

# DECISION REPORT



**TO:** Chief Executive  
**FROM:** Planning & Regulatory Manager  
**DATE:** 12 March 2009

File Ref 18270

**SUBJECT: DISTRICT PLAN DECISIONS PART III  
ZONE CHANGES & INDICATIVE ROADS**

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## 1. PURPOSE OF REPORT

This report is to provide recommendations for Council on the submissions made in respect of proposed zone changes and indicative roads. The submissions received on zone changes all relate to the proposals to replace the rural/residential area with residential, rural or business zoning.

Further decision reports will cover the various subject areas submitted on in respect of the Proposed Stratford District Plan (the Plan) and the few remaining submissions in the Proposed Plan Changes 14 and 15, relating principally to transportation and network utilities. The complete set of recommendations on all of the submissions will then be released to allow the adoption of the Stratford District Plan 2009.

## 2. EXECUTIVE SUMMARY

The recommendations essentially:

- allow for the continuation of the rural/residential area
- reduce the minimum allotment size in the rural/residential area to 4000m<sup>2</sup>
- withdraw the proposed extension of the residential zone into the Hunt Road/Glanville Road area
- confirm the new residential zone to the north of Pembroke Road
- reduce the proposed southeast Business Zone to approximately one-third of the proposed area on the western side of the block
- realign and reduce the number of indicative roads

## 3. BACKGROUND

Proposed Plan Change 15 has specific proposals relating to the removal of the rural/residential area. This is proposed to be rezoned as residential, rural or business zone depending on the location:

- The residential zone is to extend to the eastern side of Hunt Road and through to include the land to the north of Pembroke Road.
- The business zone is to include that block of land bounded by Warwick Road, Cordelia Street, Celia Street and Swansea Road
- The remainder of the rural/residential area is to be rezoned as rural zone.

Additional zoning changes were sought by submitters, all relating to changing parts of the residential zone, rural zone or rural/residential area. There were a total of 74 references made by submitters on the rezoning proposals.

There were also specific proposals for indicative roads in those parts of the Stratford urban area where growth could reasonably be expected to lead to a need for further roading. There were a total of 24 references made by submitters on the indicative roads.

Additional rezoning proposals were:

- the rezoning of a small area alongside Juliet Street from residential to business zone as an extension of the central business zone area, and
- introducing a specific retail area and a related definition of “Industrial Activity”.

No submissions were received on either of these proposals and therefore they are operative.

#### 4. **CONSULTATIVE PROCESS**

##### 4.1 **Public Consultation**

There is no requirement for further consultation on the submissions received. In drafting the recommendations, however, all of the submitters and cross submitters have been further consulted with.

##### 4.2 **Maori Consultation**

There is no requirement for further consultation with Iwi on the submissions received.

#### 5. **RISK ANALYSIS**

Please refer to the Consequence and Impact Guidelines at the front of the reports in this agenda.

5.1 The risks associated with the decisions to be made in terms of financial, human resources, political and business risks are minor.

5.2 The major risk with the decisions is that any of the submitters may appeal the decision on their submission to the Environment Court. Council must be clear as to what the decision being made is and what the reasons for that decision are.

#### 6. **DECISION MAKING PROCESS**

Category	Factors to Consider
Direction	<ul style="list-style-type: none"> <li>• Is there a strong link to Council’s strategic direction, LTCCP/District Plan.</li> <li>• Is there a strong link to identified community outcomes.</li> </ul>
Data	<ul style="list-style-type: none"> <li>• Do we have complete data on the proposal(s).</li> <li>• Do we have reasonably reliable data on the proposals.</li> </ul>

	<ul style="list-style-type: none"> <li>• What assumptions have had to be built in.</li> </ul>
Significance	<ul style="list-style-type: none"> <li>• Significance policy.</li> <li>• Whether this affects a strategic asset.</li> </ul>
Choices	<ul style="list-style-type: none"> <li>• What options or choices are available.</li> <li>• Are the choices fully costed.</li> <li>• What interdependencies exist.</li> <li>• What are the disadvantages and advantages of each option?</li> <li>• Any legal/policy issues.</li> </ul>
Prioritisation & Trade-off	<ul style="list-style-type: none"> <li>• Impact on funding and debt levels.</li> <li>• Council’s capacity to deliver.</li> <li>• Contractor capacity to deliver.</li> <li>• Consequence of deferral.</li> <li>• Impact on community (four well beings).</li> </ul>
Specify nature of decision required	

### 6.1 **Direction**

The consideration of submissions is, with the exception of any appeals to the environment Court, the final part of the process of reviewing the operative Stratford District Plan (the Plan).

The decisions will assist Council in meeting the following identified community outcome:

*“A region that appreciates its natural environment and its physical and human resources in planning, delivery and protection”* by ensuring that *“sustainable development is encouraged”*.

The decisions will also assist Council in meeting the following identified community priority:

*“Sustainable development”*.

### 6.2 **Choices**

Council may uphold or decline any submissions or cross submissions made and may make any consequential changes which arise from those decisions. Where the intent of the submissions may be met more appropriately in a matter other than as outlined by the submitter, then Council may make those changes should it be deemed necessary.

### 6.3 **Data**

Almost all of the submissions and cross submissions received were on the proposed Plan Change 15. Those submissions received on the third notification involving the entire proposed Stratford District Plan are italicised.

The submission tables provide the street addresses of those submitters within the District. The cross submissions have been included as submissions as all were in support of and seeking the same relief as the base submissions.

## RURAL/RESIDENTIAL AREA

### **Deletion of Rural/Residential Area**

#### Proposal

The proposal is to rezone the entire rural/residential area, except as noted below, to Rural Zone land. The rural land use objectives and policies apply instead of the residential counterparts as applied in the operative Plan.

#### Submissions

##### SUPPORT

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Alan Caskey	Flint Road West	Remove 1ha restriction
<i>Federated Farmers</i>		<i>Remove rural/residential</i>
Tegel Foods		Remove rural/residential

##### OPPOSED

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
P & M Loveridge	Flint Road West	Retain rural/residential
Brian Lilley	Flint Road East	Retain rural/residential
<i>TRC</i>		<i>Retain buffer</i>
Mike Gibson		Retain rural/residential
Cowie	Brecon Road	Rezone residential
Sharon Michelle Trust	Warwick Road	Rezone residential

#### Commentary on Submissions

##### SUPPORT

Two submitters, Federated Farmers and Tegel Foods, support the proposal to delete the rural/residential area. Federated Farmers submits that the area creates ambiguity although they do not enlarge on how this occurs. Tegel Foods, in their cross submissions, state support for the removal of the rural/residential area particularly in that the land would then be rural without a lifestyle emphasis. Both submissions stem from the view that the non-urban area of the district should be primarily available for farming activities.

A third submitter, Alan Caskey, supports the proposal to the extent that the 1.0ha limitation on allotment sizes is removed. Although only expressed by one submitter, Council has received a number of queries concerning the possibility of subdividing to less than 1.0ha in the rural/residential area, but has never granted consent to such a proposal.

##### OPPOSED

Four submitters, P & M Loveridge, Brian Lilley, the Taranaki Regional Council and Mike Gibson oppose the removal of the rural/residential area. The Taranaki Regional Council expresses the need to retain a buffer area between the urban and rural areas. Mike Gibson and P & M Loveridge are opposed due to amenity concerns. Brian Lilley's concerns are unclear although appear to contradict his opposition to the proposal to zone most of the area as rural in that the submission requests the area to be used for productive farming activities.

The Cowie submission is made in respect of their property alone which the submitter maintains should be residential as it is a small (847m<sup>2</sup>) residential allotment.

The Sharon Michelle Trust has submitted in respect only of the properties on the southern side of Warwick Road to the west of Broadway.

#### DISCUSSION

The deletion of the rural/residential area is linked to the proposed rural subdivision rules. It was recognised that rural landowners close to the urban boundaries would be more likely to subdivide into smaller allotments for lifestyle purposes, being closer to the urban services. The zone change would allow this to a greater extent than the existing rules and standards but would still limit lower minimum allotment size. With the withdrawal of the rural subdivision proposals, however, there is no lower allotment size limit and there is, despite the reverse sensitivity provisions, an increased likelihood of conflict between the proposed adjacent rural and residential zones. It would therefore be prudent to retain a buffer.

The rural/residential area in the operational Plan provides that buffer by way of:

- the application of residential zone objectives and policies to the rural/residential area, and
- the more limited group of permitted activities in comparison with the rural zone, and
- the open space amenity of the area afforded by the 1.0ha minimum allotment size, and
- the distance between the lifestyle dwellings and neighbouring farming activities, again afforded by the 1.0ha minimum allotment size.

The buffer distance has to some extent been replaced by the reverse sensitivity proposals. The list of permitted activities and policy regime also significantly assist in this regard by requiring discretionary activity consents for any land use activity not able to comply with either the list or the standards for a permitted activity (subdivisions are either controlled or limited discretionary). This contrasts with the permissive regime in the rural zone.

Having established a need for the separate activity descriptions for a rural/residential area and discounted the need for a separate buffer distance, there remains the consideration of open space amenity. Submissions received on the now withdrawn rural subdivision regime noted that larger “lifestyle” allotments are difficult to manage on a sustainable basis. This was recognised in the allowance of limited numbers of 4000m<sup>2</sup> allotments permissible on a controlled basis under that regime.

Almost all of the submissions received which concerned open space amenity were from the residents of the Glanville Road area in respect of the proposed residential zone extension. It is noteworthy that 22 of the 31 properties in that area are less than 1.0ha in size and 14 are less than 4000m<sup>2</sup>. The mean allotment size is 6483m<sup>2</sup>.

In regard to the Cowie submission, the rural/residential zoning of the Cowie property at 139 Brecon Road has applied to that land, irrespective of subdivision, since the instigation of the original Urban Protection Area in the Stratford County Planning Scheme. The land is outside of the old Borough boundaries. The neighbouring property at 139 Brecon Road is similarly affected. Changing the zoning of these properties to residential zone would have no effect on the use or value of the properties as both are currently subject to the residential zone standards because of their small size. The

residential zoning is appropriate due to the small size of the allotments. Both property owners are in agreement with the change, although the owner of 139 Brecon Road, Owen Reed, did not put in a submission.

The Sharon Michelle Trust is seeking the ability to subdivide their property and hence the objection to the rural zone classification with its proposed, although now withdrawn, 4ha minimum. The submission refers to the ability under the operative Plan to subdivide down to 1000m<sup>2</sup>, although it is noted that the rural/residential minimum is actually 10,000m<sup>2</sup>. The concerns can be alleviated by reducing this minimum allotment size.

#### SUMMARY

There is merit in reducing the permissible allotment size from 10,000m<sup>2</sup> to 4000m<sup>2</sup>. This will serve to release rural/residential land for subdivision but will still maintain a large section, open space amenity. Gavin Dey, in his submission concerning the residential zone extension, draws attention to a 1995 planning report that a “*minimum allotment size of 4000m<sup>2</sup> has the potential to have a very negative effect on rural amenity*”. Despite that observation, the resulting operative Plan had a practical minimum allotment size of only 1500m<sup>2</sup> (the minimum for on-site wastewater disposal). In regard to the urban fringe area, 4000m<sup>2</sup> gives a substantial increase in open space over the usual residential density.

Two submitters, Messrs Dey and Lyons, have expressed concern at the loss of open space rural amenity if the minimum allotment size is reduced. It is noted, however, that it is the residential, rather than the rural, amenity values which are applicable to this area under the District Plan. Furthermore both submitters’ properties are substantially less than 1.0ha in size, one being 4,298m<sup>2</sup> and the other being 1,469m<sup>2</sup>, with the latter being currently in the residential zone.

It is noted that these recommendations will have consequential minor numbering and reference amendments throughout the Plan. One which should be specifically noted is the exemption granted under B2.1.6(c) which allows for small rural/residential and rural properties to have the accessory buildings or existing dwelling extensions comply with the residential yard standards instead. The trigger for this exemption should likewise be reduced to 4000m<sup>2</sup>. The yard distances of 10m from a road and 5m from any other boundary remain appropriate for a 4000m<sup>2</sup> (1 acre approx.) section.

#### RECOMMENDED

127. The submission from Federated Farmers and the cross submissions from Tegel Foods in support of the proposal to delete the rural/residential area be declined.
128. The submission from Alan Caskey to remove the 1.0ha allotment size restriction be upheld in part.
129. The submissions from P & M Loveridge, Brian Lilley, Taranaki Regional Council, Sharon Michelle Trust and Mike Gibson to retain all or part of the rural/residential area be upheld.
130. The submission from CW and KM Cowie to change the zoning of 137 Brecon road be upheld.

131. The proposal to delete the rural/residential area be withdrawn.
132. Rule B1.3.2.1 Rural/Residential Area (Residential Zone) Permitted Activities be amended by deleting the word “pig” from Bullet Point 5. Bullet Point 5 then states:  
*“Farming (excluding “intensive farming” as defined in Part E, Definition of Terms)”*
133. Amend Standard B2.1.3 (b) Minimum Lot Size Rural/Residential Area (Residential Zone), as reinstated by Decision 25, by replacing the words “1 hectare (ie, 10,000m<sup>2</sup>)” with “4000m<sup>2</sup>”. Standard B2.1.3 (b) Bullet Point 1 then states:  
*“The minimum lot size for lots with a dwelling is 4000m<sup>2</sup>; otherwise there is no minimum lot size for lots without a dwelling.”*
134. Amend Standard B2.1.3(c) Minimum Yard Requirements Rural Zone; Rural/Residential Area (Residential Zone) by replacing “10,000” with “4000”.
135. The zoning of 137 and 139 Brecon Road (Lots 1 and 2 DP 9571) be changed from Residential Zone (Rural/Residential Area) to Residential Zone.

*Recommended Reasons*

127. The need to retain the rural/residential area is in part consequential to the decision to withdraw the rural subdivision regime.
128. The 1.0ha minimum allotment size is overly restrictive given the general reduction in residential section sizes.
- 129-130. The rural/residential area fulfils the need for a buffer between zones and provides for open space amenity.
- 131,135. The requested change in zoning is *de minimus* in terms of effect.
132. The wording change is consequential to the decision to confirm the intensive farming provisions.
133. The exemption change is consequential to the recommendation to reduce the minimum rural/residential allotment size.
134. The reduced allotment size still allows for a high level of open space amenity as compared with the remainder of the residential zone.

**Extension of Residential Zone**

Proposal

The residential zone is to extend to the eastern side of Hunt Road and through to include the land to the north of Pembroke Road as shown in Appendix 1.

Submissions

SUPPORT

Submitter	Street Address	Relief Sought
NZ Transport Agency		Extend residential

#### OPPOSED

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Johanna Lyon	Glanville Road	Retain rural/residential
Bernard Lyon	Glanville Road	Rezone rural
Helen Russell	Glanville Road	Retain rural/residential
Ian Thornton	Glanville Road	Retain rural/residential
I & H Zieltjes	Glanville Road	Retain rural/residential
Craig Hassell	Hunt Road	Retain rural/residential
Brian Lloyd	Glanville Road	Retain rural/residential
J & M Bellomo	Hunt Road	Retain rural/residential
Leslie Chamberlain	Regan Street (west)	Retain rural/residential
G & M Dey	Glanville Road	Retain rural/residential
Rosemary Russell		Retain rural/residential

#### SUPPORT

The only support for this proposal is from Transit NZ/NZ Transport Agency who supports it in that it encourages residential development away from the State Highway network.

#### OPPOSED

All of the submissions in opposition come from residents in the area to the south of Pembroke Road, i.e., Hunt Road, Glanville Road and the western end of Regan Street. This area is recognised as having a high level of visual and open space amenity which is what the residents do not wish to have threatened. The high amenity value also makes the area highly desirable for development, but that development cannot, in the submitters' views, compromise that amenity.

#### DISCUSSION

The Glanville Road rural/residential area generally has smaller sections than any other part of the rural/residential area with the exceptions of historic titles to the east of the Stratford racecourse off Flint Road and properties fronting onto the western end of Celia Street.

Six of the submitters own property and reside in the area covered by the proposed residential zone. Of these three have properties which are less than 1500m<sup>2</sup>, and are each currently in the Residential Zone, and one other is 4298m<sup>2</sup> in area. Only two of the submitters have properties which have an area exceeding 10,000m<sup>2</sup>, that being the area which defines the open space of the rural/residential area in the operational Plan. However, at 6483m<sup>2</sup>, the average section size of the area is substantially larger than the typical 300m<sup>2</sup>-800m<sup>2</sup> for new residential sections.

The fact that there is no minimum allotment size for the residential zone suggests that, despite the large number of small rural/residential properties in the area, it could be argued that the open space amenity of the area would be undermined by changing the zoning to residential. With a reduction in the rural/residential minimum section size to 4000m<sup>2</sup>, the rest of the rural/residential area will eventually become similar to this area.

No submissions were received concerning the area of land to the north of Pembroke Road and this area can therefore be brought into the residential zone, as shown in Appendix 3. Further investigation should be made concerning extending that area through to Flint Road. G & M Dey suggest a deferred zoning approach, which has merit but would require a suite of changes to the Plan which were not covered in the proposals and go beyond the submitter's suggestions. These include a policy, method and rule structure to implement the deferred zoning.

*RECOMMENDED*

- 136. The submissions and cross submissions from Mike Gibson, Johanna Lyon, Bernard Lyon, Helen Russell, Ian Thornton, I & H Zieltjes, Craig Hassell, Brian Lloyd, S Hardy & T Churchill, J & M Bellomo, Leslie Chamberlain, G & M Dey and Rosemary Russell in opposition to the proposed extension of the residential zone be upheld in part.
- 137. The submissions from the NZ Transport Agency and Tegel Foods in support of the proposed extension of the residential zone be upheld in part.
- 138. The proposed extension of the residential zone to the south of Pembroke Road be withdrawn.

*Recommended Reasons*

136-138. The proposal to extend the residential zone is only approved in part due to the potential erosion of open space amenity in the area to the south of Pembroke Road.

**New Residential Zone**

Submission

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Brent Dodunski	Mercade	Rezone residential

Commentary on Submission

The submitter requests that a parcel of land 16.4ha in area which has been approved for subdivision into a mix of fully serviced residential and partly serviced rural lifestyle properties be zoned residential. The land is currently zoned rural and is situated to the east of the Stratford Golf Course on the opposite side of the unformed Esk Road. The application for subdivision was granted in May 2006 as a controlled activity.

The subdivision is separated from the nearest residential land by 0.5km, that being the eastern end of ribbon development sections along Pembroke Road. The land between is zoned rural/residential.

The development had to be approved by Council due to its controlled activity status and the minimal intervention approach to rural subdivision in the plan. Despite this, the location is, however, not considered suitable for residential zoning at this stage due to its separation from the existing residential development. This may change at some point in the future should the land between the subdivision and Swansea Road be developed, but this is considered unlikely to eventuate in the next ten years.

Council could facilitate such development by removing the rural/residential classification of the land alongside Pembroke Road but, given that most of the land on the northern side is owned and occupied by the Stratford Golf Club this is unlikely to be successful. The land on the southern side of Pembroke Road is traversed by a stream which imposes substantial potential costs on residential development on that side of the road.

The Golf Club land is in effect a barrier to substantial urban development to the east of Stratford primarily because of servicing difficulties. This area is below the sewer mains and oxidation ponds and is therefore comparatively expensive to service and maintain.

It is further noted that any development along Pembroke Road, if the rural/residential regime is retained, would require a privately initiated Plan Change.

*RECOMMENDED*

139. The submission from Brent Dodunski (Mercade Properties Ltd) be declined.

*Recommended Reason*

139. The subdivided area is not suitable for inclusion in the Residential Zone unless the rural/residential area along Pembroke Road is further developed.

**Extension of Business Zone**

Proposal

The business zone is to include that block of land bounded by Warwick Road, Cordelia Street, Celia Street and Swansea Road as shown in Appendix 1.

Submissions

SUPPORT

No submissions were received in support of the proposal.

OPPOSED

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
S & A Buckley	Celia Street	Retain rural/residential
Steve Johns	Swansea Road	Retain rural/residential
B & S Pugh	Celia Street	Retain rural/residential
Len Pickett	Warwick Road	Retain rural/residential
S Hardy & T Churchill	Cordelia Street	Retain rural/residential

Commentary on Submissions

SUPPORT

No submissions were received in support of the proposal.

OPPOSED

Five submissions were received in opposition to extend the business zone into the block bounded by Warwick Road, Cordelia Street, Celia Street and Swansea Road. Although there are 37 landowners in this block of land, the land area owned by the submitters is almost half of the block.

The Buckley's property is zoned residential and has business zone property adjacent to the rear boundary. The Pugh property is zoned business and is adjacent to other business zone property to the west and to the south. The Johns property has business zone adjacent to the northwest corner and an existing business use to the south. The Pickett property is rural/residential and is substantially larger than the other submitters, taking in the southern third of the block. The Churchill-Hardy property, although smaller, is also rural/residential in use and abuts business zone land to both the north and south.

The Pickett (Calhaven Trust) submission objects to the proposal as business activities are not compatible with farming, but then goes on to say that the Trust is committed to intensive farming use of the land, i.e., land and shed based calf rearing. Given the reverse sensitivity issues addressed in the current Plan review, it is unlikely that intensive farming of this nature is compatible with rural/residential zoning and therefore a business zoning may be more appropriate.

The Johns submission cites an inability to build a dwelling on business zone land, loss of views and noise/traffic concerns with the proposal. The loss of views is possible although it is noted that the rural/residential land may also be developed with buildings albeit to a 10m height restriction as opposed to 15m for the business zone. It is likely that the density of development would increase with time, although it is debatable as to whether or not there would be a consequent effect on views.

The potential for traffic and noise in the area is already present with business zone property and existing business uses in the immediate location of the Johns property. This issue is also raised in the Hardy-Churchill submission, and it is noted that Cordelia Street is already a main access route to the business zone to the west of the presently considered area.

The loss of the ability to build a stand alone dwelling given a zone change is recognised, although many properties, including the Johns', have an existing use right provided that the dwelling replaces one already there. In any other event it would have to be by way of resource consent. The Pugh submission raises a similar issue. The existing use provisions of Section 10 of the Act hold for up to twelve months following discontinuation (such as a house being destroyed) and this period can be extended by Council. With a history of residential use of an allotment and valid reasons for any such extension there is no issue with such an extension and therefore continuation of use.

The remaining issue raised by several submitters is a loss of property values. The area is, however, already fragmented as a mixed use area. There are 27 residential allotments, of which 18 are in the north-eastern corner. There are six existing, and one proposed, business activities in the block which are scattered around the perimeter. These are located in 16 business zone allotments. The interior and southern end of the block is predominantly rural/residential with larger property sizes. Almost half of that area is currently used for intensive farming activities by one property owner.

The block was zoned for light industrial use under the Borough Planning Scheme and only came into the rural/residential area under the operative Plan. There is therefore a long history of mixed use in the area.

## SUMMARY

Changing the zoning has the potential to affect land use in the area but in itself cannot achieve that. Land uses will only change should landowner aspirations, economic climate and trends for the Stratford area all merge. This was noted with the adjacent business zone block which remained largely undeveloped for over two decades.

The proposal involves a block of land which currently is a mixed use area, is well serviced and has ready access from both State Highways. The area is anomalous in that it is the only area of rural/residential land within the urban area as defined by the old urban boundary. As rural/residential land it is not sustainable in the long term due to its location inside the urban boundary. The area is more suited to business development in the long term than it would be for residential.

It may be appropriate to reduce the area affected by an immediate change and to signal the remaining area as being a deferred zone change. The whole block is 27ha compared with the adjacent Romeo Street block which is 6.3ha. Almost all of the existing and proposed business activities are on the western side of the block. To confirm the zone change for that area only, as shown in Appendix 3, would involve 9ha of which 4.59ha is either currently business zone or is used for business activities. This would then allow for further appropriate growth of predominantly light industrial type activities in an area where those activities currently and historically form a large part of the character of the area.

The remainder of the block contains the north-eastern corner of residential development as well as the rural/residential interior with only one existing business use and some intensive farming. A suitable approach to this area is to create a Deferred Business Zone, although this would require a policy statement, method and rules to implement. It is noted that a similar approach was given as a possibility in submissions on the extension to the Residential Zone. Both would require a future review process.

## *RECOMMENDED*

140. The submissions from S & A Buckley and Steve Johns to withdraw the business zone proposal be upheld.
141. The submissions from B & S Pugh, Len Pickett (Calhaven Trust) and S Hardy & T Churchill to withdraw the business zone proposal be declined.
142. The proposed business zone addition in the Warwick Road, Cordelia Street, Celia Street and Swansea Road block be confirmed only for the allotments included within the following boundaries:
  - Celia Street from Cordelia Street to, and including, Lot 7 DP 2013
  - Cordelia Street from Celia Street to Warwick Road
  - Warwick Road from Celia Street to, and including, Lot 2 DP 17302
  - A line from the eastern boundary of Lot 2 DP 17302 to the eastern boundary of Lot 7 DP 2013 to include all of those allotments with access from Cordelia Street.

### *Recommended Reasons*

140. The mixed use area is more suitably used in the long term for business zone activities than either residential or rural/residential activities but it is appropriate that the zone change in part of the area be deferred for further review.

141, 142. The eastern side of the block of land is already characterised by existing business activities and is appropriately zoned as proposed.

### **Additions to Business Zone**

#### Proposal

A submission received from Foodstuffs and S & D Trott seek to have the following land rezoned as Business Zone:

- surrounding the New World Supermarket.
- along the western side of State Highway 3 from Flint Road West up to the Kahouri Stream.

#### Submissions

##### SUPPORT

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Foodstuffs	Juliet Street	
S & D Trott	Broadway North	Additional business zone
Firth Industries	Broadway	Rezone business

##### OPPOSED

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Bayly & Charleton	Monmouth Road	Retain rural/residential
W & I Thompson	Monmouth Road	Retain rural/residential
Judith Lobb	Craig Street	Retain rural/residential
D & S Jordan	Monmouth Road	Retain rural/residential
George Stallard +52	Mountain Road	Retain rural/residential
Heather Stallard	Mountain Road	Retain rural/residential
Bert Van Veen	Mountain Road	Retain rural/residential
Monica Moritz	Mountain Road	Retain rural/residential
Alan Caskey	Flint Road	Retain rural/residential

#### Commentary on Submissions

##### Juliet Street

##### SUPPORT

The Foodstuffs proposal is to change the zoning of land which they own and are developing by way of resource consents for use with the Stratford New World supermarket. The land has street frontage onto Juliet Street to the north of the Anglican Church site and also includes two parcels of land on the corner which are owned and occupied by the Anglican Church and which the actual and proposed supermarket development surrounds,

The area is partially developed as business use with a dairy opposite on Juliet Street (although it is noted that this is a permitted activity in the residential zone) and the central business area being opposite on Regan Street. The Anglican Diocese supports the proposal, although it did not make a submission, as it is favourable towards the church activities on its site.

##### OPPOSED

There were no cross-submissions in opposition.

## DISCUSSION

Apart from the Anglican Church site, the remaining allotments are residential both in zoning and in use, as is the remainder of that block of Juliet Street. Foodstuffs owns the three allotments from 46-50 Juliet Street and had started a consent process to use the area as a car park for the Stratford New World. The consent application has yet to be lodged and Foodstuffs has requested a zone change to remove the need for separate consents.

There are concerns with heavy traffic generation from the supermarket. At present the only access is via Orlando Street. The initial plans for the proposed consent application retain Orlando Street as the heavy traffic access route which would leave the proposed Juliet Street entrance/exit for customer vehicles only. An alternative proposal sees heavy traffic being spread across both streets with a one way restriction through the site. A zone change would, however, potentially open Juliet Street up to greatly increased heavy traffic usage as there would be no control over the commercial/business development of 46-50 Juliet Street. Any business use could occupy the site despite the current proposals by Foodstuffs.

The proposed community hall development at the Anglican Church site has a resource consent with the appropriate number of on-site car parking spaces provided. This should assist in alleviating, or at least reducing, current issues relating to overflow parking from church activities, particularly funerals.

In both cases the management of the sites is more appropriate through the consent process rather than by way of zoning, given the entirely residential nature of the rest of the block. Foodstuffs has subsequently raised the possibility of site specific controls in the District Plan to restrict truck movements to being one way through the site. In fact this would be appropriate only if the site is developed as a supermarket car park as the identified issue is only in respect of that development only. Any other development may not have access to both streets to facilitate one way traffic flow through the site. Therefore the appropriate tool is the resource consent process rather than what must be a more generally applicable standard in the District Plan.

### **Broadway North**

#### SUPPORT

The Firth Industries submission concerns only the existing Firth Industries site part of which is leased to another company. The Trott et al submission (which includes both occupants of the Firth site) concerns all of the land on the western side of State Highway 3 from, and including, the Firth site to the Kahouri Stream which would include the Taranaki Abattoir site. There are a number of existing use and consented business activities, almost all of an industrial nature, along this stretch of highway.

#### OPPOSED

The proposal attracted a large number of cross submissions, including a 52 signature submission, in opposition. The concerns raised centre on the rural amenity of the area, the mountain views, access difficulties off the State Highway and the lack of definition of the western boundary of the requested zone change.

## DISCUSSION

The Trott submission refers to rezoning “*the current area used by businesses from Flint Road north to the Kahouri Stream*”. There are eight industrial businesses, excluding homestays etc., along this 1400m stretch of highway. 670m of the highway frontage (47%) is either rural/residential or (north of Monmouth Road) pastoral use. The remainder is used for business activities.

The reasons cited for the request include: the ability to maintain and expand the existing businesses without the limitations imposed by rural or rural/residential policies; access off the State Highway; lack of interface with residential development; a high profile location.

All land use north of Monmouth Road is subject to the rural land use policies which explicitly allow for, and the rules reflect, the presence of rural industries. The three industries in this location are therefore in the appropriate zone. The remaining businesses south of Monmouth Road have existing use rights but are out of zone activities and are therefore limited by the rural/residential zoning policies.

Although three of the five industrial activities located between Flint and Monmouth Roads have access off the State Highway, equivalent access is not available for future business activities as this is a limited access highway. Any future activities would have to gain access from either Flint or Monmouth Road, as did the Goldpine/Balance development. In effect, because of the width of the existing allotments, this would mean that a new access road is required for any new development.

The lack of residential interface, except for the Firth site and the high profile of the location are elements potentially in favour of business zoning. To zone the entire length between Flint and Monmouth Roads would not be appropriate however; almost all of the area is used for rural/residential activities and has no access off the State Highway beyond what is presently available.

## SUMMARY

The existing industrial activities alongside State Highway 3 between Flint Road and Monmouth road could be rezoned business zone. This would alleviate the submitters’ concerns over inappropriate limitations on the development of their businesses whilst ensuring, through the landscape requirements, that the interface between the businesses and adjacent residential and rural/residential uses is effectively managed. This would not increase the potential loading, insofar as vehicle access is concerned, on the limited access highway and would not create any potential degradation of the rural/residential amenity of the area.

The areas to be rezoned are shown in Appendix 4.

## RECOMMENDED

143. The submission from Foodstuffs to change the zoning at the corner of Regan and Juliet Streets to Business Zone be declined.
144. The submission from S & D Trott to change the zoning of the land to the north of Flint road to Business Zone be upheld in part.

145. The submission from Firth Industries to change the zoning of the Firth site be upheld.
146. The cross submissions from Bayly & Charleton, W & I Thompson, Judith Lobb, D & S Jordan, George Stallard et al, Heather Stallard, Bert Van Veen, Monica Moritz and Alan Caskey be upheld in part.
147. The following allotments be included in the Business Zone:
- Pt Lot 1 DP 5823 (Humes Pipes)
  - Lot 1 DP 6111 (Firth Industries)
  - Lot 2 DP 6111 (Firth Industries)
  - Lot 1 DP 14312 (Taranaki Steelformers)
  - Lot 1 DP 19286 (Taranaki Steelformers)
  - Lot 2 DP 328562 (Taranaki Steelformers)
  - Lot 2 DP 19286 ( Union Galvanisers)
  - Lot 1 DP 328562 (Heavy Machinery Services)

*Recommended Reasons*

143. The sites are more appropriately managed through discrete resource consent processes due to concerns about the potential for substantially increased heavy vehicle movements along the residential section of Juliet Street.
- 144-147. It is appropriate that only those sites which are currently used for industrial activities and within the Rural/Residential Area be zoned Business Zone.

INDICATIVE ROADS

Proposal

A number of indicative roads are shown on the proposed Plan maps showing where future roading may be placed should development occur in these areas. The map showing the roads is attached as Appendix 2.

The proposal does have an immediate effect on property owners irrespective of future development in that building within 20m of the edge of an indicative road becomes a discretionary activity.

Submissions

SUPPORT

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
Powerco		Amend exemptions

OPPOSED

<b>Submitter</b>	<b>Street Address</b>	<b>Relief Sought</b>
A & S Buckley	Celia Street	Opposed
B & S Pugh	Celia Street	Relocate indicative road
P & M Loveridge	Flint Road West	Opposed
S Johns	Swansea Road	Opposed
G & N Webby	Fairbank Ave	Relocate indicative road
M & K Wells	Flint Road	Relocate indicative road
C & P Manning	Fairbank Ave	Opposed

Len Pickett	Warwick Road	Relocate indicative road
C Hassell	Hunt Road	No Regan Street extension
S Hardy & T Churchill	Cordelia Street	Remove indicative road
J & M Bellomo	Hunt Road	Opposed
G & M Dey	Glanville Road	Opposed
R & D Ralph	Flint Road West	Opposed
Rosemary Russell		Opposed
B & J Lyon	Glanville Road	Opposed
I Thornton /H Russell	Glanville Road	Opposed

### Commentary on Submissions

#### SUPPORT

Although summarised by the submitter as being in support but seeking amendment, the Powerco submission is essentially ambivalent towards indicative roads but, if they are to be confirmed, is seeking a further exemption for network utilities from the 20m prohibition on building and that the standard should only apply to new buildings.

All existing buildings have an existing use right pursuant to Section 10 of the Act. This is lost if the building is destroyed or demolished and remains not replaced for a period exceeding one year, and building extensions would also require consent. This approach is considered appropriate.

Network utility structures have the potential to block road development as much as any permanent structure and should not be exempted. The exemptions only apply to those structures which can be readily relocated.

#### OPPOSED

The majority of the submissions object to the indicative roads without qualification, although a number only object to those specific proposals located on or near the submitters' properties.

A number of submitters are concerned about the 20m setback and the limitations this imposes on the management of their properties. The setback wording specifies the distance from the edges of the proposed indicative roads when, as proposed, the indicative roads are marked as lines. The correct wording should be from the centreline, which then allows for half of the road reserve width plus yard distance. The distance could also be reduced from 20m to 15m allowing for a 4.5m front yard distance.

Even so it is acknowledged that this imposes an additional restriction on the potential development of individual properties. This was raised in particular by Steve Johns who is wishing to develop the rear part of his property and this development will not be conducive to any future roading.

There is a need for balance between submitters' concerns and the need to ensure adequate planned roading for future growth. It is accepted that the number of roads could be substantially reduced, particularly give the retention of larger property sizes in the urban fringe area. Without some control, however, development is completely ad hoc in regard to transportation issues and can easily render further development more difficult. This is seen with residential development at the ends of Cressida Avenue, Titania Street and Taurus Street which are all residential zone. These buildings therefore necessitate slight alterations in the proposed indicative roads.

The B & S Pugh submission provides an alternative, or truncated, indicative road route. It is noted that the submitters' dwelling relies on an existing use right given its Business Zone status. The indicative road should be a through road to facilitate access on both sides, but given the reduction in business zone this may not be necessary. All of the reduced business zone area can be readily accessed directly off Cordelia Street. The area is shown in Appendix 3.

The use of indicative roads in this south-eastern area could be revisited should Council proceed with investigation into a deferred business zone.

#### *RECOMMENDED*

148. The submission from Powerco to exempt network utilities from the yard requirement and to only apply the standard to new buildings be declined.
149. The submissions from A & S Buckley, C & P Manning, G & N Webby, B & S Pugh, S Johns, L Pickett (Calhaven Trust), and S Hardy & T Churchill in respect of indicative roads proposed across or adjacent to the submitters' properties be upheld.
150. The submissions from P & M Loveridge, M & K Wells, C Hassell, R & D Ralph, R Russell, B & J Lyon, I Thornton & H Russell in respect of indicative roads proposed across or near the submitters' properties be declined.
151. The submission from J & M Bellomo in respect of indicative roads proposed across or near the submitter's property be declined in part.
152. The submission from G & M Dey in opposition to indicative roads be declined.
153. The sixth bullet point of Standard B2.1.6(a) Minimum Yard Requirements be amended to state:

*"All buildings shall be set back 15m from the centreline of any indicative road, with the exceptions of....."*

#### *Recommended Reasons*

148. All permanent buildings, irrespective of the use of the buildings, have the same potential effect which the standard is addressing.
- 149-152. A reduced number of indicative roads is appropriate to allow future transportation needs to be taken in to account should the relevant areas be further developed.
153. The reduced setback is appropriate given the recommended front yard distance of 4.5m.

#### 6.4 **Significance**

The decisions on submissions are significant in terms of the Policy on Significance in that they potentially affect the community at large through the

District Plan. In turn, these decisions can affect the ability and cost to Council of being able to carry out its resource management responsibilities.

The review of the District Plan has been subject to consultation as required by the Act.

6.5 **Prioritisation & Trade-off**

The consideration of this report has no direct impact on Council's ability to deliver its services or on its funding ability. The decisions, as noted, are part of the review process which must be released by Council within two years of notifying the proposals to meet the time restrictions of the Act.

6.6 **Specify Nature of Decision Required**

Council is required to make its decisions on the submissions received and to provide reasons for those decisions. The release of the decisions will be deferred until all of the submissions made have been considered.

6.7 **Sustainability**

*"Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs".*

The administration of the Stratford District Plan is a primary means of ensuring the encouragement and regulation of sustainable development within the district.

7. **RECOMMENDATIONS**

THAT recommendations 127 to 153, as contained within this report, be approved.

**Recommended Reason**

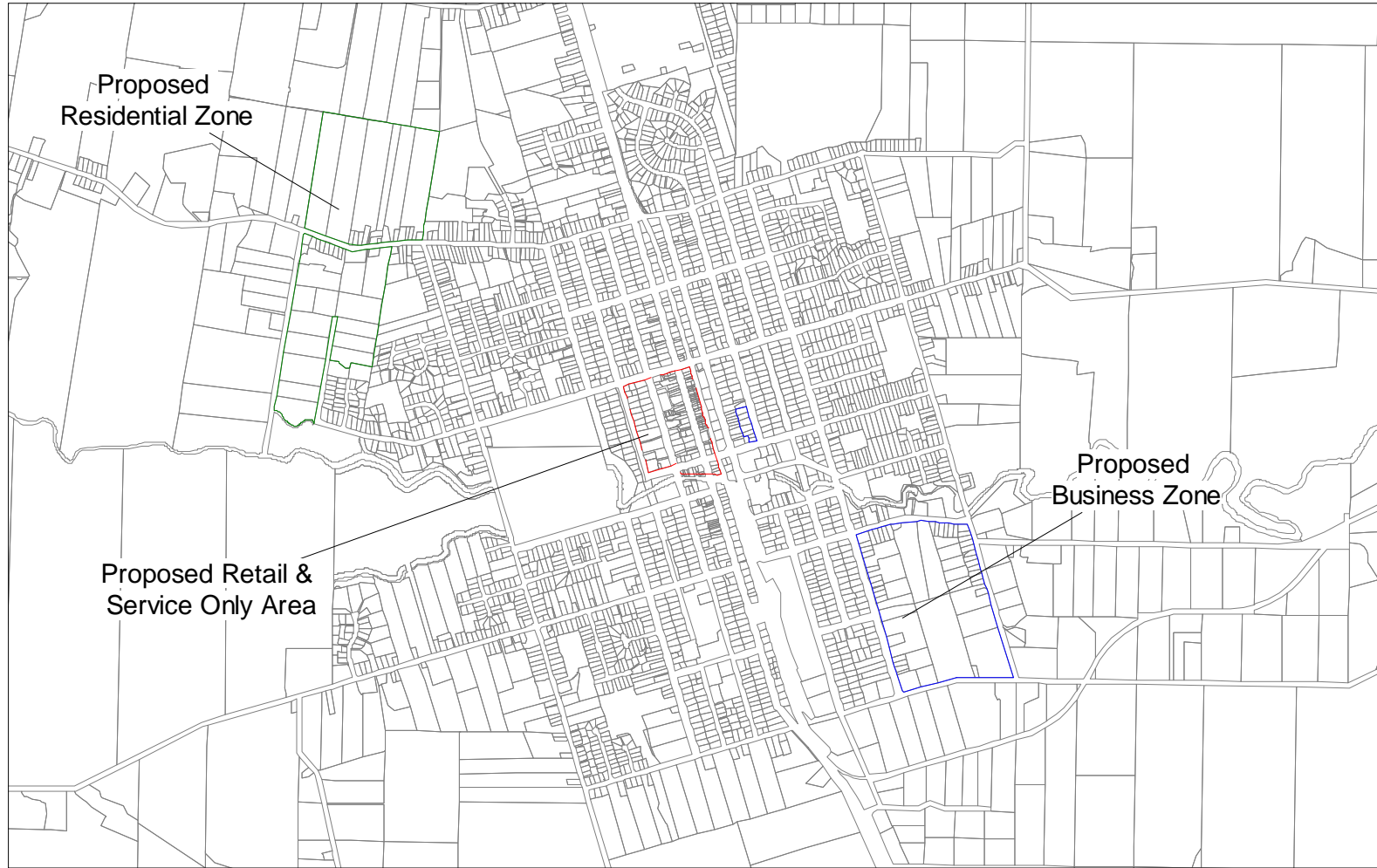
The reasons for each recommendation are provided within this report.

M R Avery  
**PLANNING & REGULATORY MANAGER**

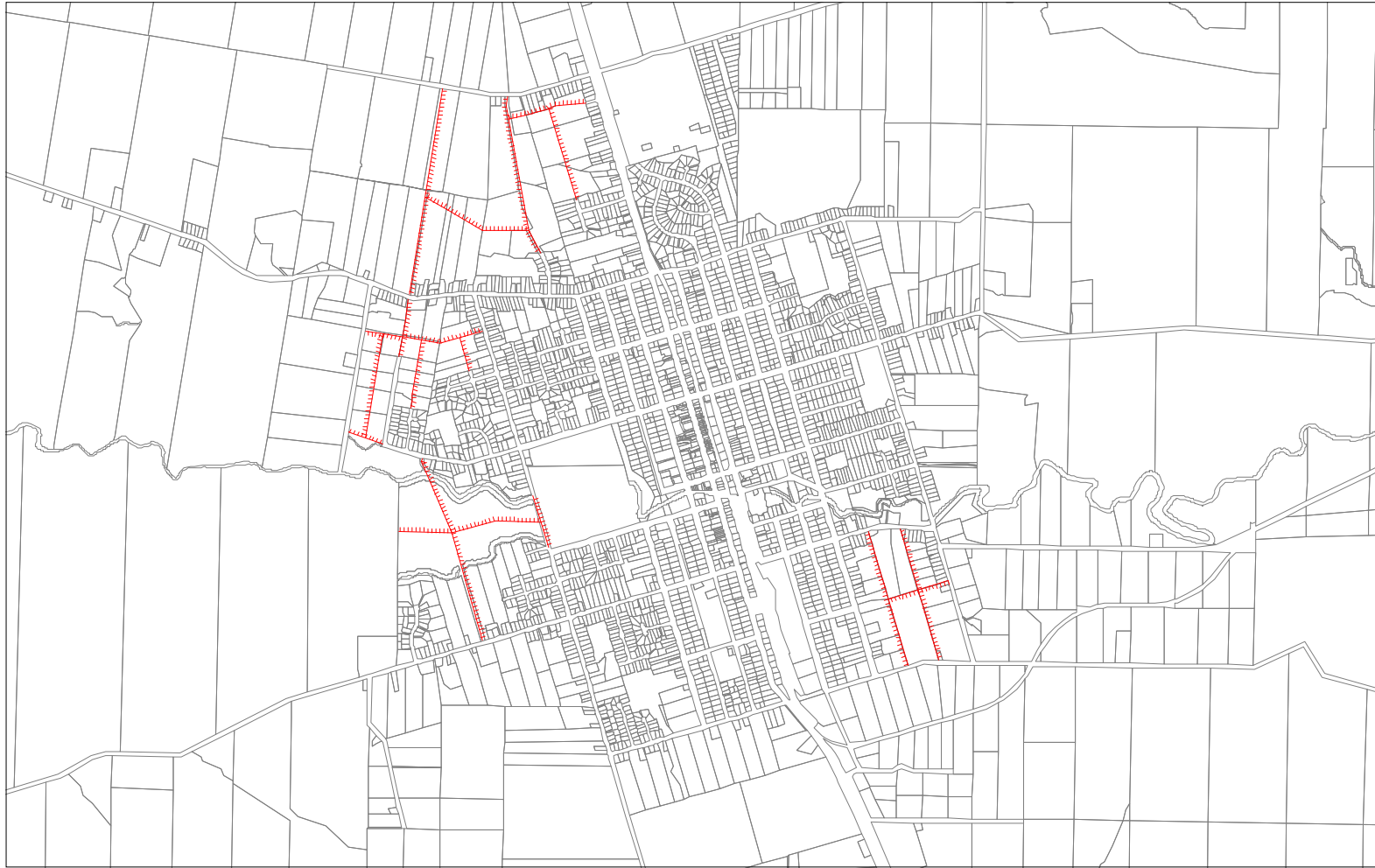
Approved by  
M R Freeman  
**CHIEF EXECUTIVE**

**DATE**

**APPENDIX 1 - PROPOSED ZONE CHANGES**



**APPENDIX 2 - PROPOSED INDICATIVE ROADS**



**APPENDIX 3 - DECISION - ZONE CHANGES & INDICATIVE ROADS**



**APPENDIX 4 - DECISION - BROADWAY NORTH BUSINESS ZONE**

