

**BEFORE A PANEL OF INDEPENDENT HEARING COMMISSIONERS IN THE
WAIKATO REGION**

I MUA NGĀ KAIKŌMIHANA WHAKAWĀ MOTUHEKE WAIKATO

UNDER the Resource Management Act 1991 (RMA)

AND

IN THE MATTER of Proposed Variation 3 to the Waikato Proposed
District Plan (PDP)

**STATEMENT OF EVIDENCE OF DR ANN MCEWAN
(Heritage)**

Dated 20 June 2023

TOMPKINS | WAKE

Bridget Parham (bridget.parham@tompkinswake.co.nz)
Jill Gregory (jill.gregory@tompkinswake.co.nz)

Westpac House
Level 8
430 Victoria Street
PO Box 258
DX GP 20031
Hamilton 3240
New Zealand
Ph: (07) 839 4771
tompkinswake.com

INTRODUCTION

1. My name is Dr Ann Elizabeth McEwan and I am a heritage consultant with over 30 years' experience in the field. I hold a PhD in architectural history from the University of Canterbury, am an experienced peer reviewer and expert witness, and a full member of ICOMOS New Zealand. Since I established Heritage Consultancy Services in 2006 I have undertaken reviews of the built heritage schedules for the Kaipara, Thames-Coromandel, Waikato, Nelson, Waimakariri, Selwyn, Timaru and Gore district plans. I have also worked for Christchurch City Council on a number of heritage projects over the years, including assessing all of the currently proposed Residential Heritage Areas (Plan Change 13).
2. I am the author of the 'Heritage Issues' chapter in *Planning Practice in New Zealand*, edited by Caroline Miller and Lee Beattie (LexisNexis, 2017/2022), which received the John Mawson Award of Merit by the NZ Planning Institute in 2018. In 2015-16 and 2021 I was engaged as a Professional Teaching Fellow in the School of Architecture and Planning at the University of Auckland.
3. I have undertaken a number of heritage projects for Waikato District Council (Council) since 2007, including structure plan reports for Pookeno (2008), Ngaaruawaahia and Tuakau (both 2014), and the assessment of WDC heritage fund applications (2017 & 2020). I commenced work on the Waikato Proposed District Plan (PDP) built heritage schedule in February 2016. The review of the district's built heritage resources encompassed both the Operative District Plan (ODP) schedules (Waikato and Franklin Sections) and potential 'new' heritage items arising from public nominations and further research undertaken by Heritage Consultancy Services. I devised the historic heritage record form for scheduled items and the methodology for distinguishing between A and B ranked heritage items in the built heritage schedule. I did not assess any archaeological

sites or sites of significance to Māori for the PDP as any such assessment would be outside my area of expertise.

4. This evidence responds to submissions 28 (Heritage New Zealand Pouhere Taonga) and 75 (Laura Kellaway & Bryan Windeatt), received on Variation 3 to the PDP as they relate to the protection of built heritage resources that have been scheduled in the PDP. I have also considered submission 105 (Kāinga Ora) as it relates to the potential impact of increased height allowances and intensification on scheduled heritage items. Arising from my consideration of submitter requests for development 'buffers' on properties adjoining a scheduled heritage item, I provide some comments in regard to submission 115 (Queen's Redoubt Trust), which is largely concerned with archaeological site protection.

CODE OF CONDUCT

5. I have read the Environment Court Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023 and agree to comply with it. I confirm that the opinions expressed in this statement are within my area of expertise except where I state that I have relied on the evidence of other persons. I have not omitted to consider materials or facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF MY EVIDENCE

6. My evidence addresses the following:
 - (a) Background to the protection of historic heritage in the PDP and the potential impact of Variation 3 as notified;
 - (b) Response to submission points related to historic heritage;
 - (c) Conclusion and recommendations.

BACKGROUND TO THE PROTECTION OF HISTORIC HERITAGE IN THE PDP AND THE POTENTIAL IMPACT OF VARIATION 3

7. The PDP includes a schedule of built heritage items (Part 4 SCHED1) which are subject to the provisions of the plan in order to facilitate their protection under RMA s6(f). The s32 report for Variation 3 discusses how historic heritage, as a qualifying matter, has been addressed. Although, as notified, Variation 3 only applied the Medium Density Residential Standards (MDRS) to residential areas close to the town centres of Tuakau, Pookeno, Huntly and Ngaaruawaahia, the approach now being taken by Council would see all of the residential zone within each town being subject to the provisions of the MDRS, subject to any qualifying matters.

8. The s32 report for Variation 3, Volume 2, contains four maps showing the scheduled built heritage items that are located within the townships of Tuakau, Pookeno, Huntly and Ngaaruawaahia. As per the s32 report '[t]here are 22 sites with historic heritage items or features within the four towns subject to Variation 3. Each of these historic heritage items or features has an "extent of setting" which limits development in close proximity to the item or feature' (Volume 2 page 33). The following discussion addresses all of the scheduled items in the residential zones of the four towns, as well as those items located within the town centres of Huntly and Ngaaruawaahia.

9. In Tuakau, the former Revell's Hall (12 Harrisville Road) is the only heritage item within the MRZ2. There are a further three items within the General Residential Zone (GRZ) (see Attachment 1). Subject to the setting of these items being maintained, I have no concerns about heritage values being undermined by neighbouring residential development under the MDRS.

10. In Pookeno, the only heritage item within the current residential zones is the 'Redoubt House' (24 Great South Road). While the setting of the 'Redoubt House' will protect it from inappropriate subdivision, use and development the dwelling is located within the historic extent of the Queen's Redoubt. This issue is discussed below in reference to the submission by the Queen's Redoubt Trust.
11. In Huntly, eleven heritage items are located within the MRZ and GRZ zones; a further seven items are sited within the proposed Business Height Variation Overlay that has been requested by Kāinga Ora (see Attachment 1).
12. Within the residential zones, the Huntly World War I Memorial and Huntly Memorial Community Centre in Wight Street share a common setting. I believe that their corner location will largely prevent them from being overshadowed by any neighbouring residential development. The location and setting of St Paul's Anglican Church at the corner of William and Glasgow Streets is sufficient to project its heritage values, as are the settings and locations of the former Huntly Hospital at 24 Upland Road and the former Starr bungalow at 12 Upland Road. In Huntly West the former railway cottage cluster, which includes six scheduled items and two vacant sites and is described as a 'heritage area' by Heritage NZPT, is of sufficient scale to protect heritage values. In particular the inclusion of two currently vacant sites within the cluster will allow oversight of their development in order to maintain and enhance the heritage values of the group as a whole.
13. Of the seven heritage items that are located in the Business Height Variation Overlay proposed by Kāinga Ora to facilitate high density residential development, the only residential heritage building is that located at 46 William Street. The other six items are commercial or institutional buildings whose heritage values are largely aligned with the Town Centre or Commercial zones in which they currently stand.

Whereas high-density residential development could have a major overshadowing effect on the villa at 46 William Street, the current zoning of the property as Commercial arguably poses a greater risk to its ongoing use as a dwelling, which use upholds its historic heritage value.

14. In Ngaaruawaahia, a total of eight scheduled heritage items are located within the Medium Density Residential Zone that will be subject to the provisions of Variation 3 as notified. There are an additional 14 items within the GRZ and six items within the area proposed by Kāinga Ora for a Business Height Variation Overlay (see Attachment 1).
15. Most of the scheduled heritage items within the current MDZ are residential buildings (seven in all). The current residential zoning of the former Lamb's Mill Granary & Store (1C Old Taupiri Road) is not consistent with its significant heritage values but the extent of scheduling for this item is the entire land parcel and this is considered sufficient to protect the heritage building from inappropriate subdivision, use and development.
16. Within the town centre, the extent of scheduling of heritage items will exempt a number of properties from the MDRS and the height overlay proposed by Kāinga Ora. The scheduled setting for the police station and cell block (heritage item 98), for example, comprises almost all of the triangular block bounded by Waikato Esplanade and Lower Waikato Esplanade, which has been included in the 24.5 metre height overlay proposed by Kāinga Ora. The extent of scheduling for each scheduled heritage item in Ngaaruawaahia and the other three towns subject to Variation 3 should be clearly shown on all planning maps to avoid confusion and facilitate appropriate management of heritage resources.
17. In summary, I consider that Variation 3 as notified includes qualifying matters that will protect the scheduled heritage items in the four towns, and their extent of place.

18. Before responding to the submissions there is a further matter I wish to raise about the scheduled items in the PDP. I understand that making changes to the PDP schedule of heritage items is outside the scope of Variation 3, but recommend Council consider this through a separate process:
- (a) Based on the historic research undertaken for the district plan review, it is my opinion that the historic and cultural heritage values of The Point in Ngaaruawaahia are of such significance that the blocks bounded by Herschel, Eyre and Durham Streets and Broadway and Sampson Streets should not have been zoned Medium Density Residential in the PDP (decisions version). Alternatively, additional controls should have been included to protect the historic and cultural values of the area as a whole. The Point has overarching historic and cultural heritage values that transcend the individual heritage items located within it. For that reason residential intensification of the area creates the potential for negative impacts upon the heritage resource even if it does not occur on the site of a scheduled item.

RESPONSE TO SUBMISSIONS

Submission by Heritage New Zealand Pouhere Taonga [28]

19. The submitter supports the protection of historic heritage resources scheduled in the PDP and seeks that these resources are given added protection by controlling height on adjacent properties within the MRZ2 zone. In the absence of any specific discussion about the scheduled heritage items included in the PDP, I do not consider that HNZPT offers any evidence to support a different planning approach for properties that share a boundary with a scheduled built heritage item. The extent of scheduling is sufficient, in my opinion, to protect the heritage item whilst

still accommodating ongoing residential development that is part of the historic narrative of all four towns.

Submission by L Kellaway & B Windeatt [75]

20. This submission identifies the 'strong cultural constructs and layers of histories' in the townships of Tuakau, Pookeno, Huntly and Ngaaruawaahia (para 8) and expresses concern that the 'potential impact of intensification on old areas and historic towns is unclear' (para 12).
21. The submitters note that historic heritage is a qualifying matter under the NPS-UD/MDRS and state that 'a Historic heritage assessment report should be available to inform the plan change' (para 18). This submission point appears to overlook the considerable work that was undertaken for the review of the heritage schedule in the PDP, which included a comprehensive thematic history of the district as well as a thorough consideration of existing and potential 'new' heritage items. Although the PDP review did not identify heritage areas per se, there are residential heritage item clusters within the PDP, such as the railway houses at Huntly and the dairy workers' housing at Matangi. I would have assessed larger-scale heritage areas if any had been identified through the PDP review project, but none were. Consequently, I do not believe it is entirely accurate to say there are no heritage areas in the PDP.
22. The submitters state that the 'long term impact on the character of the historic towns, particularly small townships, has not been included within the MDRS. For instance, the effects of infill adjacent to small 19th century cottages and historic heritage, has not been specifically addressed' (para 19). While character and amenity are not qualifying matters under the Housing Enabling Act, the protection of historic heritage is, and to that extent, this submission point raises the issue of potential impacts arising from medium-density development on properties that are adjacent to scheduled heritage items. The extent of setting for every scheduled item

has been identified and, within the curtilage of the scheduled property, this will provide protection from inappropriate subdivision, use and development.

23. Unless Council schedules specific built heritage items, be they 'small 19th century cottages' (para 19) or any other type of built form, it is neither practical nor reasonable, in my view, to extend protection to properties that are not included in Part 4 SCHED1 of the PDP. As the submitters have not identified any specific properties that, in their view, should be added to SCHED1 it is not possible to determine whether there are any omissions from SCHED1 that merit assessment and potential scheduling. In any event, I understand the inclusion of additional scheduled sites as part of Variation 3 (being an IPI process) is out of scope.
24. The submitters requests of Council a '[q]uality of urban design which incorporates new housing sensitively into existing established neighbourhoods, and includes a wider historic heritage approach' (para 20 d)). I cannot determine however from the submission what is meant by a 'wider historic heritage approach'.
25. I do not agree with the submitters statement that 'as part of Variation 3 there is no assessment of the historic towns and whether there are potential historic areas that could be identified' (para 20 h) because this appears to disregard the extensive work carried out for the review of the PDP heritage schedule. I refer to Volume 2 of the s32 report for Variation 3 in this regard (see pages 33-40); particularly paragraph 6.4 on page 39 where it is stated that 'historic heritage items have been identified through various heritage assessments in the Operative District Plan and Dr Ann McEwan's evaluations that informed the Proposed District Plan'.
26. The submitters request that Council exert 'control on impact on the boundaries of historic heritage, [buildings, areas, archaeological and cultural sites] where scale and the new 3x3 storey housing may greatly

affect heritage values and overshadow historic heritage' (para 20 h) bullet point 2). The concern, which is further developed at paras 23 and 25 f) on page 5, appears to relate to the potential for visual dominance by neighbouring medium-density development over neighbouring historic heritage items.

27. At paragraph 22 the submitters request an 'Assessment Report of Historic heritage including potential historic areas, of the four historic towns, as part of Variation 3, as a qualifying matter'. This report has essentially been undertaken as part of the heritage review for the PDP and I refer here to Volume 2 the s32 report for Variation 3 at pages 33-40 and to the documentation prepared for the PDP , which is available on the council web site.¹ While a new heritage report specifically targeted to Variation 3 has not been prepared I do not consider that such a report would alter or amend the findings of the my previous heritage review, either in regard to individual scheduled items or potential residential heritage areas.
28. In summary I recommend that those submission points relating to the provision of heritage information be rejected, on the basis that the heritage information already held by Council is, in my opinion, robust and defensible and therefore provides the basis for scheduling heritage items in the PDP and, consequently, exempting these items from the MDRS.

Submission by Kāinga Ora [105]

29. Within its submission, Kāinga Ora has requested that additional height overlays in the Business Town Centre zones be applied, such that buildings of at least six storeys are allowed in Huntly and Ngaaruawaahia. Further, Kāinga Ora has requested a high density residential zone be applied close to the town centres of Huntly and Ngaaruawaahia, which would allow residential developments of up to six storeys. The potential

¹ <https://www.waikatodistrict.govt.nz/your-council/plans-policies-and-bylaws/plans/waikato-district-plan/district-plan-review/stage-1/section-32-reports/historic-heritage>

impact of this request has been captured in part in my commentary above in regard to the potential impact of Variation 3 upon scheduled heritage items in the four towns.

30. While I do not consider that a height overlay allowing high-density residential development in close proximity to town centres will automatically result in the loss of heritage values, I am of the opinion that the mapping of the overlay areas in both Huntly and Ngaaruawaahia by Kāinga Ora (see Attachment 2) should be reviewed in light of the extent of scheduled heritage items and the existing urban form, particularly in regard to the east side of William Street in Huntly and the west side of Great South Road in Ngaaruawaahia.
31. I recommend that Kāinga Ora be required to provide further information to support the location of the height overlay and a high density residential zone in both Huntly and Ngaaruawaahia and the potential of any such zones to have adverse effects on historic and cultural heritage values.

Submission by the Queen's Redoubt Trust [115]

32. The submission concerns the protection of the significant archaeological heritage values of the Queen's Redoubt site from the impact of medium-density residential development on neighbouring properties. Specifically, the submission seeks that only one-storey housing is allowed on the south side of Selby Street adjoining the Redoubt site and in William Rogers [sic] Road opposite the entrance to the Redoubt. (The correct name of the street is Walter Rodgers Road.) The submission notes that the Redoubt is a recorded archaeological site (NZAA R12/23) and that I identified it as having high significance in the 2008 Pookeno Structure Plan report.
33. Any consideration of the archaeological values of the site is outside my area of expertise but I can offer the following remarks in regard to the

general principles of historic heritage identification, assessment and protection and the relationship between the Redoubt site and the scheduled built heritage item (Redoubt House) at 24 Great South Road.

34. Historic survey plans show that the full extent of the Redoubt is greater than the land now owned by the Queen's Redoubt Trust. For this reason, as the submitter points out, the owners of neighbouring properties will likely be subject to the archaeological authority provisions of the Heritage New Zealand Pouhere Taonga Act (HNZPT) should they wish to undertake earthworks.
35. The submitter has provided no substantive historic evidence to support the inclusion of 3 Walter Rodgers Road (the property opposite the entrance to the Redoubt site) in a buffer zone around the Redoubt. For that reason, I consider that this aspect of the submission should be rejected.
36. The submitter requests that only single-storey residential development be allowed on specified neighbouring properties in order to protect the integrity and view shafts of the Redoubt site. This submission point suggests that the QRT is unaware of the current medium density zoning of the Selby Street and Walter Rodgers Road properties in question. Medium density development on these sites is provided for in the PDP (decisions version).
37. I recommend that information is provided by Council to neighbouring property owners in regard to the archaeological provisions of the HNZPT Act and how these provisions may affect activities they may wish to undertake. Consideration should also be given to scheduling the Queen's Redoubt in its entirety as a significant heritage resource in the PDP through a separate planning process.

CONCLUSION & RECOMMENDATIONS

38. The PDP provides for the identification and protection of significant historic heritage resources, specifically those built heritage items that were assessed by Heritage Consultancy Services for Council.
39. Protecting historic heritage resources can be a qualifying matter allowing Council to make development less enabling than the MDRS. I support the application of a qualifying matter to protect the historic heritage items and their extents scheduled in the PDP.
40. I recommend that Kāinga Ora be invited to provide further heritage evidence to assess the impact of their proposed Business Height Variation Overlay within the town centres of Huntly and Ngaaruawaahia and the high density residential zone. The assessment should address how potential impacts on historic heritage scheduled items will be managed.
41. I have considered the matter of buffer sites for scheduled built heritage items and have concluded that the extent of scheduling that has been mapped for each item is sufficient to protect it from inappropriate subdivision, use and development.



Dr Ann McEwan
20 June 2023

Attachment 1: PDP Scheduled Heritage items [arranged by town]

Attachment 2: Kainga Ora height overlay maps – Huntly & Ngaaruawaahia

Attachment 1

PDP Scheduled Heritage Items (Decisions Version) within the Residential Zones and Business Town Centre (Huntly & Ngaaruawaahia)

Tuakau				
3	Hewitt Cottage (late 1860s)	110 Harrisville Road, Tuakau	B	-
4	Former Revell's Hall (1892)	12 Harrisville Road, Tuakau	B	-
14	St Andrew's Catholic Church (1912-13)	186 George Street, Tuakau	A	-
25	Former Marist Juniorate Training College building/La Valla College (1925-26)	131-139 Dominion Road, Tuakau	A	-

Pokeno				
34	Pokeno Redoubt House (c.1870)	24 Great South Road, Pokeno	B	-

Huntly				
55	Huntly World War I Memorial (1927)	Corner Wight & Taihua Streets, Huntly	A	-
56	Huntly War Memorial Hall/Huntly Memorial Community Centre (1958)	Wight Street, Huntly	B	-
57	St Paul's Anglican Church (1934)	55 William Street, Huntly	A	Category 1, List #4165
58	Masonic Lodge Taupiri No.118 (1930)	47 William Street, Huntly	A	Category 2, List #4216
59	Former Smith Residence (c.1905)	46 William Street, Huntly	B	Category 2, List #4217
60	Former Wilson & Shaw Building (c.1925)	106-112 Main Street, Huntly	B	-
61	Les Kosoof & Sons Building (1926)	116 Main Street, Huntly	B	-
62	Former Huntly Press Building (c.1926)	130-132 Main Street, Huntly	B	-

63	Huntly Hotel/Essex Arms (c.1876 & 1939-40)	151 Main Street, Huntly	A	-
65	Former Huntly Courthouse (1905)	191 Main Street, Huntly (Note: part of the building is on road reserve)	A	-
66	Former Railway Worker's Cottage (c.1925)	47 Harris Street, Huntly	B	-
67	Former Railway Worker's Cottage (c.1925)	41 Harris Street, Huntly	B	-
68	Former Railway Worker's Cottage (c.1925)	39 Harris Street, Huntly	B	-
69	Former Railway Worker's Cottage (c.1925)	37 Harris Street, Huntly	B	-
70	Former Railway Worker's Cottage (c.1925)	35 Harris Street, Huntly	B	-
71	Former Railway Worker's Cottage (c.1925)	33 Harris Street, Huntly	B	-
72	Former Starr Bungalow (c.1924)	12 Upland Road, Huntly	B	-

74	Former Huntly Cottage Hospital & Maternity Home (1924-25)	24 Upland Road, Huntly	A	-
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Ngaaruawaahia

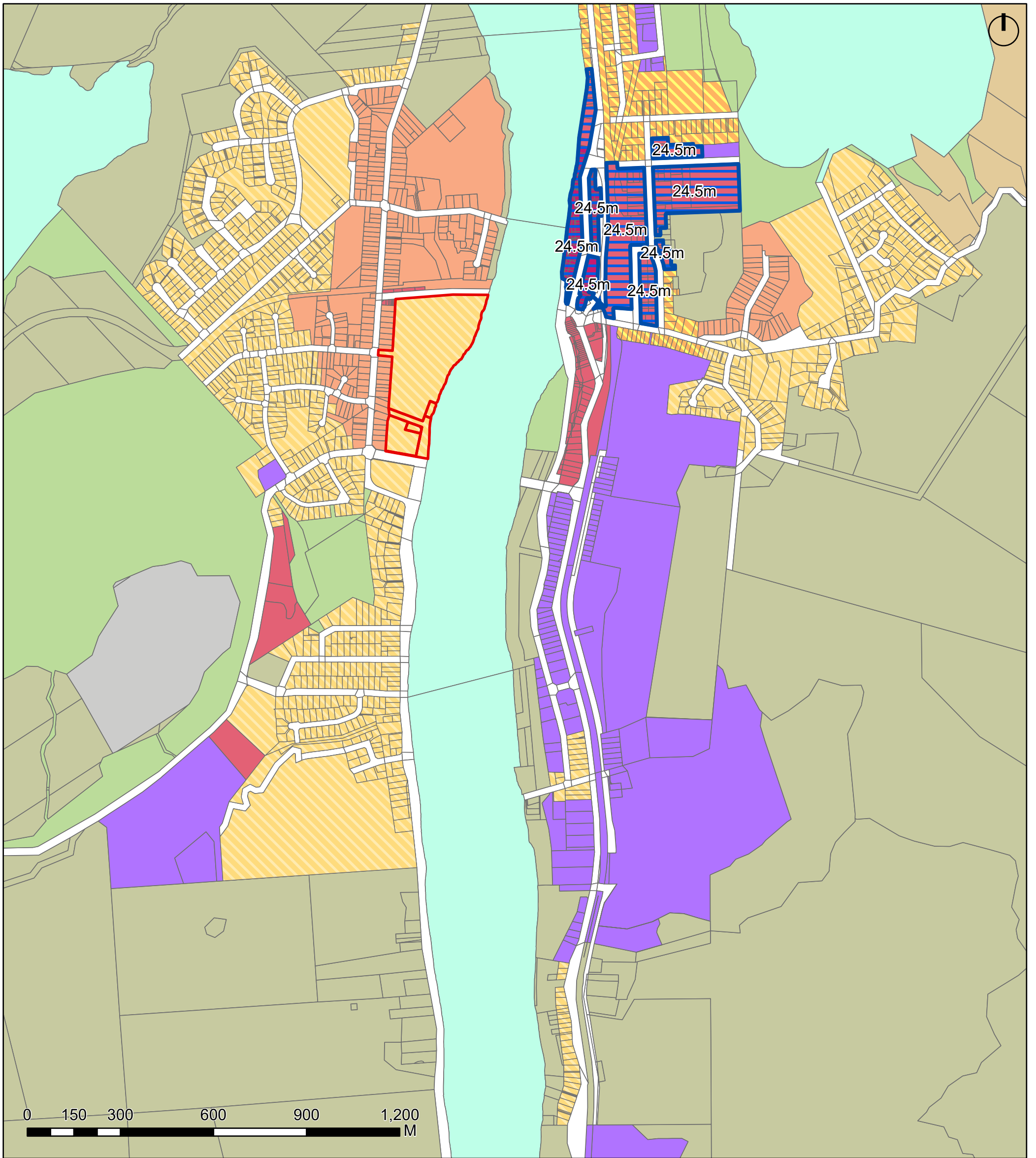
ID in District Plan	Heritage item	Address	Ranking	HNZPT list status
85	Former Parkes/Henderson Dwelling (pre 1878 & c.1900)	2 Old Taupiri Road, Ngaaruawaahia	A	Category 2, List #4259
86	Former Lamb's Mill Granary & Store (1878)	1C Old Taupiri Road, Ngaaruawaahia	A	Category 1, List #734
91	Former Hutt Residence (c.1906)	5 Broadway Street, Ngaaruawaahia	B	-
92	Delta Hotel (1900)	2 Market Street, Ngaaruawaahia	A	Category 2, List #4459
94	Former O'Connor/Moffatt Residence (c.1911)	13 Lower Waikato Esplanade, Ngaaruawaahia	B	Category 2, List #4255
95	Former A Hamblin & Co. Ltd Building (1910)	14-16 Jesmond Street, Ngaaruawaahia	B	-

		Legal boundary and the veranda that extends over the footpath		
96	Turangawaewae House/Maori Parliament House (1917-19)	2 Eyre Street, Ngaaruawaahia	A	Category 1, List #4170
97	Grant's Chambers (c.1929)	Corner Great South Road and Jesmond Street, Ngaaruawaahia	A	Category 2, List #4251
98	Police Station House & Cell Block (1914)	21 Lower Waikato Esplanade, 12 Waikato Esplanade, Ngaaruawaahia	B	-
99	Ngaaruawaahia Centennial Memorial Plunket Rooms & Women's Rest Rooms (1940)	31 Jesmond Street, Ngaaruawaahi	B	-
101	Former Ngaaruawaahia Bakery Ltd Bakehouse (c.1921-29)	108 Great South Road, Ngaaruawaahia	B	Category 2, List #4248
103	Former Paterson Residence (c.1915)	26 Waikato Esplanade, Ngaaruawaahia	B	-
104	Former Burt Cottage (c.1894)	929 Waingaro Road, Glen Massey	B	-
105	Former Melrose Private Hospital (c.1920)	3 Carlton Avenue, Ngaaruawaahia	B	-

108	St Paul's Catholic Church (1913)	Corner Belt Street & Great South Road, Ngaaruawaahia	A	Category 2, List #4246
109	Former Worker's Dwelling (1915)	44 Ellery Street, Ngaaruawaahia	B	-
110	Former Worker's Dwelling (1915)	46 Ellery Street, Ngaaruawaahia	B	-
111	Former McSweeney Cottage (1916)	30 Whatawhata Avenue, Ngaaruawaahia	B	-
112	Former McSweeney Cottage (1916)	32 Whatawhata Avenue, Ngaaruawaahia	B	-
113	Former McSweeney Cottage (1916)	34 Whatawhata Avenue, Ngaaruawaahia	B	-
114	Former McSweeney Cottage (1916)	36 Whatawhata Avenue, Ngaaruawaahia	B	-
115	Former McSweeney Cottage (1916)	38 Whatawhata Avenue, Ngaaruawaahia	B	-
116	Former Railway Worker's Cottage (c.1925-26)	184 Great South Road, Ngaaruawaahia	B	-

117	Former Railway Worker's Cottage (c.1925-26)	188 Great South Road, Ngaaruawaahia	B	-
118	Former Railway Worker's Cottage (c.1925-26)	198 Great South Road, Ngaaruawaahia	B	-
119	Former Railway Worker's Cottage (c.1925-26)	200 Great South Road, Ngaaruawaahia	B	-
127	Former FH Edgecumbe Residence (c.1887)	10 Lower Waikato Esplanade, Ngaaruawaahia	B	Category 2, List #4256
128	Former Mines/King House	14 Galileo Street, Ngaaruawaahia	B	-
129	Former Cavanagh Residence (c.1912-14)	67 Ellery Street, Ngaaruawaahia	B	-

Huntly South

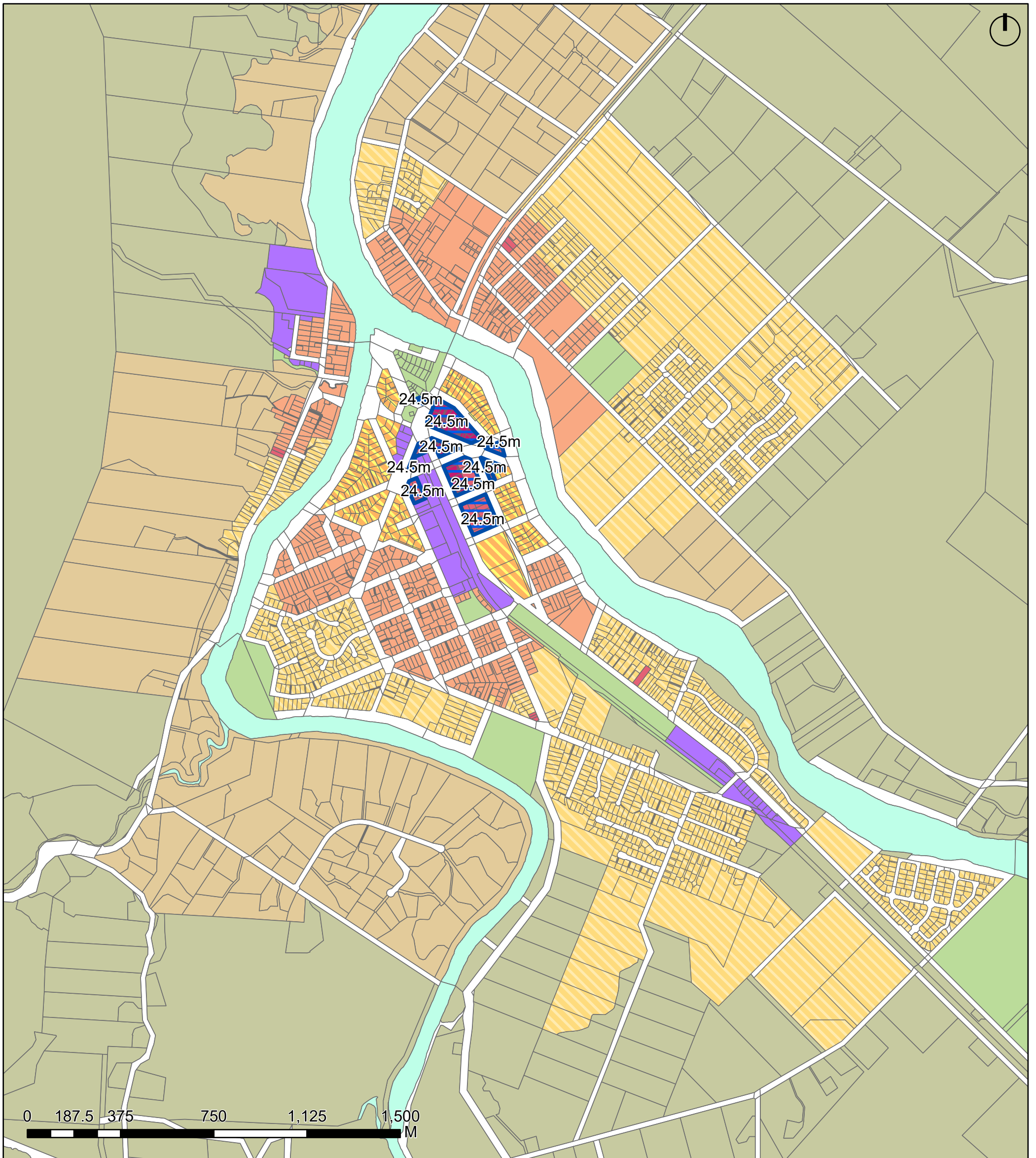


Kāinga Ora Proposed Changes Sought

- High Density Residential Zone
- Medium Density Residential Zone
- Commercial Zone
- Town Centre Zone
- Business Height Variation Overlay
- Zone Extensions

Proposed Variation 3

- TCZ - Town centre zone
- COMZ - Commercial zone
- GIZ - General industrial zone
- GRZ - General residential zone
- MRZ - Medium density residential zone
- OSZ - Open space zone
- RLZ - Rural lifestyle zone
- GRUZ - General rural zone
- FUZ - Future urban zone
- Road
- Water



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