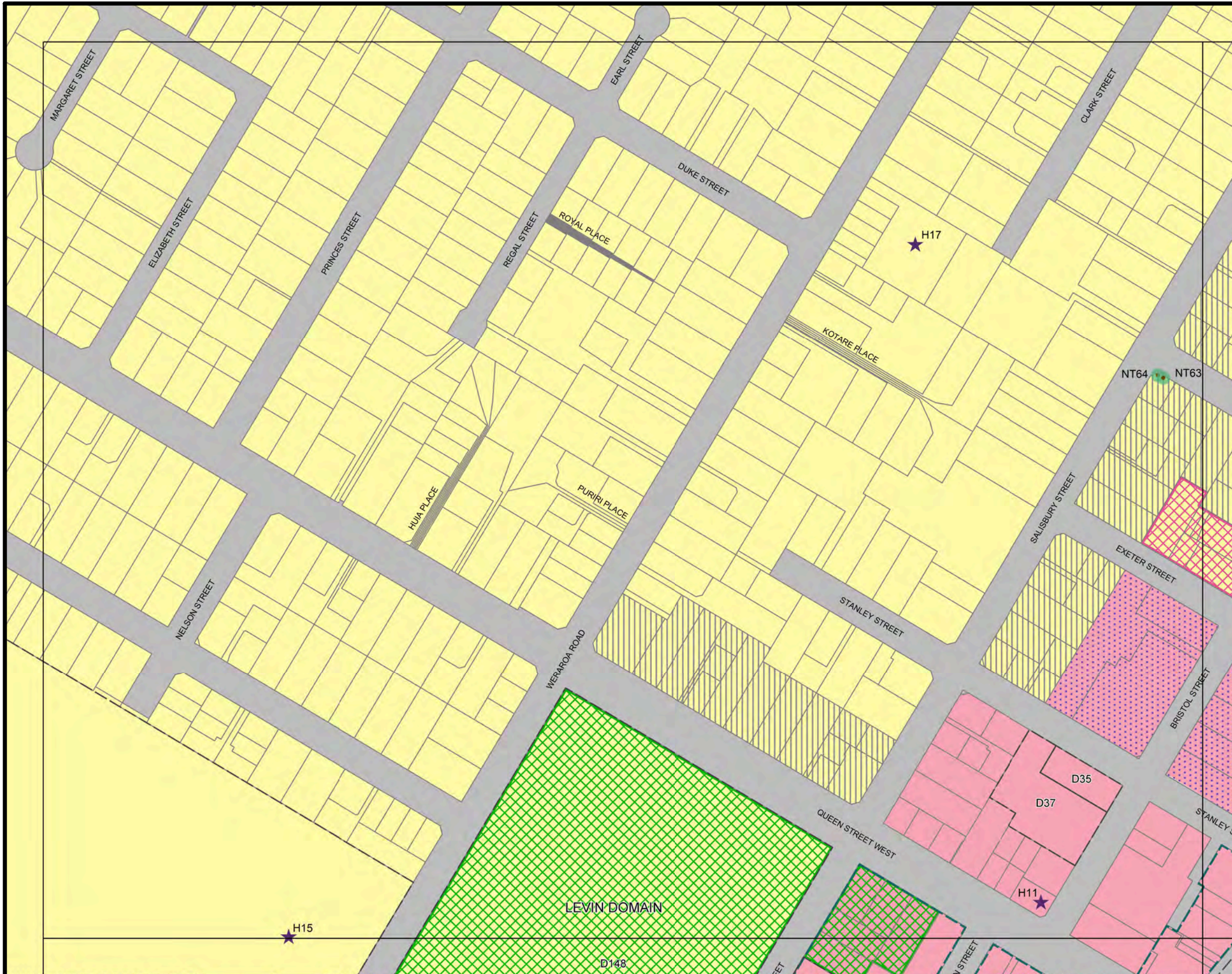
**SEE SHEET 27B
LEVIN CBD**

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 27

Scale 1 : 7,500





LEGEND

ZONES

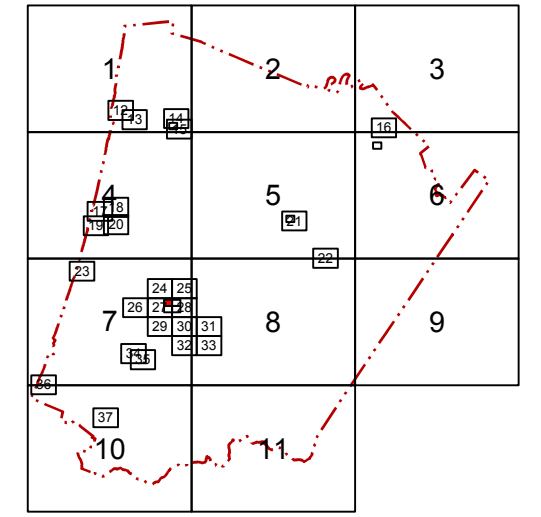
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FEATURES

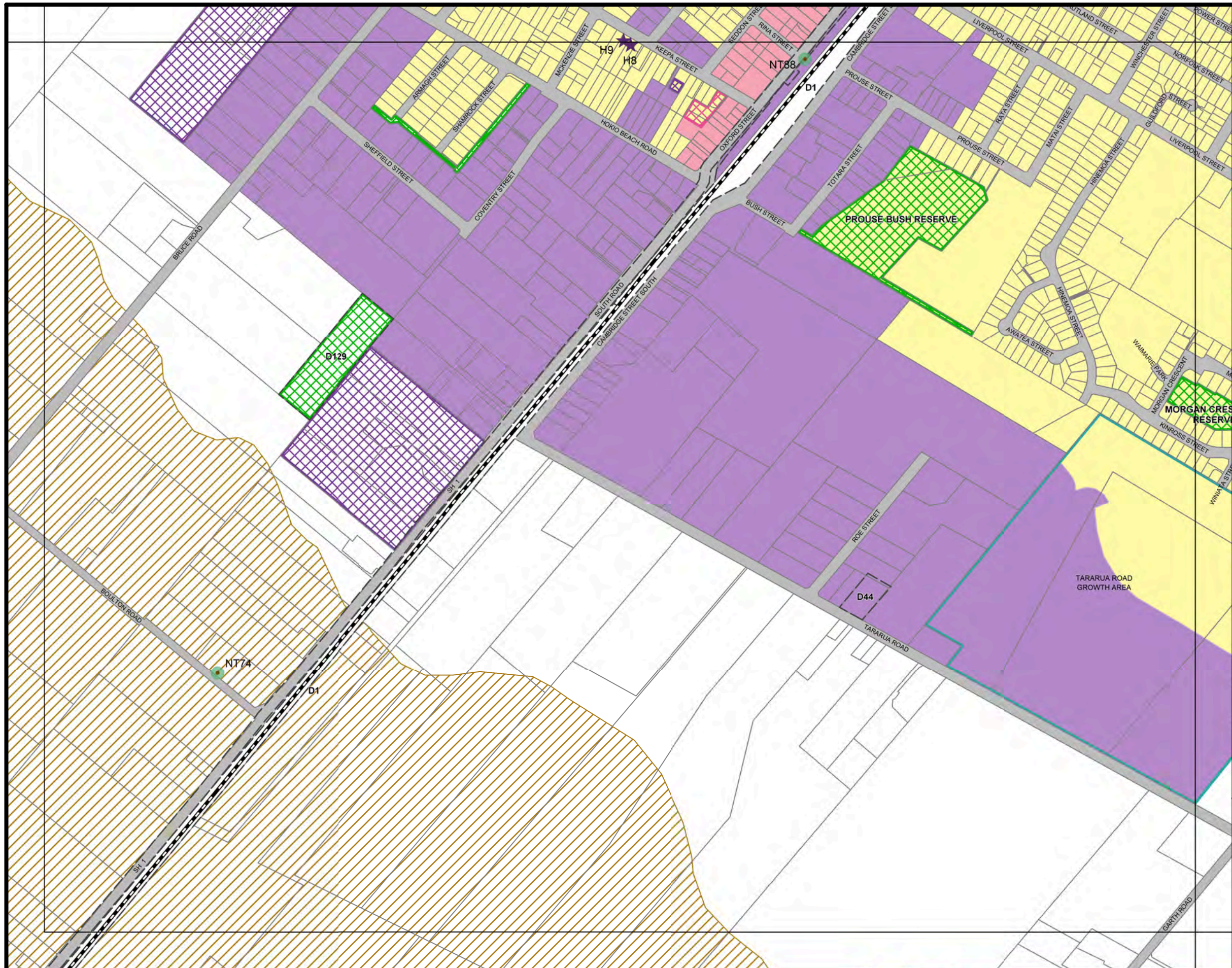
- Notable Tree
- Historic Heritage Building, Structure or Site
- Designation
- Road



Scale 1 : 2,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN CBD

Planning Map 27A



LEGEND
ZONES

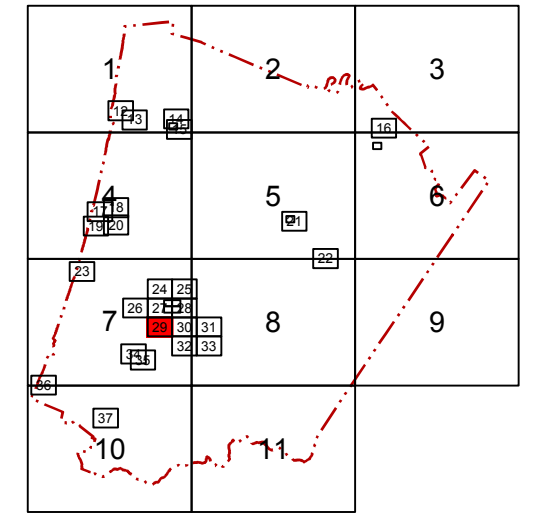
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FEATURES

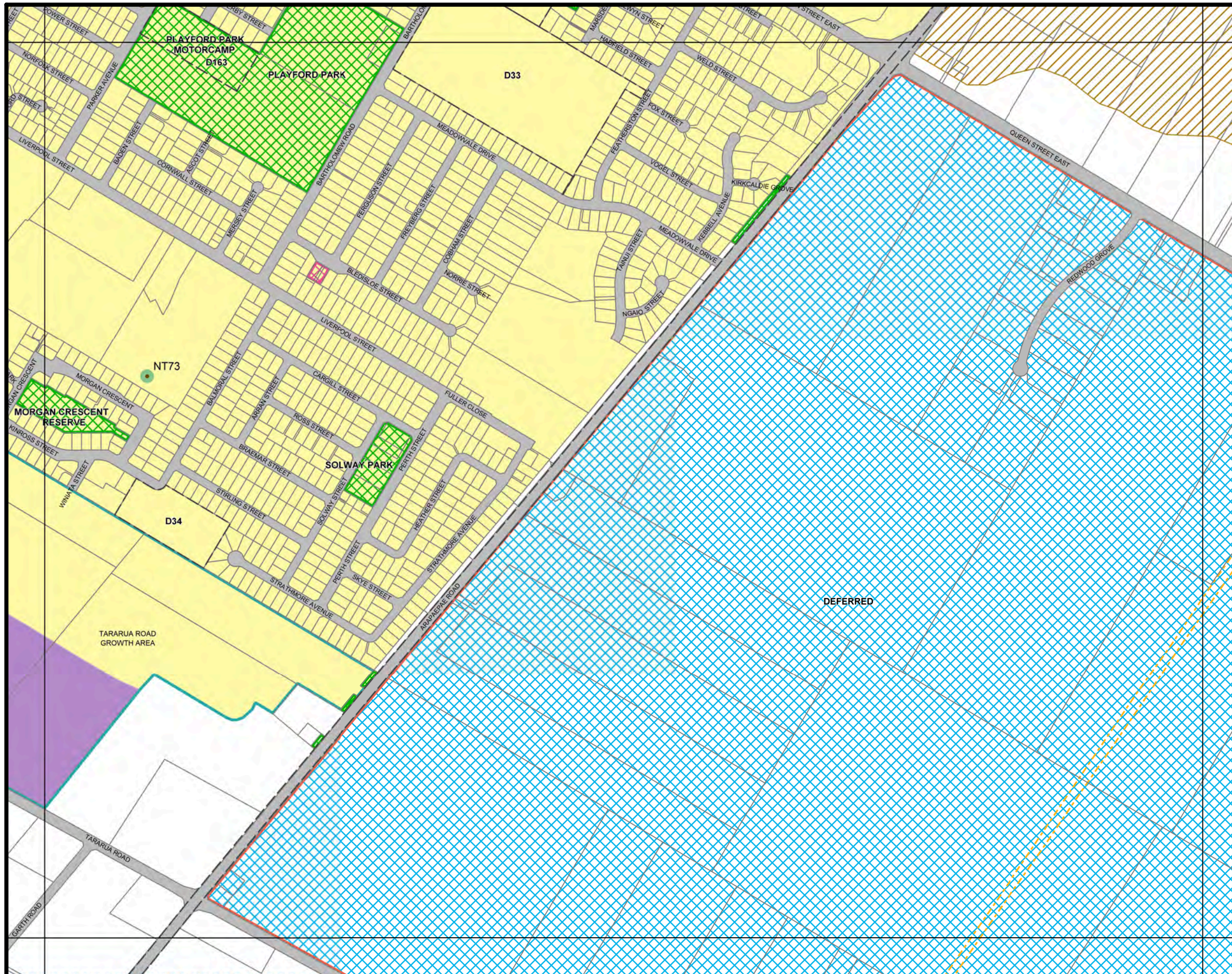
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- Designation
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Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 29



LEGEND
ZONES

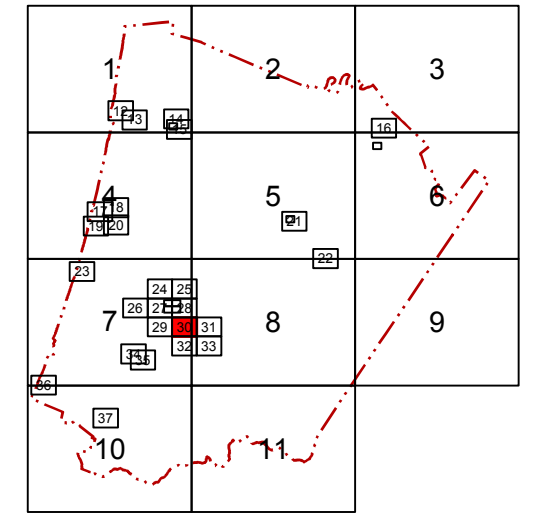
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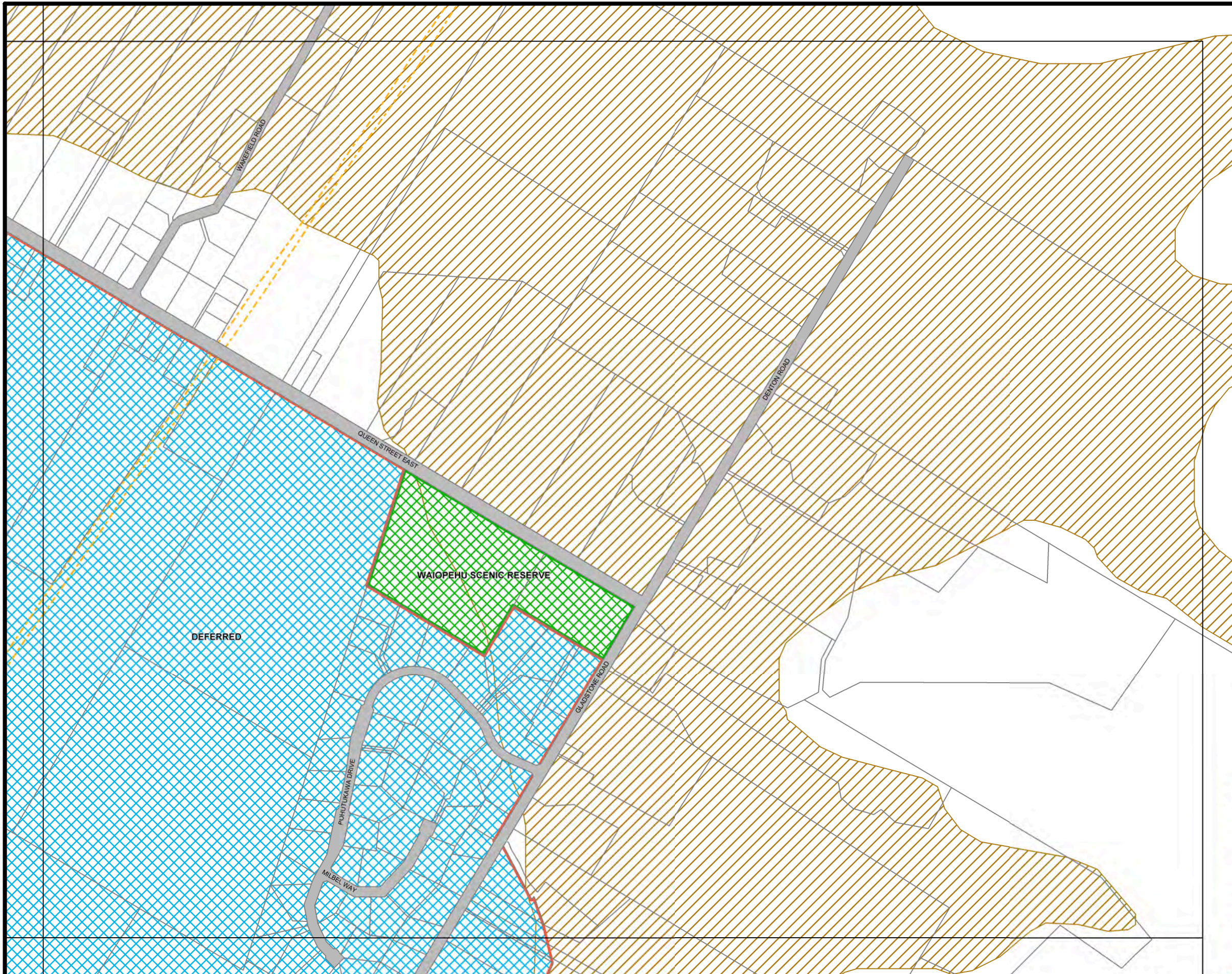
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Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 30



LEGEND
ZONES

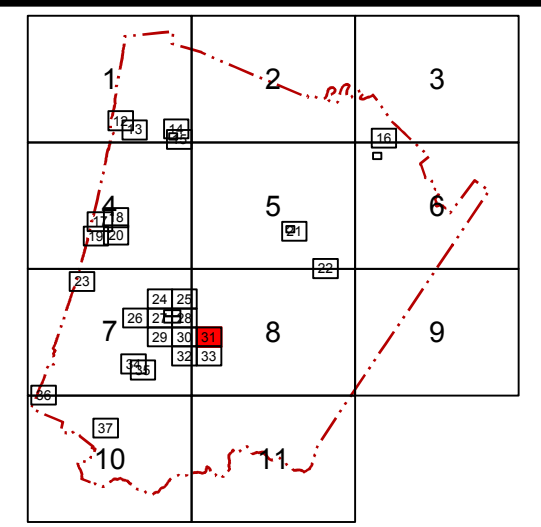
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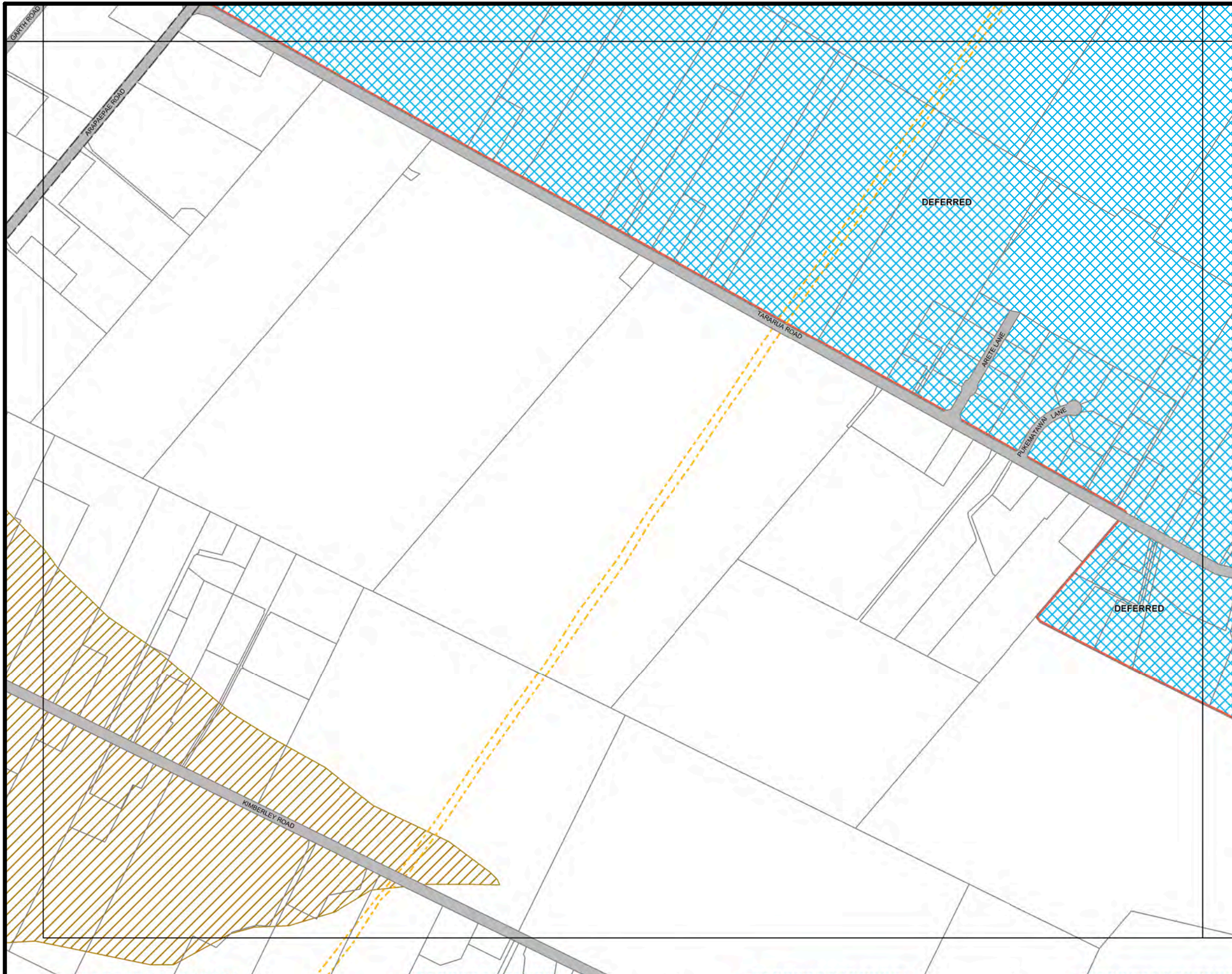
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- Designation
- Road



Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 31



LEGEND
ZONES

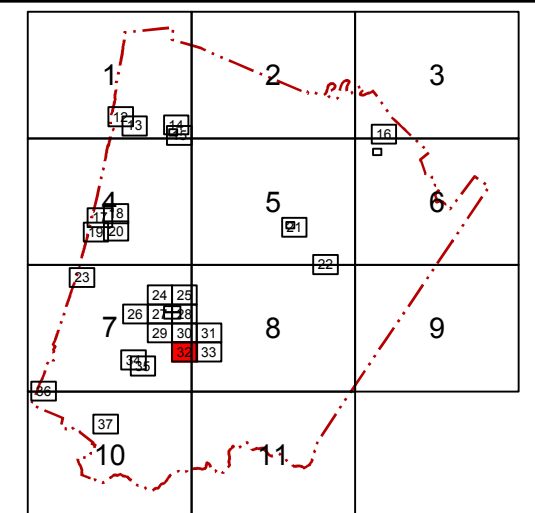
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FEATURES

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- Designation
- Road



Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
LEVIN

Planning Map 32

LEGEND
ZONES

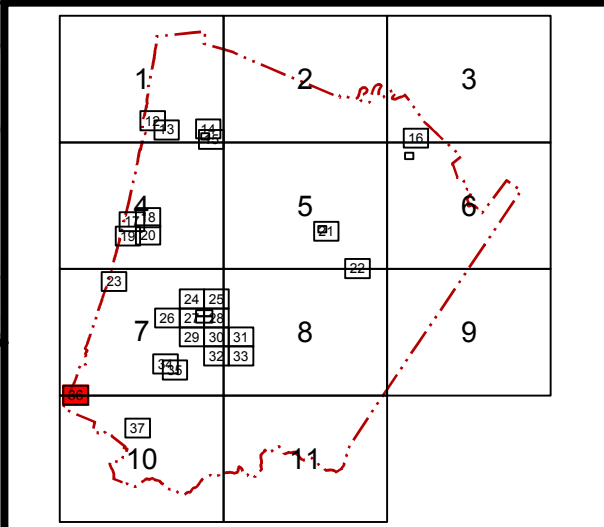
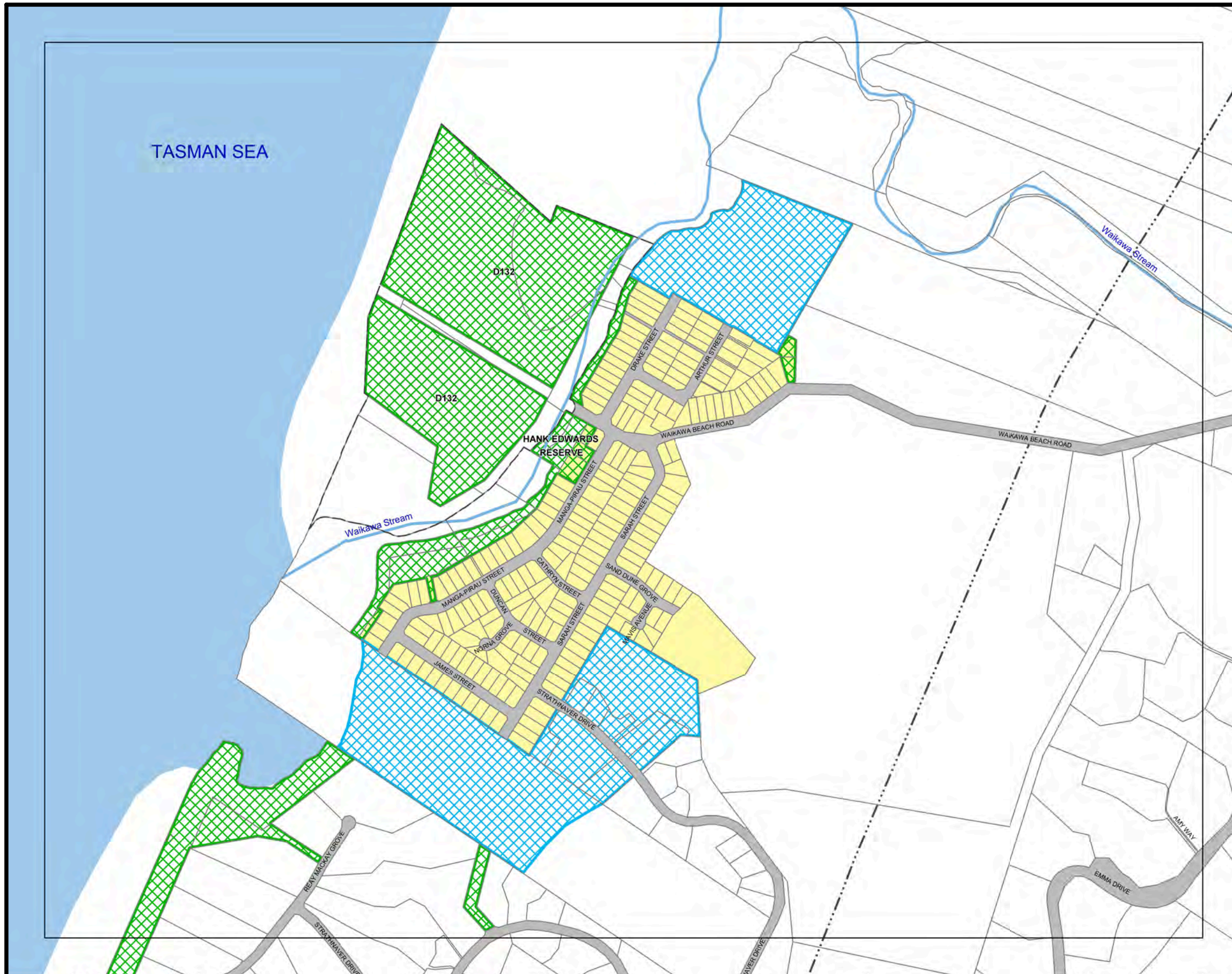
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Scale 1 : 7,500

PROPOSED HOROWHENUA DISTRICT PLAN
WAIKAWA BEACH

Planning Map 36

6.3 Schedule of Officer's Recommendations on Submission Points

Sub. No	Further Sub. No.	Submitter Name	Further Submitter Position	Officer's Recommendation
62.00		Kathleen Bills		Accept
63.00		Taupunga Farming Company		Accept
91.11	526.12	HDC (Community Assets Department) Truebridge Associates Ltd	Oppose	Accept Reject
108.46		HDC (Planning Department)		Accept
33.00	502.00	Levin Golf Club Meyer	Support	Accept Accept
36.00		Trucis Investments Ltd		Reject
11.15	511.20 519.26	Taueki HDC (Community Assets Department) Rudd	Oppose Support	Reject Accept Reject
60.09		Muaupoko Co-operative Society		Reject
14.00		Kornelius du Plessis		Reject
90.04		Foxton Community Board		Reject
90.00		Foxton Community Board		Accept
116.11		Truebridge Associates Ltd		Reject
90.03	511.21	Foxton Community Board HDC (Community Assets Department)	In Part	Accept Accept In-Part
108.40		HDC (Planning Department)		Accept
75.00		Marshall		Accept
108.41		HDC (Planning Department)		Accept
35.00		Anthony Hunt		Accept
68.00		Te Taitoa Maori o Te Awahou		Accept
84.00		Petersen		Reject
85.00		Millar		Reject

86.00		Ivan Chambers		Reject
87.00		Hapi		Reject
88.00		Gail Chambers		Reject
89.00		Fowler		Reject
90.01		Foxton Community Board		Accept
90.02		Foxton Community Board		Accept
24.00		Wright		Reject
28.00		Wright		Reject
108.42		HDC (Planning Department)		Accept
108.43		HDC (Planning Department)		Accept
112.00		Shannon Progressive Association		Accept
18.00		Pearce		Accept
19.00		Searle		Accept
20.00		Kel		Accept
21.00		Skelton		Accept
22.00		MacMillan		Accept
30.00		Peter Everton		Accept
30.01		Peter Everton		Reject
5.01		Gradock		Accept
108.44		HDC (Planning Department)		Accept
114.00		Spelman		Reject
6.01		Benning		Reject
11.25	519.20	Taueki Rudd	Support	Reject Reject
60.22		Muaupoko Co-operative Society		Reject
8.00		Broughton		Reject
43.00		Leong and Brown		Reject
73.02		McDonald's Restaurant (New Zealand) Limited		Reject

111.00		Dunn		Reject
2.00		Homestead Concrete Homes Ltd		Accept
31.00		The Surveying Company (Wellington) Ltd		Accept
37.00		Homestead Group Ltd		Accept
108.45		HDC (Planning Department)		Accept
115.00	520.00	Alan McKenna Homestead Group Ltd	Oppose	Reject Accept
54.00	526.00	Meyer Truebridge Associates	Oppose	Reject Accept
49.00	525.14	Blundell Campbell	Support	Reject Reject
65.07		Horowhenua Farmers' Ratepayer Group		Reject
66.07		Mitchell		Reject
65.08		Horowhenua Farmers' Ratepayer Group		Reject
66.08		Mitchell		Reject
67.07		Taiao Raukawa Environmental Resource Unit		Reject
99.50		Transpower		Accept

**6.4 Geomorphological Report: Future urban development in the
Foxton Beach area**

Geomorphological assessment: Future urban development in the Foxton Beach area

Dr Craig R Sloss

Coastal Geomorphologist: School of People, Environment and Planning,
Massey University, Private Bag 11222, Palmerston North, New Zealand.

Report Prepared for: Boffa Miskell Ltd.

Geomorphological assessment: Future urban development in the Foxton Beach area

Dr Craig R Sloss

School of People, Environment and Planning, Massey University, Private Bag 11222,
Palmerston North, New Zealand.

The Manawatu River Estuary

The Manawatu river mouth and estuary covers c.200 ha. It is a relatively small river estuary with mudflats and salt marsh being the dominant geomorphological features (Fig. 1). The most conspicuous elements of the estuary is the native fauna that inhabit the mud flats and salt marsh. Specifically the bird population which currently numbers 93 identified species, many of these being migratory birds, and several endangered species. Due to its diversity of bird life and significance as a habitat for some rare migratory birds the Manawatu River estuary has been recognised internationally as being an environmentally important and gained listing as a wetland of international significance under the Ramsar convention (an inter-government treaty on the conservation of wetlands). Due to the significance of the Manawatu River estuary the conservation of natural habitat within and surrounding the estuary is of high importance. This includes the sand spit that extend south from Foxton Beach as these dunes, and the sand flats at the mouth of the river estuary, also playing host to the bird life of the wetland.

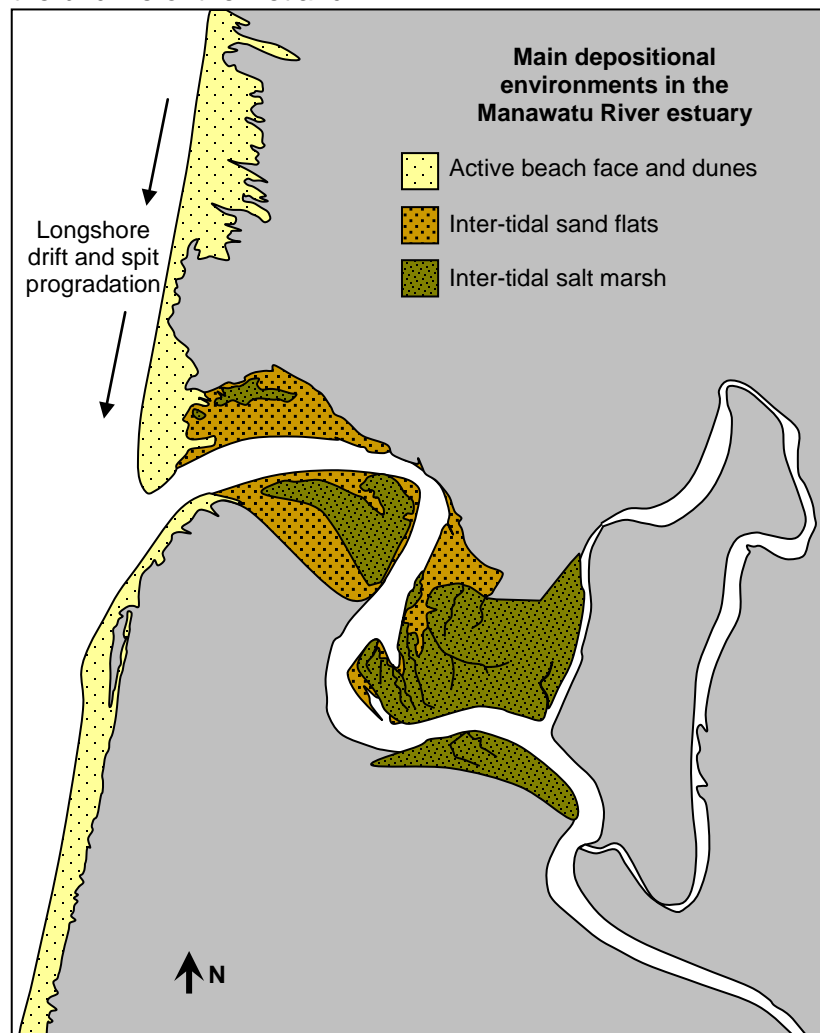


Figure 1: Main sedimentary depositional environments found in the Manawatu River Estuary.

Another major consideration is that the sand flats and spit associated with the river mouth is very active from a geomorphological perspective (Fig. 1 and 2).

Waves approaching the Manawatu coast come from either the southwest or the west. Waves approaching from the southwest are generated in the northern Cook Strait and have a maximum fetch of 100 km resulting in moderate wave energy. Waves approaching from the west (Tasman Sea) have a greater fetch resulting in a dominant westerly swell. North of the Wanganui River the westerly swell approaches the coast at an oblique angle resulting in a southward moving longshore drift. Accordingly, waves in the nearshore not only transport large quantities of sand-sized sediment shoreward from the northwest but southwards to the mouth of the Manawatu estuary as well. The Manawatu coast is dominated by onshore west-north-west wind with winds recorded at Ohakea Air Force Base being sufficiently strong to initiate sand transport approximately 33% of the time (Muckersie and Shepherd, 1995; Shepherd, 1987). A good supply of sandy sediment from the Wanganui and Whangaehu Rivers in the north of the Wanganui Basin and the Rangitikei and Manawatu Rivers further south combined with this dominant onshore wave and wind climate are the main factors controlling geomorphology on the Manawatu coast.

This combination of westerly swell waves and southward littoral drift has resulted in an actively prograding spit (southward; Fig. 2). The combination of an abundant supply of fine-grained sediment, onshore winds and westerly swell wave climate has resulted in the formation of the Manawatu "sand country". This comprises the largest transgressive dune field in New Zealand and covers approximately 900 km². The sand country consists largely of stabilised parabolic dunes that have formed over the last 6500 years. The most recent phase of dune activity has occurred over the last 120 years. These dunes form a coastal belt of active and stabilised dunes that extend landward between 0.5 to 4 km inland (Fig. 1). There are large areas that are occupied by active foredune blowouts and parabolic dunes. Since progradation continues today, and blowouts and parabolic dunes continue to develop despite significant human intervention in the form of planting, dune re-shaping and fertilising it may be that early human activity merely aided natural processes and the development of the most recent dune phase.

At the mouth of the Manawatu River estuary active dunes occur on the spit which are accreting inland. This is evident by the development of blowout features in the foredune and the development of parabolic dunes. Both the spit and the dunes have formed within the last 120 years, testimony to how active this area (Figs 1 and 2).

The spit has also forced the mouth of the Manawatu River to move southward. However, this may not be a permanent situation. As the spit has formed over the path of the previous river channels then there is a high probability that during extreme flood events that the river will attempt to return to a more northerly path. This would pose a significant hazard to the area to the south of the well established dunes that were present prior to 1889.

In Summary:

It is my recommendation that the area on the spit and to the south of the Foxton Beach township (including the areas south of Mack Street, Barber Street and Pinewood Street) be excluded from any future development for the following reasons:

- Conservation of an ecologically important area.
- Preservation of a distinctive geomorphological landscape.
- Potential hazards associated with flooding of the Manawatu River.

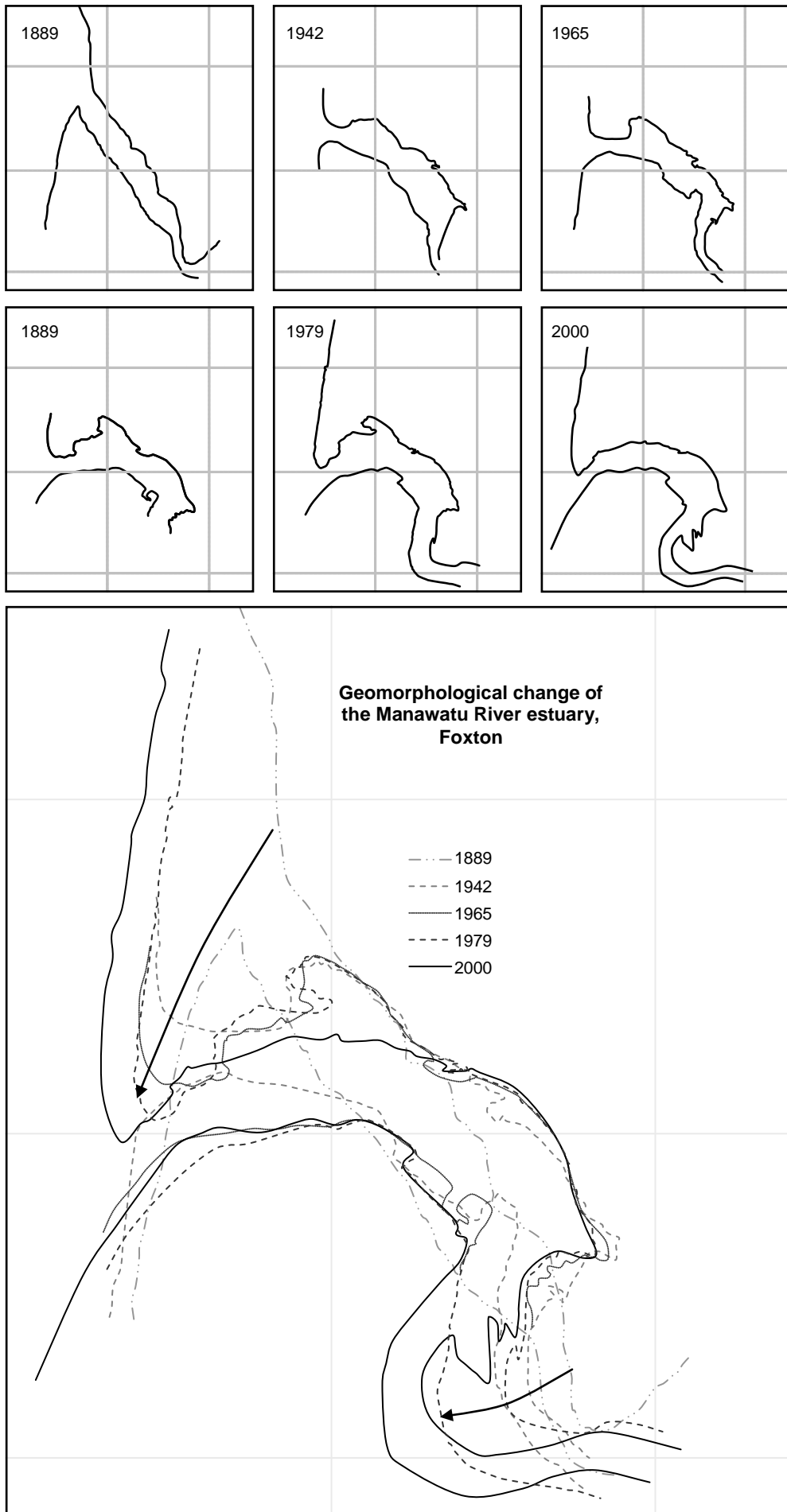


Figure 2: The southward progradation of the spit in the mouth of the Manawatu River estuary.

Dunes to the North of Foxton Beach

The dune fields to the north of the Foxton Beach are classic examples of a coastal dune environment. Such environments are becoming exceedingly rare with coastal dune field in New Zealand being one of the most threatened natural habitats in terms of reduction in geographic area and modification in the areas that do remain (Hilton, 2006; Hilton *et al.*, 2005; Hilton *et al.*, 2000). In fact, the area of active dunes in the Manawatu region has reduced by 80% over the last 40 years (Fig. 3; Hilton, 2006).

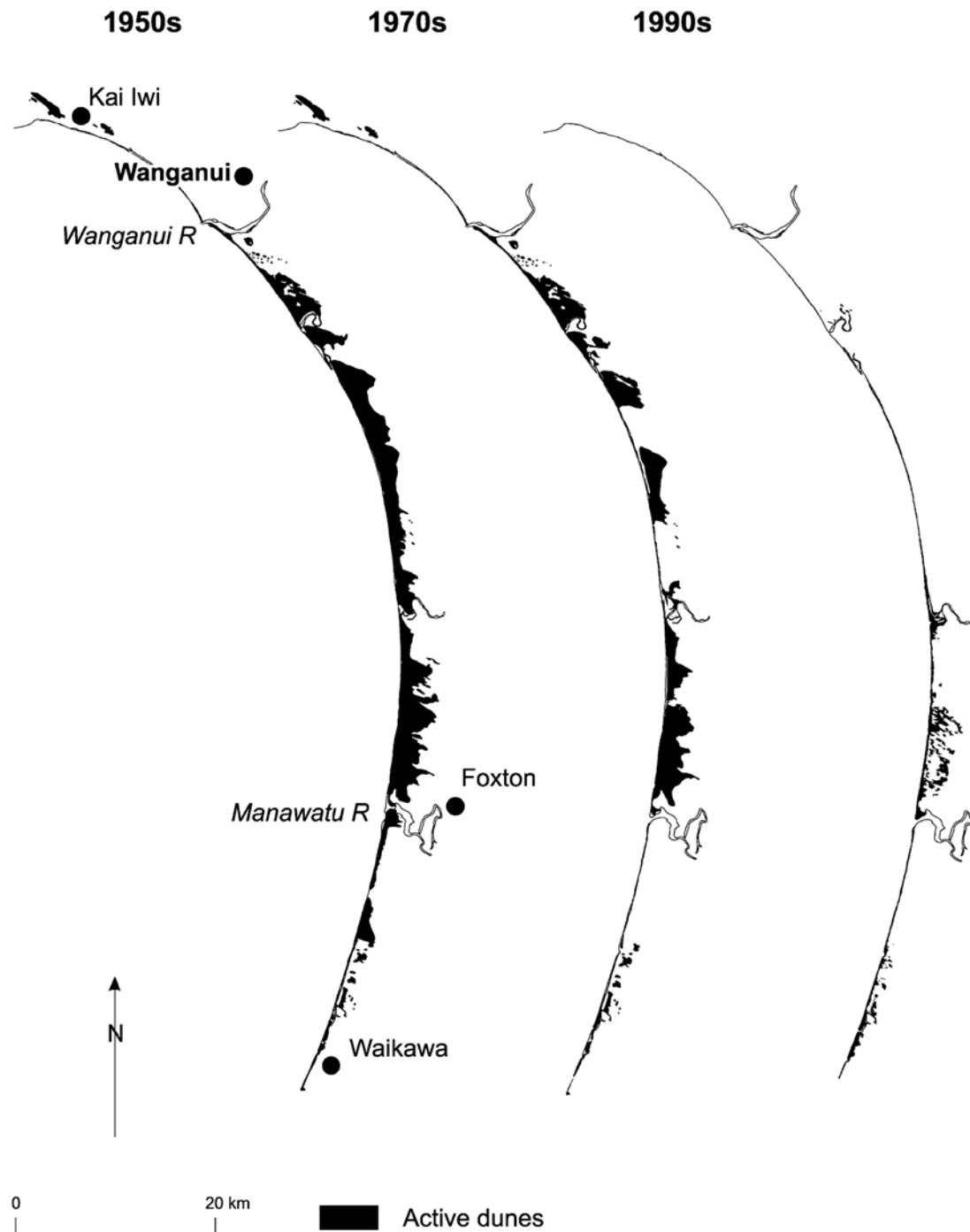


Figure 3: The reduction of natural dunes that have occurred in the Manawatu region since 1950 (from Hilton, 2006).

What remains as active dune systems in the Manawatu are only a remnant of natural systems that have been permanently lost. These remnants contain threatened flora species and are thus of regional, national and international importance.

Preservation of these enclaves of natural dune systems is consistent with Section 370 of the Resource Management Act and Horizons Manawatu-Wanganui Regional Council "Regional Coastal Plan 2002" which specify national priorities for the preservation of the natural character of the coastal environment. Some of the nationally and regionally important elements which contribute to the natural character of the coast, include:

- the presence and state of indigenous species, including flora and fauna;
- landscapes, seascapes and landforms which are coastal in nature; and
- coastal processes, including those involving the movement of sediments, water and air and the movement of biota.

All these aspects are present in the dunes to the north of the Foxton beach (as well as the dunes and sand flats associated with the spit).

Apart from the value of this area for conservation there are also some significant geomorphological processes that exclude this area from development.

- The dunes are actively prograding. Some of the areas marked for potential development include the deflation basins between actively migrating dunes. However, dunes can also laterally accrete i.e. into the deflation basins. The foredune also has active blowouts which can potential form into advancing parabolic dunes which will also prograde into the low lying deflation basins. Thus, these deflation basins can only be regarded as a transient feature in a naturally dynamic environment.
- The deflation basins also represent the area where sediment can no longer be transported by wind i.e. a base level. In this case the base level is the water table which provides a more resistant layer to wind transport. In this locality the water table would be saline and thus pose a significant threat to infrastructure. To remedy this there would have to be significant modification of the natural environment. This is in direct contradiction to the "Resource Management Act" and Horizons Manawatu-Wanganui Regional Council "Regional Coastal Plan 2002"

In addition to the geomorphological issues there are also significant climatic issues that need to be considered. According to the IPCC (Intergovernmental Panel on Climate Change) New Zealand's climate is "virtually certain" (> 99% probability) to be warmer, with an increase in ocean water temperatures, a rise in sea level, changing precipitation patterns and a noticeable changes in extreme events (e.g. more frequent and intense storm surge and flooding). The potential impacts of climate change for New Zealand include (Bell and Goring, 1997; Bell *et al.*, 2000):

- Warming mean sea temperatures. This will increase the frequency and severity of storms and coastal flooding, particularly on the west coast of the North Island of New Zealand and contribute to sea level rise.
- Increased precipitation on the west coast resulting in more frequent extreme flooding events. This is a particular concern for the Manawatu River, specifically coastal lowlands in the vicinity of the Manawatu River estuary.
- The IPCC report identified a sea level rise of about 70 mm since 1950 and will continue to rise to between 8 – 88 cm over the next 100 years. This rise in sea level will result in a corresponding rise in the water table in coastal areas. It will also potentially result in a dislocation of coastal environments resulting in increased erosion as natural processes attempt to reach an equilibrium. In other words there will be a landward movement of the present coast and coastal landforms.

- This rise in sea-level, together with changes to weather patterns, ocean currents, ocean temperature and storm surges will increase the potential to cause greater coastal erosion, loss of natural dune systems, the loss of wetlands, and salt-water intrusion into freshwater sources. The risk of inundation of low lying areas and coastal flooding will also significantly increase during extreme high tides and storm surges, posing a hazard for adjacent low lying land.

All these aspects are present in the coastal dunes north of Foxton beach and in the Manawatu River estuary. Such climatic factors will also increase the potential impacts on infrastructure, coastal resources and existing coastal management programs. There will also be increased saltwater intrusion of river water and groundwater in low-lying coastal areas, increased difficulty in draining coastal and river lowlands. These aspects need serious consideration when planning for future development in low lying coastal areas.

In Summary: dunes north of Foxton Beach

It is my recommendation that the dunes to the north of Foxton Beach be excluded from any future development for the following reasons:

- Conservation of a regionally and national important geomorphological and ecological coastal landscapes.
- Potential problems associated with development in an active dune field and proximity to a saline water table.
- Potential hazards associated with storm surge and coastal inundation, coastal erosion and potential rising sea levels.

Foxton Beach

The area immediately adjacent to urban housing on the beach is also a potential for future development (and extension north of Marine Parade North, Nelson Street and Brown Terrace). However, this locality should not be regarded as a primary site. There will be significant issues of developing in such large dune systems including:

- Devegetation of the dunes to lay infrastructure for development. This will remobilise dunes that are already close to urbanised areas, increasing sediment transport and creating potential hazards for existing infrastructure.
- The area is already being used as a recreation site and also provides a natural buffer for the more natural dune systems to the north.

The area to the west of the active dune fields

The area to the north of Cousins Avenue West is the most preferable locality (from a geomorphological perspective) for coastal development. This area has already been stabilised by pine forest and is at least 1 m above the water table. It is protected from coastal hazards by the distance of the set back and the presence of the dunes between this locality and the coast. Development in this area would have minimal impact on the geomorphology which is stabilised and already partially urbanised. It would be better to develop in this locality where infrastructure already exists rather than disturbing natural environments to develop new infrastructure.

The only issue identified in this locality is its proximity to the active dunes to the east. As a method of preserving these geomorphological and ecologically important coastal features it is recommend that a buffer zone of between 50 (min) and 100 m (preferred) be established and remain untouched. This would protect the dunefields as well as assist in the protect any development from potential coastal hazards. This buffer zone will also provided recreational space that also serves as a method of mitigation against coastal hazards.

Along with the buffer zone it is recommended that a management plan be implemented that would aim at protecting and preserving the dunes from over use from recreational users. It is recommended that this including:

- That the dunes be made part of a natural reserve.
- Prevention of motor vehicles and horses using the dunes.
- Development of environmentally friendly infrastructure that will enhance recreational use and attract eco-tourism (e.g. established tracks, boardwalks and viewing platforms with information and educational facilities).
- Active conservation programmes focusing on the cultivation and spread of native fauna with the aim of preserving the natural state of the dune systems.

Recommendation

1. That the area south of Foxton Beach including the dunes, spit and areas adjacent to the estuary not be included in any future development plans.
2. The area north of Foxton beach incorporating the active dunes and inter-dune deflation basins not be included in any future development plans.
3. The area adjacent to present developed areas on Foxton beach (north of Marine Parade North, Nelson Street and Brown Terrace) be avoided in any future development plans.
4. From a geomorphological perspective the area to the north east of Foxton beach (north of Cousins Avenue West) would be the prime position in any future development plans with provision for a buffer zone between development and the natural dune systems. Along with development there would also need to be methods of protecting and preserving the dunes from over use from recreational users including the prevention of motor vehicles and horses.

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