



Section 42A Report to the Hearings Committee

Proposed Plan Variation 2

Hill Country Landscape Domain Boundary Review

November 2014



Hearing Date: 25 November 2014
Report Prepared by: Tiffany Williams

EXECUTIVE SUMMARY

Plan Change 20 divided the Horowhenua District into 10 Landscape Domains including the Hill Country Landscape Domain which covers the eastern portion the District. Plan Change 22 on Outstanding Natural Features and Landscapes, also included some reliance on the Landscape Domains identified in Plan Change 20. The Hearing Panel for Plan Change 22, as part of their decision, noted that use of the 100m contour line to define the western boundary of the Hill Country Landscape Domain needed to be reviewed as this Landscape Domain captured some land that was not consistent with the overarching (hill country) characteristics of the Hill Country Landscape Domain. The Hearing Panel recommended that the review of the Hill Country Landscape Domain boundary form part of the District Plan Review along with a suggestion that slope rather than elevation would provide a clearer definition for this boundary.

However, due to a long standing Environment Court appeal on Plan Change 20 the review of the western boundary of the Hill Country Landscape Domain was unable to be undertaken as part of the review of the District Plan. Following the resolution of this appeal the Landscape Domain boundary has been reviewed. This review concluded the location of the boundary could be re-positioned to better align Landscape Domain boundaries with the characteristics of the respective Landscape Domains. Therefore, Proposed Plan Variation 2 seeks to revise the western boundary of the Hill Country Landscape Domain so that any land captured within this landscape domain is consistent with its defining characteristics.

Through the public notification process a number of submissions were received supporting and opposing aspects of the Proposed Plan Variation. These submissions have supported proposed changes to the boundary in some locations requesting they be adopted as proposed, while others have requested changes to the proposed boundary location.

The purpose of this report is to summarise the key issues raised in submissions and to provide advice to the Hearings Committee on the issues raised. All submission points have been evaluated in this report, with specific recommendations for each point raised within each submission. The recommendations include some amendments to Planning Maps 38 and 39 from what was publicly notified. Whilst recommendations are provided, it is the role of the Hearings Committee to consider the issues, the submissions received, the evidence presented at the hearing, and the advice of the Council planner before making a decision.

The officer's recommendations on the key issues raised in the submissions include the following amendments to Planning Maps 38 and 39:

- Retain the current Hill Country Landscape Domain boundary in relation to Lot 4 DP 80215 (relevant submission by M.J Page no. 201);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 73918 (relevant submission by Joan and Brian Judd no. 204):
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt Lot 1 DP 13837 (relevant submission by Planning Team no. 205);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 433505 (relevant submission by Gary and Emily Williams no. 206);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 414087 (relevant submission by Stephen Poulton no. 208); and

- Amend the proposed Hill Country Landscape Domain Boundary in relation to eight lots at the end of Gladstone Road as well as amending the proposed Landscape Domain of the Ohau-Makahika River valley (relevant submission by Daniel Kilsby-Halliday no. 211).

The Hearings Committee will determine whether to accept, reject or accept in part, the submissions received, in making its decisions and as a consequence, any amendments to be made to the proposed plan variation.

CONTENTS

1. INTRODUCTION	6
1.1 Qualifications	6
1.2 Outline	6
2. PROPOSED PLAN VARIATION 2.....	7
2.1 Background	7
2.2 Consultation & Process	7
3. STATUTORY REQUIREMENTS.....	9
3.1 Resource Management Act 1991	9
3.2 New Zealand Coastal Policy Statement 2010	9
3.3 National Environmental Standards	9
3.4 National Policy Statements.....	10
3.5 Operative Regional Policy Statement & Proposed One Plan	10
4. ANALYSIS OF SUBMISSIONS	11
4.1 Submitter: M. J. Page	11
4.2 Submitter: Federated Farmers of New Zealand	12
4.3 Submitter: Gray Harrison.....	13
4.4 Submitter: Joan and Brian Judd	15
4.5 Submitter: Horowhenua District Council (Planning Team)	18
4.6 Submitter: Gary and Emily Williams Family Trust.....	19
4.7 Submitter: Horowhenua Farmers Ratepayer Group.....	20
4.8 Submitter: Stephen Poulton.....	21
4.9 Submitter: Kenneth Rowland.....	23
4.10 Submitter: David Honore	25
4.11 Submitter: Daniel Kilsby-Halliday	26
4.12 Submitter: Ian Smith	29
4.13 Submitter: Christine and Bruce Mitchell	30
5. CONCLUSION AND MAIN RECOMMENDED CHANGES FROM PROPOSED PLAN VARIATION 2 (AS NOTIFIED).....	33
5.1 Conclusion.....	33
6. APPENDICES	34
6.1 Appendix 1: High level Approach and Rationale of the Technical Review	34
6.2 Appendix 2: Overview of Rules in the Proposed District Plan specific to the Hill Country Landscape Domain	35
6.3 Appendix 3: Proposed Plan Variation 2 as amended per officer's recommendations	38
6.4 Appendix 4: Extracts from Landscape Assessment of the Rural Environment of the Horowhenua District (October 2008).....	45
6.5 Appendix 5: Schedule of Officer's Recommendations on Submission Points.....	55

1. Introduction

1.1 Qualifications

My full name is Tiffany Jayne Williams. I hold a Bachelor of Resource and Environmental Planning (Honours) degree from Massey University, Palmerston North. I am a Graduate Member of the New Zealand Planning Institute. I have over three years experience in various planning related areas.

Following the completion of my degree I worked as a Policy Analyst at Hauraki District Council for 14 months, before working as a Resource Consents Planner at Hutt City Council for 16 months. I began working at Horowhenua District Council in November 2013 as an Environmental Monitoring and Compliance Officer, however, I have recently taken on the role as Strategic Planner. Part of my new role will include reviewing and preparing changes to the District Plan.

During my time at Horowhenua District Council to date I have been responsible for monitoring compliance with resource consents and processing resource consents. I have also been involved in this Proposed Plan Variation, including its preparation and consultation prior to public notification.

1.2 Outline

This report considers submissions which were received on Proposed Plan Variation 2 (PPV2), Hill Country Landscape Domain Boundary Review, to the Proposed Horowhenua District Plan (referred to in this report as the 'Proposed District Plan'). This report has been prepared in accordance with Section 42A of the Resource Management Act 1991 (RMA) to assist the Hearings Committee with its consideration of submissions received in respect of the provisions in this Proposed Plan Variation.

This report is structured according to the following format:

- An overview of the Proposed Plan Variation
- Statutory Requirements
- Analysis of Submissions
- Recommended Amendments to Proposed Plan Variation

The report discusses each submission or groups of similar submissions and includes a recommendation from the report writer on each submission that has 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 at the hearing, the Hearings Committee 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 the Proposed Plan Variation.

The amendments to the Proposed Plan Variation arising from the staff recommendations discussed throughout this report are set out in Section 6.3. The suggested amendments are set out in the same style as the Proposed District Plan.

The Analysis of Submissions section has been structured by grouping submission points from each submitter to the Proposed Plan Variation. As far as possible, the individual submission points are listed in order to match the contents of each submission.

Each submission has been given a unique number (e.g. 212). 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 212.01, meaning submitter number 12 and submission point number 01.

No further submissions were received in relation to this Proposed Plan Variation.

2. Proposed Plan Variation 2

2.1 Background

Plan Change 20, which involved the review of rural subdivision within the Horowhenua District, divided the District into 10 Landscape Domains. The Landscape Domains were identified in the 'Landscape Assessment of the Rural Environment of the Horowhenua District - October 2008'. Each Landscape Domain was defined based on landscape character, visual quality, and landscape sensitivity, except for the Hill Country Landscape Domain. The northern, eastern and southern boundaries of the Hill Country Landscape Domain are defined by the territorial authority boundary and the western boundary is defined by the 100m (above sea level) contour line. Plan Change 22 relating to Outstanding Natural Features and Landscapes also relied upon these boundaries.

As a result of the submissions and hearings processes for Plan Changes 20 and 22 it became apparent that in some instances the 100m contour line used to define the western boundary of the Hill Country Landscape Domain captures areas of relatively flat, productive land which is inconsistent with the defining characteristics of this Landscape Domain and as a consequence could unintentionally affect the future subdivision and/or development of this land.

The Hearing Panel for Plan Change 22, as part of their decision, noted that use of the 100m contour line to define the western boundary of the Hill Country Landscape Domain needed to be reviewed, and recommended that this review form part of the District Plan Review along with a suggestion that slope rather than elevation would provide a clearer definition for this boundary.

However, due to a long standing Environment Court appeal on Plan Change 20 the review of the western boundary of the Hill Country Landscape Domain was unable to be undertaken as part of the review of the District Plan. Following the resolution of this appeal the Landscape Domain boundary has been reviewed. This review concluded the location of the boundary could be re-positioned to better align Landscape Domain boundaries with the characteristics of the respective Landscape Domains. Therefore, this Proposed Plan Variation now seeks to revise the western boundary of the Hill Country Landscape Domain so that any land captured within this Landscape Domain is consistent with its defining characteristics.

2.2 Consultation & Process

As outlined in the Section 32 Report associated with PPV2, given the relatively minor nature of the changes proposed in PPV2 consultation was limited to the Ministry for the Environment, Horizons Regional Council, Iwi, and directly affected landowners.

Prior to notification of PPV2, the Council circulated information to landowners who would be directly affected by this Proposed Plan Variation. The information provided to the landowners included:

- A letter explaining the purpose and scope of PPV2;
- A map showing the proposed changes along the entire length of the western boundary of the Hill Country Landscape Domain;
- A map illustrating the proposed changes on individual properties;
- A map showing the proposed Landscape Domain that properties would become if they are to be removed from the Hill Country Landscape Domain; and
- An overview of the controlled activity requirements for subdivision in each of the relevant Landscape Domains.

Landowners were given the opportunity to provide feedback about the proposed changes and to ask questions prior to the Proposed Plan Variation being publicly notified. Of the landowners that provided feedback at the pre-notification stage, the majority were satisfied with the proposed changes to the western boundary of the Hill Country Landscape Domain.

However, several landowners requested that the proposed western boundary be further revised in relation to their property. The requested changes were relatively minor in most cases and included adjusting the proposed western boundary to avoid dissection of existing dwellings or in response to specific landscape characteristics, and for the boundary to be retained in its current place. Where appropriate the requested amendments were incorporated into PPV2 prior to public notification.

On 15 August 2014 PPV2 was publicly notified, with submissions closing on 15 September 2014. A total of 13 submissions were received. On 3 October 2014, a summary of submissions (decisions requested) was publicly notified and the period for further submissions closed on 17 October 2014. At the close of this further submission period no further submissions had been received.

The submissions received were from a wide variety of parties, including private individuals (mostly landowners where the boundary crosses their properties) and advocacy/interest groups.

2.2.1 Late Submissions

There was a late submissions received from Ian Peter Smith (Submitter Number 212) which raised matters relating to Proposed Plan Variation 2.

Section 37A of the RMA sets out the considerations for accepting/rejecting late submissions.

37A Requirements for waivers and extensions

(1) A consent authority or local authority must not extend a time limit or waive compliance with a time limit, a method of service, or the service of a document in accordance with section 37 unless it has taken into account -

- (a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and*
- (b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and*
- (c) its duty under section 21 to avoid unreasonable delay.*

This late submission was received two days after submissions closed on 15 September 2014, but prior to the Summary of Submissions that was publicly notified on 3 October 2014. This submission

was able to be included in the Summary of Submissions. Mr Smith's submission opposes Proposed Plan Variation 2 as it relates to his property. I see no reason why the late submissions should not be accepted. Therefore, I recommend the Hearings Committee extends the time under Section 37 of the RMA to accept the late submission.

3. Statutory Requirements

3.1 Resource Management Act 1991

In preparing a Plan Variation to the Proposed District Plan, Horowhenua District Council 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.

Part II of the Resource Management Act 1991 (RMA) underpins the exercise of all functions, duties and powers, with Section 5 providing that the purpose of the RMA, is to provide the sustainable management of natural and physical resources. As such, Section 5 is fundamental to any assessment, with the approach being to weigh the matters in Section 5(2) in order to reach a broad judgement as to whether a policy or rule would promote the sustainable management of natural and physical resources.

The Council has additional responsibilities under Section 6 of the RMA in respect to 7 matters of national importance; none of these matters have been identified as being relevant for PPV2. Section 7 of the Act requires the Council to have particular regard to (amongst other matters) - *The efficient use and development of natural and physical resources; the maintenance and enhancement of amenity values; intrinsic values of ecosystems; and maintenance and enhancement of the quality of the environment.*

The relevant aspects of the above matters have been considered in the analysis of the submissions in Section 4 of this report.

3.2 New Zealand Coastal Policy Statement 2010

Under Section 75(3)(b) of the Resource Management Act, a District Plan must give effect to any New Zealand Coastal Policy Statement (NZCPS). No provisions of the NZCPS are considered specifically relevant to the subject of this report.

3.3 National Environmental Standards

No National Environmental Standards (NES) are specifically relevant to the subject of this report.

3.4 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). No provisions of the current NPSs are considered specifically relevant to the subject of this report.

3.5 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 Proposed One Plan (incorporating the Proposed Regional Policy Statement) is anticipated to be made fully operative before the end of 2014 with all appeals resolved earlier this year. Given this pending status, the Proposed One Plan is considered the primary Regional Policy Statement and should be given effect to by Proposed Plan Variation 2. Notwithstanding this, given the nature and scope of Proposed Plan Variation 2, the policies in the Proposed One Plan have limited applicability to this Variation.

4. Analysis of Submissions

4.1 Submitter: M. J. Page

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
201.00	M. J. Page	In-Part	The submitter seeks the proposed Hill Country Landscape Domain boundary be amended so that it clearly shows the extent of the Tararua Terraces Landscape Domain over their property as shown on the map provided with their submission.	That the proposed Hill Country Landscape Domain boundary is amended so that it is consistent with the Environment Court ruling/directive that was settled by the parties at the time of Plan Change 20.

One submission point was received from M.J. Page seeking to amend Planning Map 39 in relation to the property that is legally described as Lot 4 DP 80215.

4.1.1 Discussion & Evaluation

1. M. J. Page (201.00) opposes the proposed change to the western boundary of the Hill Country Landscape Domain Boundary in relation to his property which is legally described as Lot 4 DP 80215. He seeks that the boundary be retained in its current location as shown in the map provided with his submission.
2. The current position of the western boundary of the Hill Country Landscape Domain in relation to Lot 4 DP 80215 was considered by Council Officers as the most appropriate position for the boundary during the appeal between Range View Ltd and M. J. Page v Horowhenua District Council on Plan Change 20. The southern portion of Lot 4 DP 80215, which is the subject of M. J. Page's submission, is lower-lying than the northern portion of the property and as a result of the appeal it was considered that this portion of the property was more closely aligned with the characteristics of the Tararua Terrace Landscape Domain.
3. It was Officers intentions to retain the current boundary of the Hill Country Landscape Domain in relation to Lot 4 DP 80215 and not change it as part of PPV2. However due to a historical anomaly with the Planning Maps the most up-to-date map was not referenced when establishing the Hill Country Landscape Domain boundary in relation to this property in PPV2. Therefore it is recommended this submission point from M. J. Page is accepted.

4.1.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
201.00	M. J. Page	Accept

4.1.3 Recommended Amendments to the Plan Provisions

Amend Proposed Planning Maps 39 so that the current position of the western boundary of the Hill Country Landscape Domain is retained in relation to Lot 4 DP 80215 as shown in the map in Appendix 3 (Section 6.3.1).

4.2 Submitter: Federated Farmers of New Zealand

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
202.01	Federated Farmers of New Zealand	Support	The submitter supports the amendments to the Hill Country Landscape Domain boundary in the Planning Maps. Ensuring that mapping of domains is accurate and up-to-date is vital for sensible application of regulation. A clear boundary also provides certainty and confidence when applying regulation to activities on the land.	No specific relief requested.
202.02	Federated Farmers of New Zealand	In-Part	The submitter appreciates the consultation process that has enabled members to engage effectively with the Council. The submitter seeks Council to address other submitters concerns regarding the boundary mapping on their properties.	That the Council consults closely with affected landowners when determining the final location of the Hill Country Landscape Domain boundary.

Two submission points were received from Federated Farmers of New Zealand. One submission point supports the proposed changes to Planning Maps 38 and 39. One submission point relates to the Council's consultation process and addressing other submitter's concerns.

4.2.1 Discussion & Evaluation

1. The support of Federated Farmers of New Zealand (202.01) for the proposed changes to Planning Maps 38 and 39 is noted.
2. Federated Farmers of New Zealand (202.02) appreciation of the Council's consultation process is noted. With regards to addressing the concerns of the other submitters in relation to their properties, the matters raised in other submissions will be assessed on their individual merit. Therefore, it is recommended that the submission point be accepted in-part.

4.2.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
202.01	Federated Farmers of New Zealand	Accept
202.02	Federated Farmers of New Zealand	Accept In-Part

4.2.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

4.3 Submitter: Gray Harrison

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
203.01	Gray Harrison	In-Part	The submitter seeks that the proposed Hill Country Landscape Domain boundary in relation to their property (Lot 2 DP 462660) and their neighbour's property (Lot 3 DP 462660) be amended to one of the options they have shown on the maps they provided with their submission.	No specific relief requested. Inferred: That the Council amend the proposed Hill Country Landscape Domain boundary for Lots 2 & 3 DP 462660 to one of the options shown on the maps provided with their submission (the submitter's preferred option is shown by the blue line).
203.02	Gray Harrison	In-Part	The submitter supports the proposed change which will result in a small quantity of their low-lying land becoming part of the Manakau Downlands Landscape Domain which will allow the submitter to consider future subdivision. However, the submitter is not sure whether the area that is proposed to be within the Manakau Downlands Landscape Domain will meet the minimum 4ha lot size and if it does it is situated in a manner that access and farming aesthetics will be affected by the proposed boundary. The submitter believes that adoption of one of their proposed boundaries will not lead to the placement of dwellings on ridges or in unsightly locations due to the presence of power transmission towers that cross their land.	No specific relief requested. Inferred: That the Council amend the proposed Hill Country Landscape Domain boundary for the submitter's property to one of the options shown in the maps provided with their submission (the submitter's preferred option is shown by the blue line).

Two submission points were received from Gray Harrison. These submission points seek that Planning Map 39 be amended in relation to the properties legally described as Lot 2 DP 462660 and Lot 3 DP 462660 (Corbetts Road, Manakau) as shown by the maps provided with the submission.

4.3.1 Discussion & Evaluation

1. Gray Harrison (203.01) seeks that the proposed western boundary to the Hill Country Landscape Domain be amended in relation to the properties legally described as Lot 2 DP 462660 and Lot 3 DP 462660 (Corbetts Road), in accordance with the options shown on the maps provided with the submission.
2. Gray Harrison (203.02) is supportive of a portion of Lot 2 DP 462660 being removed from the Hill Country Landscape Domain and becoming part of the Manakau Downlands Landscape Domain. However, the submitter has indicated they may want to consider subdividing Lot 2

DP 462660 in the future and is uncertain whether the area that would become part of the Manakau Downlands Landscape Domain would be large enough to subdivide. Under the Proposed District Plan there would need to be a minimum of 4ha of land within the Manakau Downlands Landscape Domain for a subdivision (creating one additional lot) to be a controlled activity (subject to all the other controlled activity conditions being met). Otherwise subdividing this property would be a non-complying activity.

3. Gray Harrison provided maps showing two alternative options to the proposed western boundary. One option, shown in green and labelled 'amendment 1', would result in the proposed western boundary of the Hill Country Landscape Domain following the top of a ridgeline of a hill which is quite steep in topography and which is consistent with Hill Country Landscape Domain characteristics. The second option, shown in blue and labelled 'amendment 2', is Gray Harrison's preferred option and would result in this hill being removed from the Hill Country Landscape Domain entirely.
4. The Council engaged Boyden Evans, Landscape Architect of Boffa Miskell Ltd, to undertake a technical review of the current boundary of the Hill Country Landscape Domain (see the report prepared by Boyden Evans briefly outlining the approach and rationale of the technical review in Appendix 1 (Section 6.1)). Boyden Evans has worked closely with Council Officers to identify the proposed western boundary of the Hill Country Landscape Domain. Boyden Evans and I visited the submitter's property following the receipt of their submission to establish whether or not the submitter's request could be supported by us. Following the site visit Boyden Evans provided a slope analysis of Lot 2 DP 462660 which shows the area/hill Gray Harrison seeks to partially or totally exclude from the Hill Country Landscape Domain as being of a slope consistent with the type of hills that are intended to be captured within the Hill Country Landscape Domain. As a result of reviewing the submission points, Boyden Evans does not support Gray Harrison's requested amendments to the proposed western boundary of the Hill Country Landscape Domain.
5. I consider that the options identified by Gray Harrison would not result in the most effective and efficient way of achieving the objective of this Proposed Plan Variation which is to ensure that land consistent with the Hill Country Landscape Domain is captured within this landscape domain. The proposed western boundary of the Hill Country Landscape Domain has been positioned so that it follows the base of the hills where they begin to become steeper and so that the flat land on Lot 2 DP 462660 (and Lot 3 DP 462660) would not be captured in the Hill Country Landscape Domain anymore. Therefore, it is recommended that these submission points be rejected.

4.3.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
203.01	Gray Harrison	Reject
203.02	Gray Harrison	Reject

4.3.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

4.4 Submitter: Joan and Brian Judd

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
204.01	Joan & Brian Judd	In-Part	The submitter opposes Proposed Plan Variation 2 as it relates specifically to their property. The proposed Hill Country boundary sits directly over their property including the rear of their existing dwelling. The submitter considers that the proposed plan does not accurately identify (using accurate survey data and GIS mapping) exactly where the boundary sits in relation to their property. The submitter believes that the Council has provided insufficient and incomplete information to enable them to make a fully informed decision. Yet the decision by Council will impact on their ability to enjoy their property.	That an accurate GIS map be provided in order to accurately identify where the Proposed Plan Variation 2 Hill Country boundary sits in relation to their property.
204.02	Joan & Brian Judd	In-Part	The submitter opposes the Proposed Plan Variation as it will restrict their ability to develop their property in the future. If they wish to extend the footprint of their existing home or to relocate their home to a different site on their property then they may require resource consent. This is a breach of their property rights. Proposed Plan Variation 2 is also likely to affect the resale value of their property as it may restrict the ability of a new owner to develop the property. The submitter believes that Proposed Plan Variation 2 as it relates to their property is inaccurate and defeats the objective of the plan change which is to identify a consistent landscape for the hill country area.	Retain the existing Hill Country Landscape Domain boundary in relation to the submitter's property.
204.03	Joan & Brian Judd	Oppose	The submitter considers that insufficient consultation was undertaken in this Proposed Plan Variation process. Despite Council engaging with the submitter, the proposed Hill Country boundary still sits to the rear of their property and captures the landscaped area to the rear of the dwelling.	No specific relief requested. Inferred: Retain the existing Hill Country Landscape Domain boundary in relation to the submitter's property.

Three submission points were received from Joan and Brian Judd. One submission point opposes the proposed changes to Planning Maps 38 and 39 in relation to Lot 2 DP 73918 (35 Emerald Hills Road). The second submission point seeks that the current boundary is retained as the proposed boundary would restrict future develop of Lot 2 DP 73918. Submission point three notes that Council's consultation process was inadequate.

4.4.1 Discussion & Evaluation

1. Joan and Brian Judd (204.01 and 204.03) oppose the proposed changes to the western boundary of the Hill Country Landscape Domain in relation to Lot 2 DP 73918 (35 Emerald Hills Road). The submitters consider that the Proposed Plan Variation does not accurately identify exactly where the boundary sits in relation to their property. The submitters believe that the Council has provided insufficient and incomplete information to enable them to make a fully informed decision. They consider the consultation that was undertaken as part of this Proposed Plan Variation was also insufficient.
2. The consultation process has been outlined under Section 2.2 of this report including the information that was sent out to affected landowners prior to Proposed Plan Variation 2 being publicly notified. Landowners where the Hill Country Landscape Domain boundary was proposed to change in relation to their property(ies) were provided with maps showing how the proposed changes would affect their land specifically as part of both pre-notification and public notification consultation process. It is noted that the submitters provided feedback during the pre-notification consultation process, they informed me (the reporting planner) that the proposed boundary was going to encroach on their dwelling and requested the proposed boundary be amended to avoid this. In response, the Landscape Domain boundary was amended to be slightly further away from the dwelling. Notwithstanding that the submitter is not satisfied with the changes made to the boundary as a result of the pre-consultation process, I do not consider this to mean that insufficient consultation was undertaken.
3. The maps showing the changes in relation to each affected property were shown on an aerial photo taken in 2011 which is the most up-to-date aerial photograph that the Council has for this area. Affected landowners were directed to where they could find more information about the Proposed Plan Variation and Council Officers were available to answer any questions in relation to the proposed changes. While I understand the submitter's frustrations about the consultation process, the Council provided information and undertook consultation in accordance with the requirements of the Resource Management Act 1991. I note that other submitters have been very complimentary of the consultation undertaken and the efforts made to provide site specific information to those landowners potentially affected. For these reasons it is recommended that these submission points (204.01 and 204.03) be rejected.
4. Joan and Brian Judd (204.02) oppose Proposed Plan Variation 2 as they contend it will restrict their ability to develop their property in the future and they may require resource consent if they would like to extend or relocate their existing dwelling. The Hill Country Landscape Domain does have more stringent restrictions in relation to subdivision, building height, earthworks and utilities than other Landscape Domains (refer to Appendix 2 (Section 6.2) for an overview of the relevant rules). Due to the nature of Lot 2 DP 73918 and the fact that a large portion of the eastern part of this property is currently within the Hill Country Landscape Domain it is considered that any affect that the proposed change to the western boundary of the Hill Country Landscape Domain would have on this property would be very minor. This is because the subdivision potential of this property is already quite limited and

the earthworks restrictions in the Hill Country Landscape Domain would not be overly onerous for a property of this size (i.e. the submitter could undertake a substantial amount of earthworks without requiring a resource consent).

5. Given that the existing dwelling is not proposed to be within the Hill Country Landscape Domain it would not subject to the more restrictive rules for this Landscape Domain. The submitter would have the ability to extend the dwelling and if the extension was to encroach on the boundary of the Hill Country Landscape Domain then so long as the extension was not over 5m in height it would not require resource consent. Furthermore it is noted that the proposed boundary in relation to the dwelling is not much closer to the dwelling than the current Hill Country Landscape Domain boundary and as such the potential to trigger a non-compliance with the requirements of the Proposed District Plan already exists.
6. Joan and Brian Judd (204.02) seek the retention of the current boundary of the Hill Country Landscape Domain boundary in relation to Lot 2 DP 73918 as in their view the proposed changes to the boundary defeats the purpose of the Proposed Plan Variation.
7. The purpose of Proposed Plan Variation 2 is to ensure that land consistent with the characteristics of the Hill Country Landscape Domain is captured within this Landscape Domain.
8. A key area of concern for the submitters appears to be the portion of the proposed Hill Country Landscape Domain boundary that is adjacent to their dwelling. Boyden Evans (Landscape Architect of Boffa Miskell Ltd) and I visited the submitter's property and we noted the portion of the hill where the dwelling has been constructed has been modified to allow for the dwelling and access to the dwelling. As such it is considered to be appropriate to amend the boundary and move it further up the hill slope in the vicinity of the dwelling and driveway so that these areas are avoided and so that it is more closely aligns with the current Landscape Domain boundary.
9. The southern and eastern portion of Joan and Brian Judd's property contains a portion of a hill that is steep in topography and consistent with the nature of the land that we are trying to capture within the Hill Country Landscape Domain. The lower part of this hill is currently not captured by the 100m contour line boundary whereas the proposed Hill Country Landscape Domain boundary would follow the base of this hill and capture it within this Landscape Domain which is considered to be appropriate. As such Boyden Evans and I do not consider that it would be appropriate to amend the proposed Hill Country Landscape Domain boundary in relation to this portion of the property. Therefore it is recommended that submission point 204.02 be accepted in-part.

4.4.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
204.01	Joan & Brian Judd	Reject
204.02	Joan & Brain Judd	Accept In-Part
204.03	Joan & Brian Judd	Reject

4.4.3 Recommended Amendments to the Plan Provisions

Amend the proposed boundary of the Hill Country Landscape Domain so that the portion of the proposed boundary adjacent the dwelling on Lot 2 DP 73918 is amended to be more in line with the current boundary of the Hill Country Landscape Domain, with the land proposed to be removed from this Landscape Domain remaining part of the Tararua Terraces Landscape Domain, and the rest of the proposed western boundary in relation to Lot 2 DP 73918 remaining as proposed at public notification as shown the map in Appendix 3 (Section 6.3.2).

4.5 Submitter: Horowhenua District Council (Planning Team)

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
205.00	Horowhenua District Council (Planning Team)	In-Part	The submitter opposes the proposed Hill Country Landscape Domain boundary in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt lot 1 DP 13837. Part of the land proposed to be within the Hill Country Landscape Domain is more closely aligned with the characteristics of the Manakau Downlands Landscape Domain. The submitter seeks to amend the proposed boundary so that the south-eastern corner of Lot 1 DP 75747 remains in the Hill Country Landscape Domain and the rest of the property is within the Manakau Downlands Landscape Domain. The proposed change will result in very minor changes to the Hill Country Landscape Domain boundary for two of the properties that adjoin this site (as shown on the map provided with the submission).	That the proposed Hill Country Landscape Domain is amended in accordance with the map provided with this submission and that the area that is proposed to be removed from this landscape domain becomes part of the Manakau Downlands Landscape Domain.

One submission point was received from Horowhenua District Council, Planning Team, seeking to amend Planning Maps 39 in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt Lot 1 DP 13837 (Waitohu Valley Road).

4.5.1 Discussion & Evaluation

1. Horowhenua District Council, Planning Team (205.00) opposes the proposed changes to the western boundary of the Hill Country Landscape Domain in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt Lot 1 DP 13837. The submitter considers that a portion of Lot 1 DP 75747 that is proposed to remain within the Hill Country Landscape Domain would better align with the characteristics of the Manakau Downlands Landscape Domain.
2. The submitter seeks that Planning Maps 39 are amended so that the south-eastern corner of Lot 1 DP 75747 remains in the Hill Country Landscape Domain and the rest of the property is

within the Manakau Downlands Landscape Domain. The proposed change would result in very minor changes to the Hill Country Landscape Domain boundary for two of the properties that adjoin this site (as shown on the map provided with the submission).

3. I consider that the area of land on Lot 1 DP 75747 requested to be removed from the Hill Country Landscape Domain and to become part of the Manakau Downlands Landscape Domain, is more consistent with the Manakau Downlands Landscape Domain. This area of land is at the base of hills where the land is not steep in topography and as such it is considered to be most appropriate that Planning Map 39 be amend and that this portion of land becomes part of the Manakau Downlands Landscape Domain. The proposed amendment is supported by Boyden Evans, Landscape Architect of Boffa Miskell Ltd. Therefore it is recommended that this submission point be accepted.

4.5.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
205.00	Horowhenua District Council (Planning Team)	Accept

4.5.3 Recommended Amendments to the Plan Provisions

That Planning Map 39 be amended so that the proposed western boundary of the Hill Country Landscape Domain in relation to Lot 1 DP 75747 as well as Pt Lot 6 DP 13993 and Pt lot 1 DP 13837 is in accordance with the map provided with the Horowhenua District Council, Planning Team's submission as shown in the map in Appendix 3 (Section 6.3.3).

4.6 Submitter: Gary and Emily Williams Family Trust

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
206.00	Gary & Emily Williams Family Trust	In-Part	<p>The submitter opposes the change in the boundary of the Landscape Domain on their property. The submitter notes that for their property the boundary is proposed to be shifted down slope to flatter land and that the original boundary has better demarcation of hill country and flat land on their property. The proposed boundary now includes valley areas that are relatively flat and easily used.</p> <p>The submitter believes that the proposed boundary shift is unnecessary in their area and that the explanation of slope angle for defining the boundary does not relate to the drawn boundary from their knowledge of their property.</p>	Retain the existing Hill Country Landscape Domain boundary.

One submission point was received from Gary and Emily Williams opposing the proposed changes to Planning Map 39 in relation to Lot 2 DP 433505 (107 South Manakau Road).

4.6.1 Discussion & Evaluation

1. Gary and Emily Williams (206.00) oppose the proposed changes to the western boundary of the Hill Country Landscape Domain in relation to Lot 2 DP 433505 (107 South Manakau Road). Gary and Emily Williams believe that the original boundary has better demarcation of hill country and flat land on their property.
2. The proposed western boundary of the Hill Country Landscape Domain follows the base of the hills where they begin to become larger or have steeper slopes. The western boundary is proposed to shift down the hills on Lot 2 DP 433505 to capture the entire body of the hills rather than cutting across the lower portion of the hills as the current boundary does. Boyden Evans (Landscape Architect of Boffa Miskell Ltd) and I undertook a site visit to the submitter's property following the receipt of their submission. While on site it was noted that the property comprises a mix of land uses with much of the hill country having been retired and allowed to regenerate in native vegetation or having been planted in exotic forestry.
3. It is noted that the amended Hill Country Landscape Domain boundary for this property has been extended beyond the existing boundary (which follows the 100m contour line). In their submission, the landowners maintained that the amended boundary did not accurately reflect the delineation of what would generally be considered as 'hill country'. During our site visit the submitters indicated where they believed the Hill Country Landscape Domain boundary should be, based on their understanding of their property as well as the purpose of the Proposed Plan Variation.
4. As a result of the site visit Boyden Evan and I agreed that there was scope to amend the proposed boundary so that it more closely aligns with where the submitters felt it should be and to ensure that only land that is consistent with the characteristics of the Hill Country Landscape Domain in terms of contour, slope and context, is captured within this Landscape Domain. Therefore it is recommended that this submission point be accepted in-part.

4.6.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
206.00	Gary & Emily Williams Family Trust	Accept In-Part.

4.6.3 Recommended Amendments to the Plan Provisions

Amend the proposed boundary of the Hill Country Landscape Domain in relation to Lot 2 DP 433505 to the position shown in the map in Appendix 3 (Section 6.3.4).

4.7 Submitter: Horowhenua Farmers Ratepayer Group

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
207.00	Horowhenua Farmers Ratepayer Group	Support	The submitter thanks the Council for proposing to alter Planning Maps 38 & 39 so that the western boundary of the Hill Country Landscape Domain now follows the base of the foothills and the Tararua Range	No specific relief requested.

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
			where they begin to rise steeply instead of the 100m contour line. The submitter also notes that none of their members have directly expressed concerns to them but they may have submitted individually to raise any specific concerns they have.	

One submission point was received from the Horowhenua Farmers Ratepayers Group supporting the proposed changes to Planning Maps 38 and 39.

4.7.1 Discussion & Evaluation

1. Ann Thomas on behalf of the Horowhenua Farmers Ratepayers Group (207.00) supports the proposed changes to Planning Maps 38 and 39 as the western boundary of the Hill Country Landscape Domain will follow the base of the foothills and the Tararua Ranges where they begin to rise steeply instead of the 100m contour line. Ann Thomas notes that none of the Horowhenua Farmers Ratepayers Group members have expressed concerns to her but they may choose to send their own submissions individually.
2. The submitter's support is noted. It is recommended that this submission point be accepted.

4.7.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
207.00	Horowhenua Farmers Ratepayers Group	Accept

4.7.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

4.8 Submitter: Stephen Poulton

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
208.00	Stephen Poulton	In-Part	The submitter opposes a specific part of the proposed plan within the boundary of Lot 2 DP 414087 for the following reasons; it dissects the dwelling and surrounding garden, a portion of captured boundary follows significantly modified landscape, and a portion of captured boundary does not include land consistent with the Hill Country Landscape Domain.	That the proposed Hill Country Landscape Domain boundary be amended in accordance with the map provided with this submission, so that the proposed boundary excludes the dwelling and garden.

One submission point was received from Stephen Poulton opposing the proposed changes to Planning Maps 38 and 39 in relation to Lot 2 DP 414087 (135 Gladstone Road).

4.8.1 Discussion & Evaluation

1. Stephen Poulton (208.00) opposes the proposed changes to Planning Maps 38 and 39 as the proposed western boundary of the Hill Country Landscape Domain will dissect the dwelling and garden of the property that is legally described as Lot 2 DP 414087 (135 Gladstone Road). The submitter seeks that the proposed boundary be amended to follow an existing fence line (as shown in the map provide with his submission) and that it excludes the dwelling and garden from the Hill Country Landscape Domain.
2. The purpose of revising the western boundary of the Hill Country Landscape Domain was to ensure that only land that is consistent with the characteristics of this Landscape Domain is captured within it. The proposed western boundary of the Hill Country Landscape Domain follows the land where the gradient of the hills becomes noticeably steeper and includes some foothills as well as the highest peaks of the Tararua Ranges in the Horowhenua District.
3. The south-eastern portion of Lot 2 DP 414087 contains land of a nature consistent with what we are trying to capture within the Hill Country Landscape Domain. The submitter notes that a portion of the land that we are proposing to retain within the Hill Country Landscape Domain has been significantly modified to accommodate a dwelling and accessory buildings. Although the Hill Country Landscape Domain is intended to be one of the least modified Landscape Domains it is not unusual for dwellings to be within this Landscape Domain. Boyden Evans (Landscape Architect of Boffa Miskell Ltd) and I undertook a site visit to this property following the receipt of this submission.
4. While on site it was noted that the existing dwelling and accessory buildings are situated on a spur; with the land immediately behind the dwelling being moderately steep and then becoming increasingly steeper further up the slope. Boyden Evans noted the following; the proposed Hill Country Landscape Domain boundary in relation to the spur where the dwelling is located is delineated at the toe of the slope which is the junction between the flat land and hill slope, resulting in the dwelling and much of the surrounding garden being included within the Hill Country Domain. However, Boyden Evans confirmed that there was scope to exclude the dwelling at the end of the spur and instead realign the proposed boundary further up the hill slope to coincide with the greater than 20 degree slope. He concluded that while the proposed Hill Country Landscape Domain boundary could remain in its current position, to remove the dwelling from the Hill Country Landscape Domain would be a minor amendment and would still adhere to the key factors used to realign the boundary throughout the district (i.e. contour, slope and context).
5. I also consider that there is scope to amend the proposed boundary so that only the steeper portions of the hills on Lot 2 DP 414087 are captured within the Hill Country Landscape Domain which would mean that the existing dwelling and accessory building could be removed from this Landscape Domain and would be included in the Levin-Koputaroa Landscape Domain instead. Therefore it is recommended that this submission point be accepted in-part.

4.8.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
208.00	Stephen Poulton	Accept In-part

4.8.3 Recommended Amendments to the Plan Provisions

Amend the proposed boundary of the Hill Country Landscape Domain in relation to Lot 2 DP 414087 to the position shown in the map in Appendix 3 (section 6.3.5).

4.9 Submitter: Kenneth Rowland

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
209.00	Kenneth Rowland	Oppose	The submitter opposes the Proposed Plan Variation. The submitter seeks clarification as to why this Proposed Plan Variation is needed and how it will affect their hill country land including what restrictions it will place on their land. They indicate that they have not been advised of any conditions.	No specific relief requested. Inferred: Retain the existing Hill Country Landscape Domain boundary in relation to the Otarere - Pukeatua Hill (i.e. not included within the Hill Country Landscape Domain).

One submission point was received from Kenneth Rowland opposing the proposed changes to Planning Maps 38 and 39 especially in relation to the Otarere Hill (563 State Highway 1, Ohau).

4.9.1 Discussion & Evaluation

1. Kenneth Rowland (209.00) opposes the proposed changes to the western boundary of the Hill Country Landscape Domain especially in relation to Otarere Hill. Kenneth Rowland is uncertain why the Proposed Plan Variation is necessary or how it will affect his hill country land.
2. The reasons for undertaking this Proposed Plan Variation have been outlined in Section 2.1 of this report.
3. The submitter makes specific reference to Otarere Hill which, with the exception of the land on the northern side, this hill is proposed to be included in the Hill Country Landscape Domain. This is because it is recognised as being a notable feature (along with Poroporo Hill) in the otherwise typically flat or rolling landscape to the immediate south of the Ohau River. As such it is considered appropriate that the most prominent portion of Otarere Hill is included within the Hill Country Landscape Domain.
4. The land on the northern side of Otarere Hill, being legally described as Ohau 3, 11D and Pukeatua 2B, is not proposed to be included in the Hill Country Landscape Domain. This is because a large portion of Ohau 3, 11D has been significantly modified by quarrying activities (which according to the Council's records have taken place on this site since approximately the mid-1960s) and as such is not considered to be consistent with the characteristics of this Landscape Domain. Pukeatua 2B has a lower elevation and is not as prominent as the peak and the southern portion of this Otarere Hill and as such it is

considered to be most appropriate that this portion of the hill is also not included in the Hill Country Landscape Domain. Furthermore Pukeatua 2B has been flagged as a potentially growth area for the quarry and if the quarry is to extended in the future it is preferable that it does not encroach further towards the southern portion of Otarere Hill which includes its peak.

5. It is noted that if the quarry is to extend further than what is specified in the Certificate of Compliance issued by Horowhenua District Council in April 2003 then it would require resource consent under the current requirements of the Proposed District Plan. It is also noted that the quarry does not appear to currently hold any consents with Horizons Regional Council and it is likely that it would require consent under the Proposed One Plan.
6. According to Council's database the submitter owns two properties on and adjacent to Otarere Hill, being Lots 2 and 3 DP 436230. As part of Proposed Plan Variation 2 it is proposed that a large portion of Lot 2 DP 436230 be included in the Hill Country Landscape Domain. In terms of how this proposed change would affect the submitter's land, the portion of his land that would become part of the Hill Country Landscape Domain would be subject to the specific requirements of the Proposed District Plan for land within this Landscape Domain including requirements relating to subdivision, building height, earthworks and utilities (refer to Appendix 2 (Section 6.2)).
7. I consider any affects on the submitter's property would be relatively minor. In terms of subdivision of a vacant lot in the Kuku Landscape Domain of approximately 16.3ha in area, to subdivide Lot 2 DP 436230 would be a non-complying activity and it would also be a non-complying activity as a result of what is proposed under Proposed Plan Variation 2.
8. Under current rules the submitter can construct one dwelling, one family flat and accessory buildings on this site. This would not change as a result of the proposed changes. Although any building (excluding primary production buildings) would be required to comply with a maximum height of 5m (a taller building would require resource consent). In the Hill Country Landscape Domain there are also more stringent height restrictions for utility structures than there are for other Landscape Domains. The purpose of these greater height restrictions for buildings and utilities is to ensure that any buildings/structures constructed on sites within the Hill Country Landscape Domain are not obtrusive to the surrounding environment.
9. Currently there are no restrictions on earthworks for the submitter's property under the Proposed District Plan. There are restrictions for earthworks within the Hill Country Landscape Domain but the submitter would still be able to undertake a substantial amount of earthworks (refer to permitted activity condition 19.6.12(a)(ii) in Appendix 2 (Section 6.2)) without requiring resource consent. Only if the submitter exceeds the permitted activity conditions for earthworks would resource consent be required. A portion of the submitter's property has been planted in exotic forest and it is noted that the earthworks restrictions are not applicable to production forestry harvesting.
10. Overall it is considered that including a large part of Otarere Hill in the Hill Country Landscape Domain is the most appropriate means of achieving the purpose of this Proposed Plan Variation. Any additional restrictions on the submitter's land resulting from this Landscape Domain boundary change are not considered to unduly limit the use of this land for farming purposes. Therefore it is recommended that this submission point rejected.

4.9.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
209.00	Kenneth Rowland	Reject

4.9.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

4.10 Submitter: David Honore

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
210.00	David Honore	Oppose	The submitter opposes the Proposed Plan Variation. The submitter seeks clarification as to why this Proposed Plan Variation is needed and whether it will interfere with the present use and any further use of their hill country land.	No specific relief requested. Inferred: Retain the existing Hill Country Landscape Domain boundary in relation to the submitter's property.

One submission point was received from David Honore opposing the proposed changes to Planning Maps 38 and 39.

4.10.1 Discussion & Evaluation

- David Honore (210.00) opposes the proposed changes to the western boundary of the Hill Country Landscape Domain as shown in Planning Maps 38 and 39 and seeks clarification as to why the Proposed Plan Variation is necessary and how it would affect the present and future use of his hill country land.
- The reasons for undertaking this Proposed Plan Variation have been outlined in Section 2.1 of this report.
- According to Council's database the David Honore owns Lot 1 DP 420651 (93-111 Kuku East Road). The eastern side of this property contains the south-western portion of Otarere Hill which is steep in topography and is consistent with the Hill Country Landscape Domain characteristics and therefore it is proposed that this portion of the submitter's property be included in this Landscape Domain. The rest of the submitter's property is relatively flat in topography and as such it is proposed to remain in the Kuku Landscape Domain.
- The Hill Country Landscape Domain is an 'overlay' and the underlying zone of Lot 1 DP 420651 would remain Rural. This means that the current Rural Zone rules would continue to apply to David Honore's property, although, the portion of Lot 1 DP 420651 that would become part of the Hill Country Landscape Domain would be subject to some specific requirements under the Proposed District Plan relating to subdivision, building height, earthworks and utilities that apply to this Landscape Domain (refer to Appendix 2 (Section 6.2)). Therefore it is considered that the effect of the proposed changes on the present and future use of David Honore's hill country land would be very minor.

5. Lot 1 DP 420651 appears to currently be used for primary production purposes and this use would still be permitted as a result of the proposed changes. It is noted that there are currently no restrictions on earthworks for the submitter's property under the Proposed District Plan. The proposed changes would mean that the portion of Lot 1 DP 420651 that would be within the Hill Country Landscape Domain would be subject to earthworks restrictions. Even with these restrictions it is considered that the submitter would still be able to undertake a substantial amount of earthworks (refer to permitted activity condition 19.6.12(a)(ii) in Appendix 2 (Section 6.2)) without requiring resource consent. Only if the submitter exceeds the permitted activity conditions for earthworks would resource consent be required. Much of the hill side on the submitter's property that is proposed to become part of the Hill Country Landscape Domain is planted in exotic forestry and it is noted that the earthworks restrictions are not applicable to production forestry harvesting.
6. In the Hill Country Landscape Domain there are more stringent restrictions on the height of buildings (excluding primary production buildings) and utility structures than there is in the Kuku Landscape Domain. It is considered that due to the elevated nature of Otarere Hill and the fact that it is highly visible to the surrounding environment that the more stringent height restrictions for buildings and utilities would be appropriate. Therefore for the above reasons it is recommended that this submission point be rejected.

4.10.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
210.00	David Honore	Reject

4.10.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

4.11 Submitter: Daniel Kilsby-Halliday

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
211.01	Daniel Kilsby-Halliday	In-Part	<p>The submitter supports the realignment of the Hill Country Landscape Domain boundary. Specifically the river terraces in the Ohau and Makahika river valleys being excluded from the Hill Country Landscape Domain.</p> <p>The submitter seeks that the proposed boundary be amended so that the terrace country further up the Makahika river could also be included in the boundary shift (refer to the maps provided with submission). This land does not fit with the definition of hill country and it is not visible from any other point in the District.</p>	That the proposed Hill Country Landscape Domain boundary be amended in accordance with the maps provided with this submission; with the terrace country further up the Makahika river being removed from the Hill Country Landscape Domain.

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
211.02	Daniel Kilsby-Halliday	In-Part	The submitter seeks the proposal be amended as the land from the water works up the river will fit better with the Tararua Terrace Landscape Domain rather than the Levin-Ohau Landscape Domain as this domain has been applied to the south.	That the proposal be amended so that the land from the water works up the river becomes part of the Tararua Terrace Landscape Domain.

Two submission points were received from Daniel Kilsby-Halliday seeking amendments to the proposed changes to Planning Maps 38 and 39.

4.11.1 Discussion & Evaluation

1. Daniel Kilsby-Halliday (211.01) supports the proposed changes to the western boundary of the Hill Country Landscape Domain, especially the proposal to exclude the Ohau and Makahika River valleys from the Hill Country Landscape Domain. The submitter seeks the proposed boundary of the Hill Country Landscape Domain be amended to exclude the terrace country further up the Makahika River, as shown on the map provided with his submission.
2. The submitter is seeking to have a large portion of the ten (10) properties he owns removed from the Hill Country Landscape Domain as well as a portion of two (2) other properties that adjoin his properties to the north. All of the properties are located at the end of Gladstone Road and Poulton Drive where the land has formed a basin within the foothills of the Tararua Ranges. The properties are made up of a mix of wide, flat valleys and terraces surrounded by steeper hills. The land at the end of Gladstone Road is currently used for primary production purposes, mostly dry stock grazing with some regenerating indigenous vegetation and exotic forest. Although this land is relatively flat in places, it sits within an elevated position fully surrounded by 'hill country' (i.e. it is within the foothills of the Tararua Ranges).
3. Having undertaken a site visit I consider that there is some scope to remove portions of the submitter's properties from the Hill Country Landscape Domain which are relatively flat or are low-lying river terraces. This land is more closely aligned with the Tararua Terraces Landscape Domain characteristics rather than the Hill Country Landscape Domain. The area that has been identified that could potentially be removed from the Hill Country Landscape Domain crosses parts of eight (8) lots that are owned by the submitter. Boyden Evans, Landscape Architect from Boffa Miskell Ltd, accompanied me on the site visit and he is also supportive of sections of Daniel Kilsby-Halliday's properties being removed from the Hill Country Landscape Domain in principal.
4. I recognise that removing the flatter parts of the submitter's property would create a 'pocket' of another Landscape Domain within the Hill Country Landscape Domain. However, there are already several other 'pockets' where the proposed Hill Country Landscape Domain boundary has been amended and it is noted that the purpose of PPV2 is to ensure that land that is consistent with the Hill Country Landscape Domain is captured within and land that better aligns with another Landscape Domain is removed (where the size and identification of these areas make it possible and appropriate).

5. Removing parts of the submitter's properties from the Hill Country Landscape Domain would provide for a greater level of subdivision to potentially occur than current restrictions would allow. However, the submitter's property already consists of 10 separate Certificates of Titles with each title technically entitled to have at least one dwelling and a family flat built on it as of right under the current provisions of the Proposed District Plan. Therefore while a high level of development is not considered to be desirable due to the remoteness of the properties, it is noted that there is already potential for a substantial level of development to occur on the properties owned by the submitter. The remoteness also works in this case as a mitigating factor should further development occur as the effects of development would not be highly prominent.
6. A small portion of land to the north of the submitter's properties, which is owned by Robin and Heather Gaskin (who own Lot 3 DP 6443) and the Crown (which owns Pt Sec 9 Blk III Waiopēhu SD), was identified by Daniel Kilsby-Halliday as being inconsistent with the Hill Country Landscape Domain as well. However, I have considered it not appropriate to remove any of this land from the Hill Country Landscape Domain.
7. There are a number of reasons for this including the fact that there is no formed access to these two parcels from Gladstone Road which means the future development potential of this land is limited and it is likely to be expensive for any developer. Also neither Robin and Heather Gaskin or the Crown have been involved in the plan variation process (in relation to these two lots) and as such may be unaware that a portion of their land was requested to be removed from the Hill Country Landscape Domain. While I acknowledge that the proposed change from Hill Country Landscape Domain to an alternative Landscape Domain would make it less restrictive for these landowners, support from them for this change in landscape domain has not been provided at this time. Mr Kilsby-Halliday may wish to comment on this at the hearing. Furthermore only a small portion of land from either of these properties could potentially be considered to be suitable to be removed from the Hill Country Landscape Domain and as such this would have very little effect on either landowner's ability to develop these properties given that the majority of the land would remain in the Hill Country Landscape Domain. Therefore it is recommended that submission point 211.01) be accepted in-part.
8. Daniel Kilsby-Halliday (211.02) considers that the land up river from the 'water works' would better fit with the Tararua Terraces Landscape Domain as opposed to the Levin-Ohau Landscape Domain. I understand that the section of land that the submitter is referring to is the land up river from the Levin Water Treatment Plant to the end of where the Levin-Ohau Landscape Domain is proposed to extend up the valley.
9. It is considered that aspects of this valley could align with either the Levin-Ohau Landscape Domain or the Tararua Terraces Landscape Domain (refer to Appendix 4 (Section 6.4) for extracts from the original landscape assessment). The presence of the rivers and streams within the valley and the effect this has on the character of the valley is consistent with the Levin-Ohau Landscape Domain. However this area also contains a combination of terraces and plateaus which are dissected by streams and this is consistent with the Tararua Terraces Landscape Domain. Therefore it is considered most appropriate that the lower portion of the valley (the land around the Levin Water Treatment Plant) which is flatter should remain within the Levin-Ohau Landscape Domain. Whereas the upper portion of the valley which has a more broken landscape with larger terraces would more closely align with the Tararua Terraces Landscape Domain and as such it is considered that this part of the valley

should become part of this Landscape Domain. Therefore it is recommended that the submission point be accepted in-part.

4.11.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
211.01	Daniel Kilsby-Halliday	Accept In-Part
211.02	Daniel Kilsby-Halliday	Accept In-Part

4.11.3 Recommended Amendments to the Plan Provisions

Amend Planning Maps 38 and 39 so that the flat land owned by the submitter at the end of Gladstone Road be removed from the Hill Country Landscape Domain and becomes part of the Tararua Terraces Landscape Domain as shown in the map in Appendix 3 (Section 6.3.6).

Amend Planning Maps 38 and 39 so that a portion of the Ohau -Makahika river valley becomes part of the Tararua Terraces Landscape Domain with the rest remaining in the Levin-Ohau Landscape Domain as shown in the map in Appendix 3 (Section 6.3.7).

4.12 Submitter: Ian Smith

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
212.00	Ian Smith	Oppose	The submitter opposes the proposed variation to the Hill Country Landscape Domain boundary as it affects their ability to operate their property (Ohau 3, 10C) as a livestock farm by imposing additional restrictions to land use in particular their ability to establish access tracks.	Retain the existing Hill Country Landscape Domain boundary.

One submission point was received from Ian Smith opposing the proposed changes to Planning Map 39 in relation to Ohau 3, 10C (265 Kuku East Road).

4.12.1 Discussion & Evaluation

1. Ian Smith (212.00) opposes the proposed changes to the western boundary of the Hill Country Landscape Domain in relation to his property which is legally described as Ohau 3, 10C as he considers that it would affect his ability to operate his livestock farm by imposing additional restrictions on land use, in particular his ability to establish access tracks to service his farm.
2. The northern side of the submitter's property contains the south-eastern portion of Otarere Hill which is steep in topography and consistent with the Hill Country Landscape Domain characteristics and therefore it is proposed that this portion of the submitter's property be included in this Landscape Domain. The rest of the submitter's property is relatively flat in topography and as such it is proposed to remain in the Kuku Landscape Domain.

3. With respect to the restrictions that would apply within the Hill Country Landscape Domain, this area is applied as an 'overlay' and the underlying zone of Ohau 3, 10C would remain Rural. This means that the current Rural Zone rules would continue to apply to this property, although, the portion that would become part of the Hill Country Landscape Domain would be subject to some specific requirements under the Proposed District Plan relating to subdivision, building height, earthworks and utilities that apply to this Landscape Domain (refer to Appendix 2 (Section 6.2)). It is noted that the submitter's property already contains a dwelling and accessory buildings which are not proposed to be within the Hill Country Landscape Domain and given that this property is approximately at 24.4ha it is not large enough for a second dwelling to be constructed on it as a permitted activity (i.e. it would need resource consent).
4. Currently there are no restrictions on earthworks for the submitter's property under the Proposed District Plan. There are restrictions for earthworks within the Hill Country Landscape Domain which would apply to the portion of the submitter's property that is proposed to be included in this Landscape Domain. However, it is considered these restrictions would not unduly restrict the future development of access tracks on the submitter's land.
5. Under the Proposed District Plan the submitter would be permitted to undertake a cut or fill of up to 3m measured vertically or where earthworks exceed 3m measured vertically, they would be permitted to undertake a cut or fill not exceeding 5m measured vertically so long as the earthworks do not exceed a distance of 100m in continuous horizontal length. Only if the submitter exceeds the permitted activity conditions for earthworks would resource consent be required. It is noted that the earthworks restrictions are not applicable to production forestry harvesting and do not apply to cut for a building platform.
6. Given the above, the proposed boundary of the Hill Country Landscape Domain is considered to be the most appropriate location. Therefore it is recommended that this submission point be rejected.

4.12.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
212.00	Ian Smith	Reject

4.12.3 Recommended Amendments to the Planning Maps

No recommended amendments.

4.13 Submitter: Christine and Bruce Mitchell

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
213.01	Christine & Bruce Mitchell	In-Part	The submitter supports the proposed changes to the western boundary of the Hill Country Landscape Domain as they pertain to their property at Potts Road, Ihakara. The revised boundary	No specific relief requested. Inferred: Retain the proposed Hill Country Landscape Domain boundary in relation to the submitter's property.

Sub No.	Submitter Name	Support/ In-Part/ Oppose	Summary of Submission	Decision Requested
			better aligns with the defining landscape characteristics. The existing Hill Country Landscape Domain boundary captures relatively flat, productive land. The existing boundary imposes restrictive requirements relating to subdivision and onerous controls relating to earthworks, new buildings and network utilities.	
213.02	Christine & Bruce Mitchell	In-Part	The submitter seeks the proposal to be amended so that the area of relatively flat productive farmland at the far end of Gladstone Road which is proposed to remain in the Hill Country Landscape Domain be excluded from the Hill Country Landscape Domain as this land rises gently with no sudden change in slope.	No specific relief requested. Inferred: Remove the area of relatively flat farmland at the far end of Gladstone Road from the Hill Country Landscape Domain.
213.03	Christine & Bruce Mitchell	Support	The submitter thanks officers for the inclusive consultative process for this review. The submitter applauds the process of consulting directly with affected parties before public notification of the proposed changes.	No specific relief requested.

Three submission points were received from Christine and Bruce Mitchell. One submission point supports the proposed changed to the Hill Country Landscape Domain boundary in relation to their property. The second submission point seeks the proposed boundary be amended in relation to land at the end of Gladstone Road. The third submission point supports the consultative process for this Proposed Plan Variation.

4.13.1 Discussion & Evaluation

1. Christine and Bruce Mitchell (213.01) support the proposed changes to the western boundary of the Hill Country Landscape Domain in relation to their property down Potts Road, Ihakara. The submitters support is noted and it is recommended that this submission point be accepted.
2. Christine and Bruce Mitchell (213.02) seek the proposed western boundary for the Hill Country Landscape Domain be amended so that the area of relatively flat productive farmland at the far end of Gladstone Road, which is proposed to remain in the Hill Country Landscape Domain, be excluded from the Hill Country Landscape Domain. While the submitters do not reference the land specifically it is considered that they are referring to the land owned by Daniel Kilsby-Halliday at the end of Gladstone Road and Poulton Drive. As noted under Section 4.11 of this report it is considered that there is some scope to amend the proposed western boundary of the Hill Country Landscape Domain in relation to the land

owned by Daniel Kilsby-Halliday. Therefore it is recommended that this submission point be accepted in-part.

- Christine and Bruce Mitchell (213.03) support the consultation process for Proposed Plan Variation 2. The submitters' support is noted and it is recommended that this submission point be accepted.

4.13.2 Reporting Officer's Recommendation

Sub. No	Submitter Name	Officer's Recommendation
213.01	Christine & Bruce Mitchell	Accept
213.02	Christine & Bruce Mitchell	Accept In-Part
213.03	Christine & Bruce Mitchell	Accept

4.13.3 Recommended Amendments to the Plan Provisions

No recommended amendments.

5. Conclusion and Main Recommended changes from Proposed Plan Variation 2 (as notified)

5.1 Conclusion

Proposed Plan Variation 2 seeks to revise the western boundary of the Hill Country Landscape Domain so that any land within this landscape domain is consistent with its defining characteristics.

A variety of submissions were received supporting and opposing changes to Planning Maps 38 and 39 proposed as part of Proposed Plan Variation 2. These submissions have requested a number of changes to the Proposed Plan Variation. The Proposed Plan Variation, including the recommended amendments, does not involve any changes to the rules in the Proposed District Plan in relation to the Hill Country Landscape Domain.

The officer's recommendations on the key issues raised in the submissions include the following amendments to Planning Maps 38 and 39:

- Retain the current Hill Country Landscape Domain boundary in relation to Lot 4 DP 80215 (relevant submission by M.J Page no. 201);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 73918 (relevant submission by Joan and Brian Judd no. 204);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt Lot 1 DP 13837 (relevant submission by Planning Team no. 205);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 433505 (relevant submission by Gary and Emily Williams no. 206);
- Amend the proposed Hill Country Landscape Domain Boundary in relation to Lot 2 DP 414087 (relevant submission by Stephen Poulton no. 208); and
- Amend the proposed Hill Country Landscape Domain Boundary in relation to eight lots at the end of Gladstone Road as well as amending the proposed Landscape Domain of the Ohau-Makahika River valley (relevant submission by Daniel Kilsby-Halliday no. 211).

Overall, it is recommended that Council proceed with Proposed Plan Variation 2, subject to the amendments to Planning Maps 38 and 39 put forward in this report.

6. Appendices

6.1 Appendix 1: High level Approach and Rationale of the Technical Review

1.0 Background

- 1.1 An outcome of Plan Change 22 (PC 22) Outstanding Natural Features and Landscapes was that the Hill Country Landscape Domain boundary should be reviewed as part of the District Plan review. The Hill Country Landscape Domain boundary was delineated as part of the Treadwell assessment, which informed PC22; the boundary follows the 100m contour. The resultant boundary includes land that in terms of its topography and context would not be considered by most people as hill country; large areas of rolling land or plateau-like areas have been included.
- 1.2 In the Commissioners' decision report on PC 22 it was suggested that the boundary be based on slope rather than elevation with a slope of 20 degrees suggested as being an appropriate threshold.

2.0 Approach and Rationale

- 2.1 Horowhenua District Council commissioned Boffa Miskell to review the Hill Country Landscape Domain boundary with a view of re-defining it based on more refined set of criteria. In addition, Council was interested in using GIS-based technology to illustrate and explain the basis for the new boundary.
- 2.2 As a starting point, a desk top analysis of the 100m contour as the Hill Country Landscape Domain boundary was carried out and a similar analysis based on the 120m contour; both were determined as not providing a logical basis for the Hill Country Landscape Domain boundary.
- 2.3 The next step involved a desk-top GIS analysis using topographic maps, elevation, slope analysis, hill shading, and vertical and oblique aerial photography. The initial slope analysis recognised 6 slope classes ($<3^{\circ}$, $3-7^{\circ}$, $7-15^{\circ}$, $15-25^{\circ}$, $25-34^{\circ}$, $>34^{\circ}$) but it was considered further interrogation was required of the $15-25^{\circ}$ slope class. This led to an analysis of slopes at 15° , 20° , and 25° ; slopes of 20° were determined as being a 'signature slope' threshold for hill country in the Horowhenua District context.
- 2.4 While slope was an important factor in re-defining the Hill Country landscape domain boundary it was by no means the sole determinant. The landscape context and the relationship between the different topography classes were also deemed to be important. Topography and slope were therefore the primary drivers in defining the boundary, which was plotted and then checked and refined. In terms of contour, the boundary varies; in places it is lower than the 100m contour and in others it extends to the 150m contour.
- 2.5 The proposed mapped boundary therefore extends in places beyond the existing Hill Country Landscape Domain boundary whereas in others it significantly retracts from the existing boundary.

Boyden Evans
Boffa Miskell Limited
30 May 2014

6.2 Appendix 2: Overview of Rules in the Proposed District Plan specific to the Hill Country Landscape Domain

The rules listed below are rules that specifically relate to the Hill Country Landscape Domain in the Horowhenua District Plan as at June 2014. Please note the District Plan contains a variety of other rules which apply to all Landscape Domains including the Hill Country Landscape Domain.

Specific requirement relating to buildings in the Hill Country Landscape Domain:

Rule 19.3.7(c)

Construction of buildings within those parts of the Hill Country Landscape Domain that are **not** Outstanding Natural Features and Landscapes are classified as Restricted Discretionary activities, except for:

- (i) Buildings, additions and alterations that do not exceed 5 metres in height and that are located 20 metres vertically below an Important Ridgeline (as identified on the Planning Maps), measured from the roofline of the house.
- (ii) Primary production buildings.
- (iii) Buildings for temporary activities.

Note: For the purpose of Rule 19.3.7 Primary Production Building means any building used principally to support primary production activities. This shall include buildings used for storage and management of stock but shall exclude buildings used in total or in part for residential activities.

Earthworks requirements for the Hill Country Landscape Domain:

Rule 19.6.12(a)

Earthworks, other than cut for a building platform, on land that is not an Outstanding Natural Landscape and Feature, shall not exceed the following:

- (ii) Hill Country Landscape Domain
 - 3 metres (cut or fill) measured vertically;
 - Where earthworks exceed 3 metres (cut or fill) measured vertically, those earthworks shall not exceed 5 metres (cut or fill) measured vertically and shall not exceed a distance of 100 metres in continuous horizontal length.

Except:

Earthworks provisions shall not apply to production forestry harvesting.

If an activity is going to exceed the above limits then resource consent would be required as a Restricted Discretionary activity.

Note 1: in accordance with rule 19.6.12 (b) "all disturbed surfaces shall be revegetated within 6 months of the completion of the earthworks."

Note 2: The term earthworks does not include activities such as digging post holes, cultivation of crops, planting trees, burials, drilling bores, digging offal pits and installation of services where these activities do not reshape or recontour the land.

Note 3: Earthworks does not include gravel extraction and other works within the bed of a waterbody. This is managed by the Regional Council.

Utilities requirements for the Hill Country Landscape Domain:

Rule 22.1.7(b)

The height of a network building shall not exceed the following (excluding pole-mounted street lights):

- (ii) 8m in those parts of the Hill Country Landscape Domain that are not identified as Outstanding Natural Features and Landscapes on the Planning Maps.

Rule 22.1.8(a)

- (vi) No masts, pylons, towers, aerials or other structures associated with network utilities with a height of more than 3 metres shall be located on Rural zoned land shown as an Outstanding Natural Feature and Landscape or have a height of more than 8 metres on those Rural zoned parts of the Hill Country Landscape Domain that are not an Outstanding Natural Landscape and Feature shown on the Planning Maps.

Subdivision requirements:

To subdivide land resource consent is required from the Council. The table below outlines some of the 'Controlled Activity' requirements for subdivision in the relevant landscape domains (i.e. the Hill Country Landscape Domain and the adjoining Landscape Domains). A Controlled Activity is one that Council must grant consent for but may impose conditions.

This table **should only be used as a guide**, please refer to the Horowhenua Proposed District Plan for all the rules relating to subdivision in the Rural zone.

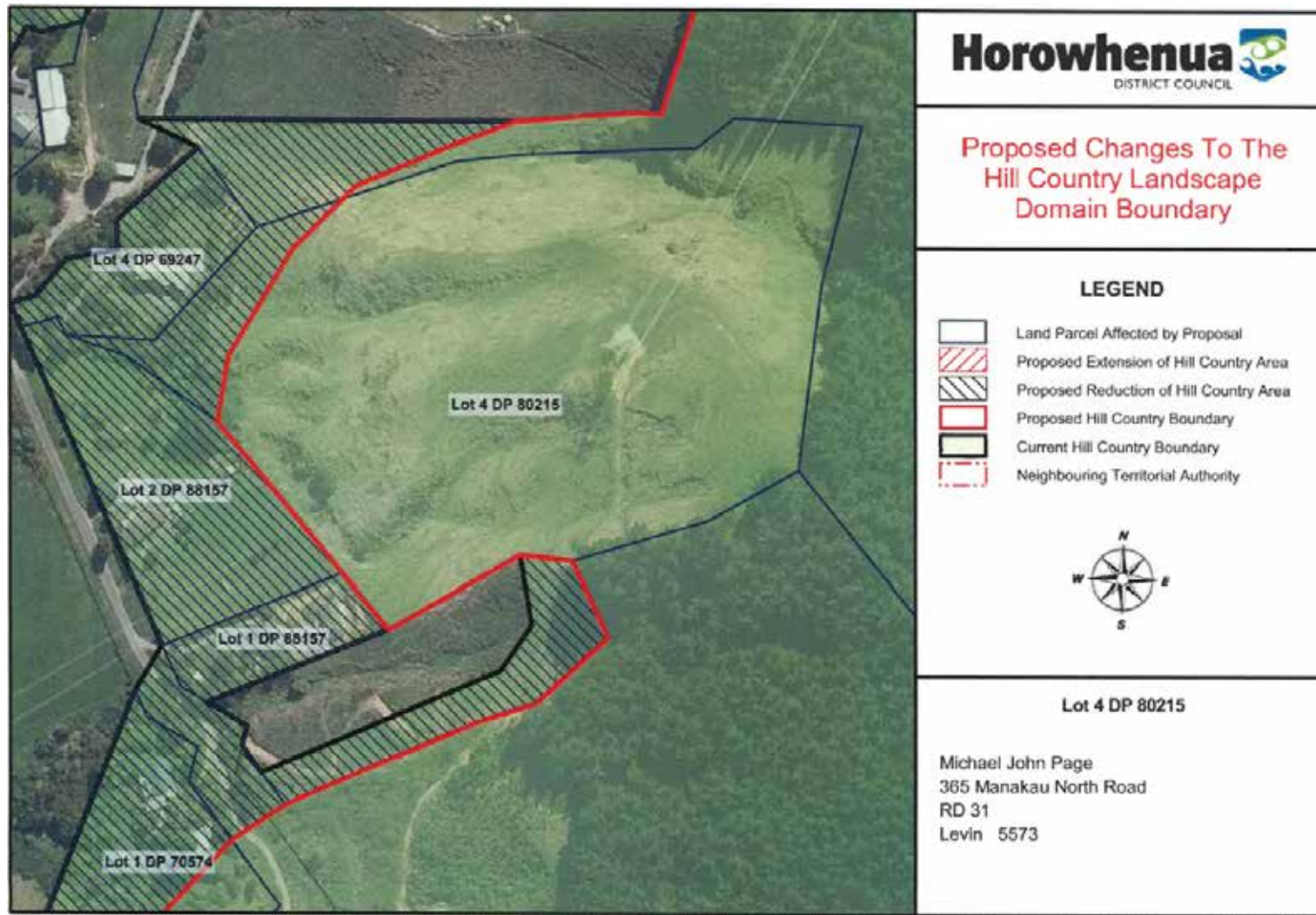
Landscape Domain	Number of additional lots to be created	Minimum Parent title size	Minimum proposed lot size	Minimum road frontage	Minimum shape factor
Kuku	0 (boundary adjustment)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
	1 (containing the existing dwelling)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
	1 or more lots	20ha	10ha	100m	100m diameter
Levin Koputaroa	0 (boundary adjustment)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
Levin Koputaroa Non-versatile soils	1	3ha	5000m ²	No minimum road frontage	No minimum shape factor
	2	6ha	5000m ²	No minimum road frontage	No minimum shape factor
Levin Koputaroa Versatile soils	1 (containing the existing dwelling)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
	1 or more	20ha	10ha	100m	100 diameter
Levin-Ohau	0 (boundary adjustment)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
Levin-Ohau Non-Versatile soils	1	3ha	5000m ²	No minimum road frontage	No minimum shape factor
	2	6ha	5000m ²	No minimum road frontage	No minimum shape factor
Levin-Ohau Versatile soils	1 (containing the existing dwelling)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor

Landscape Domain	Number of additional lots to be created	Minimum Parent title size	Minimum proposed lot size	Minimum road frontage	Minimum shape factor
	1 or more	20ha	10ha	100m	100 diameter
Manakau Downlands	0 (boundary adjustment)	No minimum size	7000m ²	No minimum road frontage	No minimum shape factor
	1	4ha	7000m ²	No minimum road frontage	No minimum shape factor
Tararua Terraces	0 (boundary adjustment)	No minimum size	7000m ²	No minimum road frontage	No minimum shape factor
Tararua Terraces Non-Versatile soils	1	5ha	7000m ²	No minimum road frontage	No minimum shape factor
Tararua Terraces Versatile soils	1 (containing the existing dwelling)	No minimum size	5000m ²	No minimum road frontage	No minimum shape factor
	1 or more	30ha	15ha	100m	100 diameter

Note: In the Hill Country Landscape Domain the only form of subdivision that is a Controlled Activity is a boundary adjustment (where existing boundaries are amended and no additional lots are created). Otherwise subdivision in the Hill Country Landscape Domain is a Discretionary Activity and requires a minimum lot size of **40ha** or if a subdivision within this Landscape Domain is unable to meet these requirements then it is a Non-complying Activity.

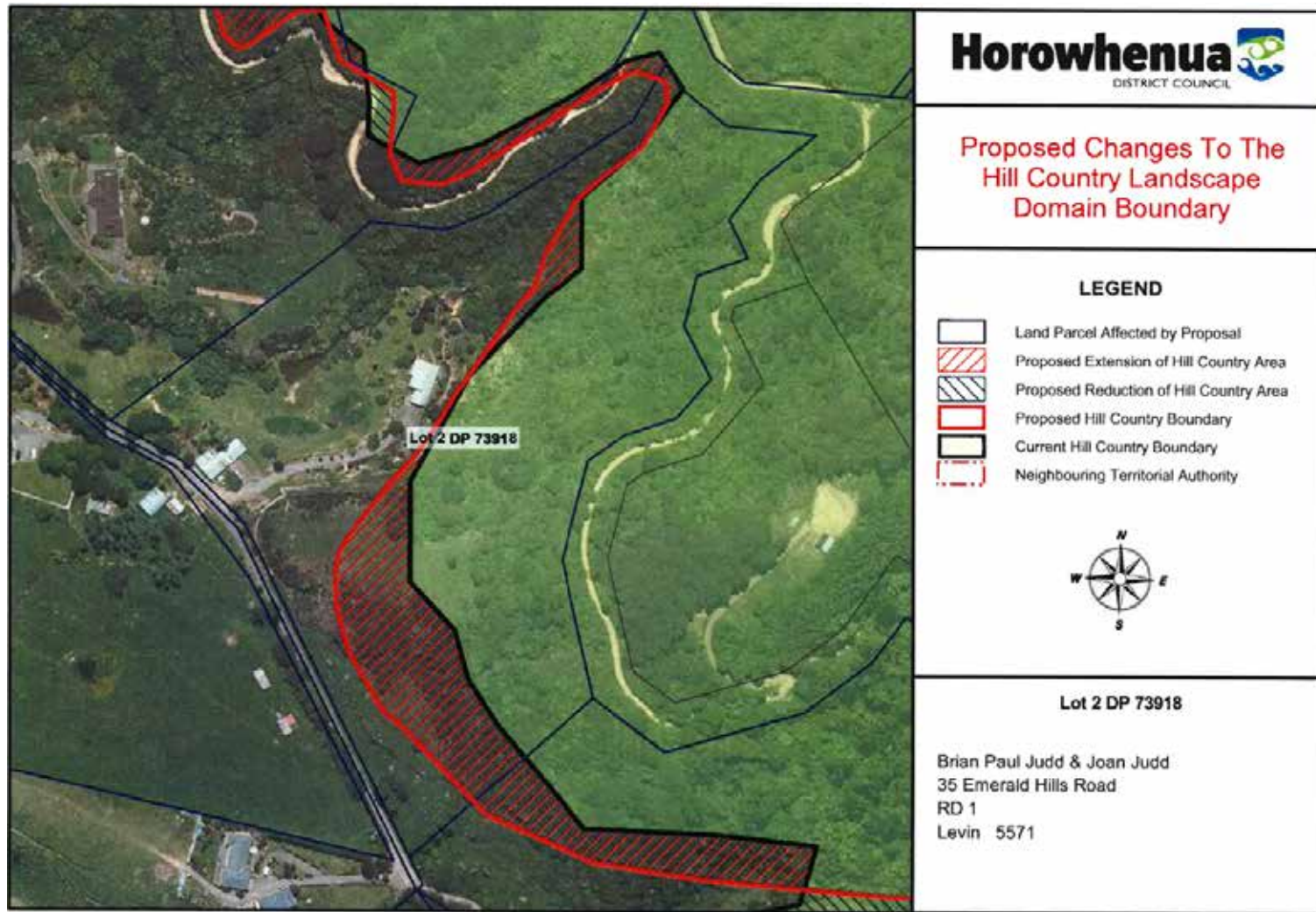
6.3 Appendix 3: Proposed Plan Variation 2 as amended per officer's recommendations

6.3.1 Amend Planning Map 39 to retain the existing Hill Country Landscape Domain boundary in relation to Lot 4 DP 80215



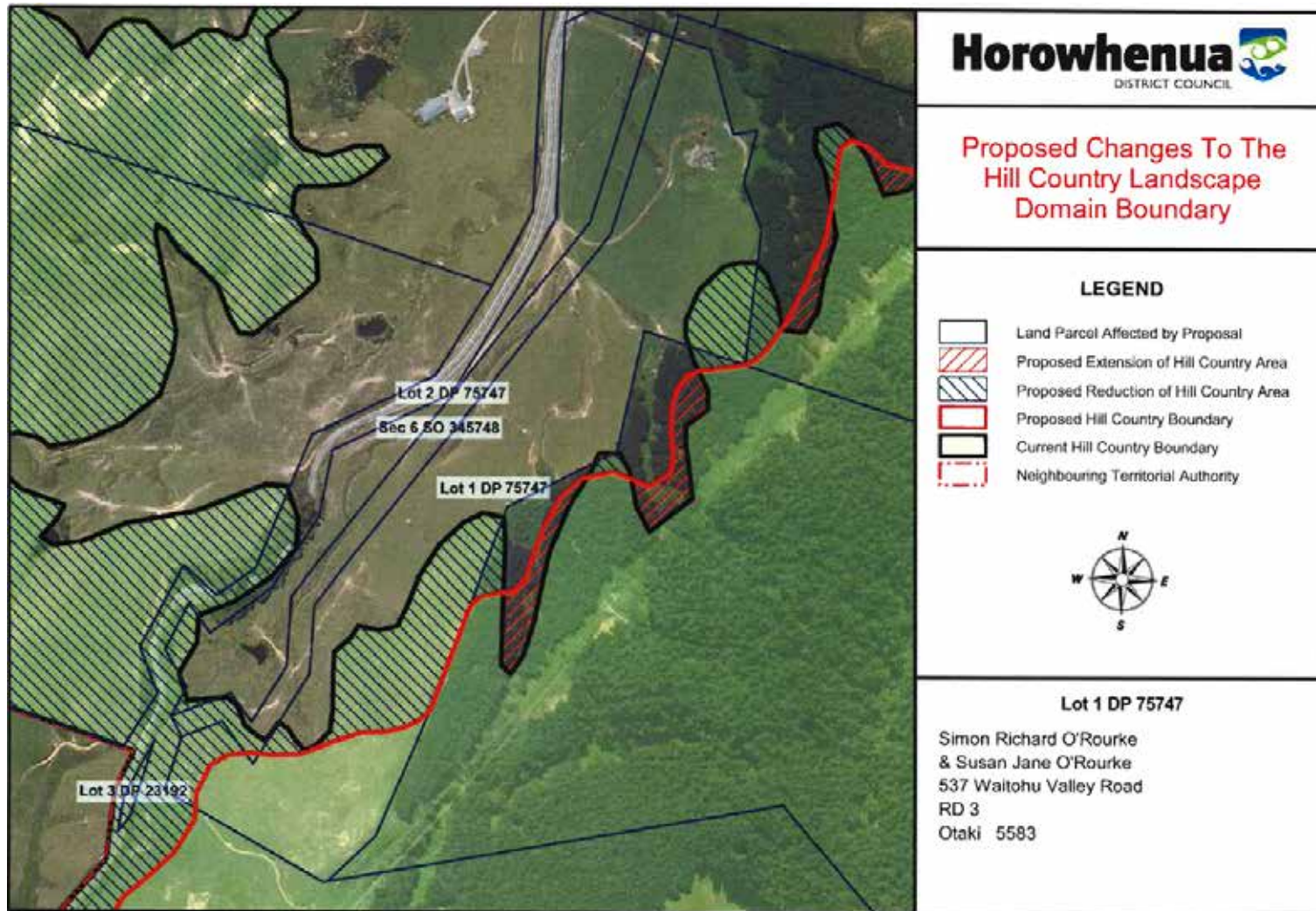
Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 13/11/2014 Version: 1.2

6.3.2 Amend Planning Maps 38 and 39 in relation to Lot 2 DP 73918



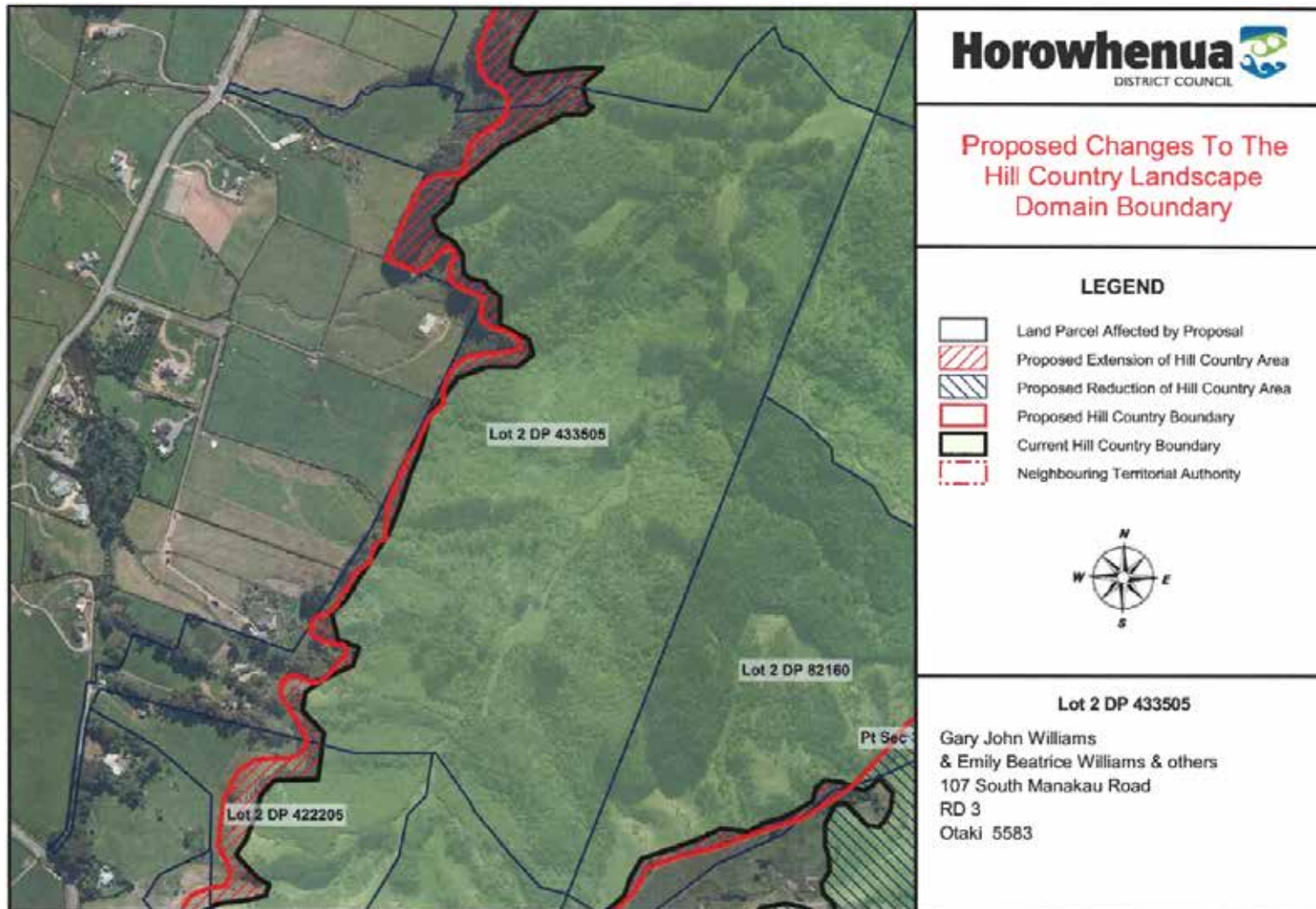
Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 11/11/2014 Version: 1.2

6.3.3 Amend Planning Map 39 in relation to Lot 1 DP 75747 and subsequently Pt Lot 6 DP 13993 and Pt Lot 1 DP 13837



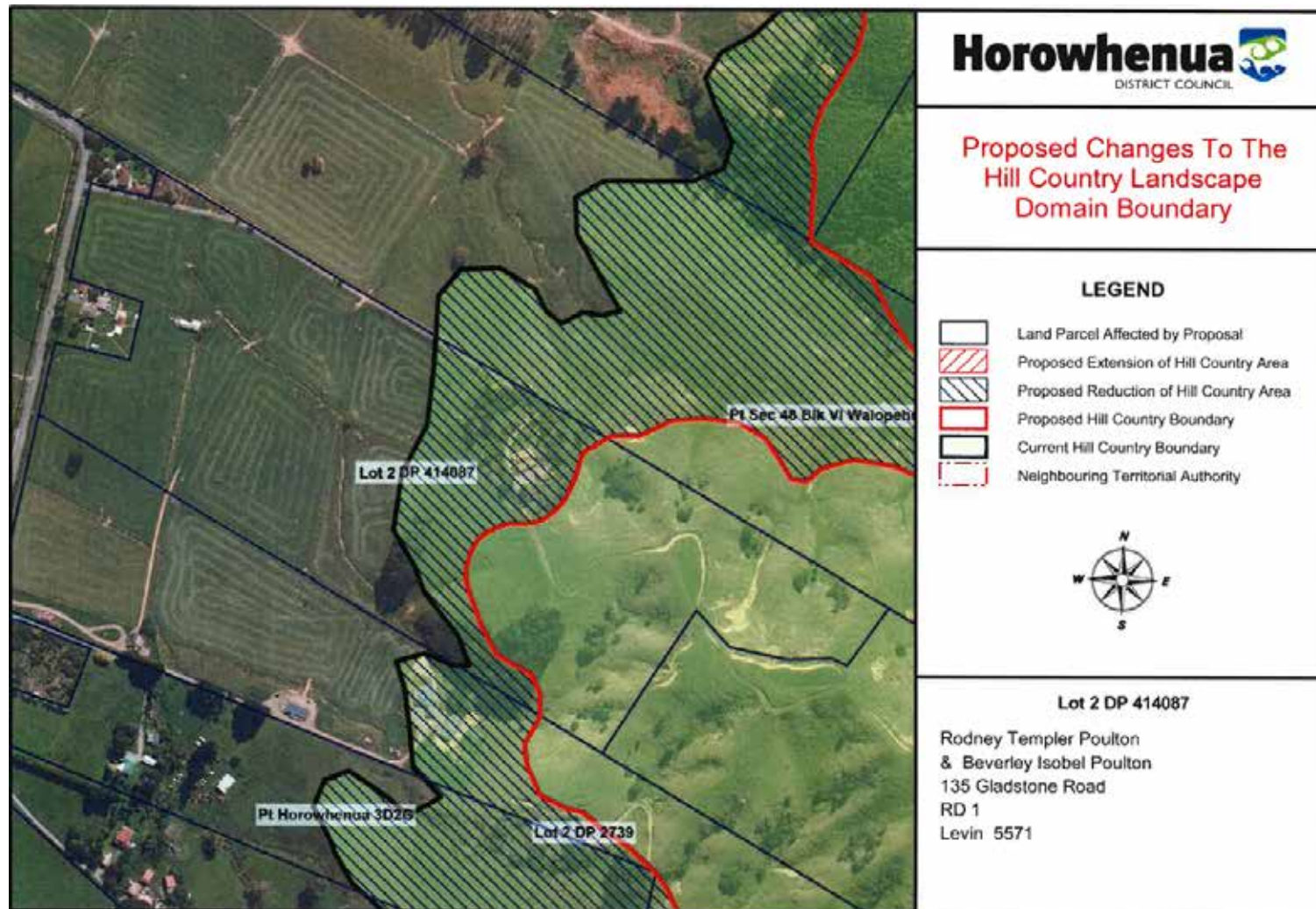
Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 11/11/2014 Version: 1.2

6.3.4 Amend Planning Map 39 in relation to Lot 2 DP 433505



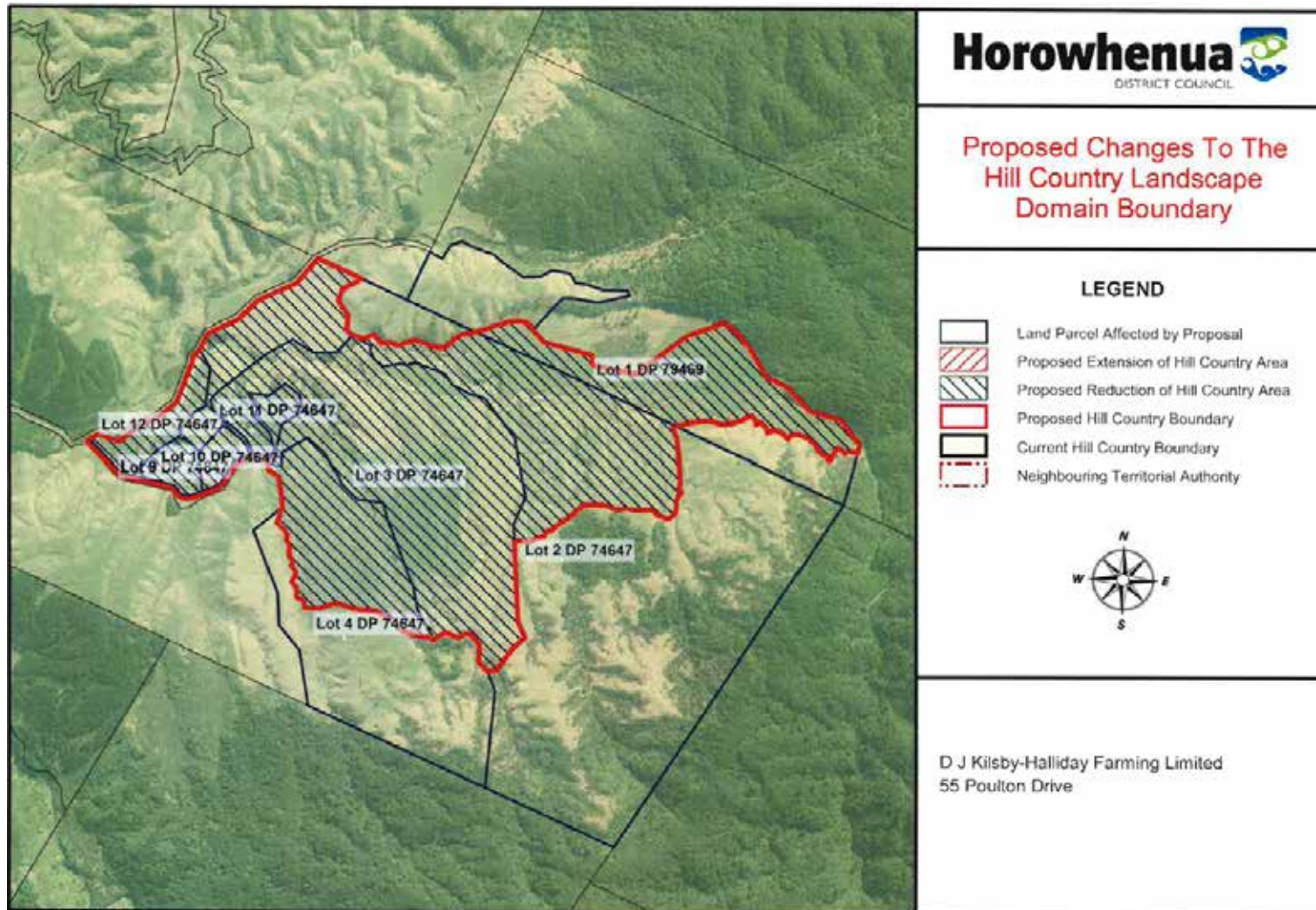
Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 13/11/2014 Version: 1.2.

6.3.5 Amend Planning Maps 38 and 39 in relation to Lot 2 DP 414087



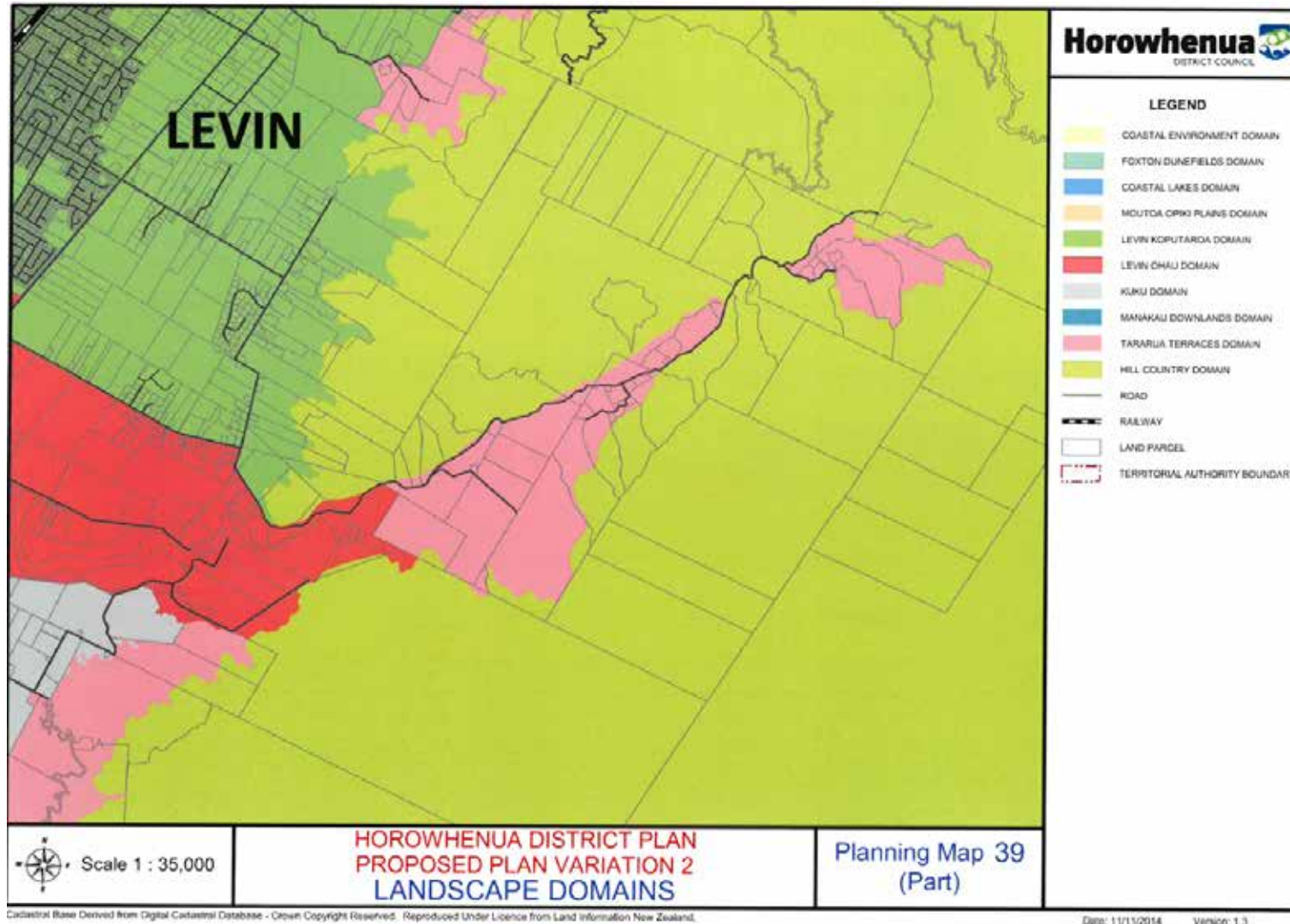
Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 11/11/2014 Version: 1.2

6.3.6 Amend Planning Maps 38 and 39 in relation to eight lots at the end of Gladstone Road



Cadastral Base Derived from Digital Cadastral Database - Crown Copyright Reserved. Reproduced Under Licence from Land Information New Zealand. Date: 12/11/2014 Version: 1.2

6.3.7 Amend Planning Maps 38 and 39 so that the upper part of the Ohau - Makahika River Valley becomes part of the Tararua Terraces Landscape Domain



6.4 Appendix 4: Extracts from Landscape Assessment of the Rural Environment of the Horowhenua District (October 2008)

Tararua Terraces

LANDSCAPE CHARACTER

This domain as a transition zone between the plains and the Hill Country to the north of the District and a much smaller area of enclosed and elevated terrace plateaux within Manakau north valley.

Landform

Generally, this area is a combination of elevated plateaux dissected by gullies, some areas of steep erosion-prone faces to the east and flatter or gently sloping/undulating land towards the west.

Within this domain are some discrete areas sheltered from the prevailing winds by individual ridges that extend out beyond the general line of the foothills. These areas present a slightly different character because the climatic factors tend to be humid frost-free air, and significant cloud cover.

Landcover

The mainly pastoral nature of this area also contains a number of significant natural habitats, including remnant areas of indigenous vegetation of both forest and wetland types.

Vegetation in the sheltered 'alcove'-type areas also includes nikau palms and other vigorous species suited to the gentler environment. Volcanic soils found within the area also contribute to growth rates and vegetation types.

Landuse

Low intensity pastoral farming is the dominant land use in this area. The presence of horticulture reflects the high class soils that extend in some areas to the base of the foothills. Associated dwellings and buildings reflect this dominant usage, however there are some smaller parcels that are either rural-residential or niche primary production activities.

VISUAL QUALITY

Natural Science Factors

The variation within this domain results in a range of indigenous species in a range of micro-environments. This results in bio-diversity having the potential to be of a high level, despite the extensive modification and clearance through farming activities on the lower terrace areas.

Aesthetic values

Varied landscapes have their own particular attractiveness, with the presence of streams, dense vegetation, lush grass and undulating landform usually appealing to most people.

Additionally, the nearby ranges and the steep elevation of some terraces is exaggerated by the contrast to the plains areas to the west, providing further aesthetic interest.

SENSITIVITY

The variation within this domain calls for recognition that 'one size will *not* fit all' despite the elements all being components of a particular landscape character. Development needs to

respond directly to the types of landform and acknowledge the high or potentially high biodiversity and ecological value.

The domain's close proximity to the Tararua Ranges also affects the level of sensitivity; and requires care as to the location, height and visibility of structures to avoid adverse visual or landscape effects on the landscape.

Visual absorption capability

The variable landscape does provide a range of site-types that differ in their ability to absorb built structures and roads. The open plains of this landscape require careful consideration of the location of buildings and roading, as these elements will be quite distinct within the open expanses and against the backdrop of the highly visible Tararua Range.

OPPORTUNITIES & CONSTRAINTS

Close to the Shannon and Tokomaru townships, this domain's location presents some opportunities for development in response to this connectivity. The presence of high class soils places constraints on both the type and location of development.

Land instability on the terraces also presents constraints, and the high visibility of these areas could pose problems with adverse visual effects should building sites be located on the elevated sites.

The variation of the domain's topography, particularly to the west, does provide opportunities for sites that do not have the same constraints as those discussed above. Where these areas also contain high natural values (such as remnant areas of vegetation or wetland) or have potential for ecological enhancement, development should respond to this.

The enclosed and relatively screened areas behind the extending ridges provide opportunities for development that can be undertaken without being as visually obtrusive as the same level of development in more prominent parts of this domain.

Levin-Koputaroa

LANDSCAPE CHARACTER

The landscape character of the Levin-Koputaroa domain is a direct result of flooding processes. Situated north of Levin, the domain displays the range of variation in topography.

Landform

The domain's location results in the topography that is a product of both flood processes and loess, and includes fertile alluvial plains, low lying peat swamps, elevated areas and deeply incised gullies.

The low lying peat areas also are affected by rises in the water table which results in ponding at various times. The dynamic streams within this domain and the influences of fluvial processes mean that areas within the domain are under threat from flooding.

Landcover

The original landcover has been reduced to remnant patches as a result of deforestation and drainage for primary production activities with pasture grasses, agricultural plant species and exotic shelterbelts becoming the dominant vegetation.

The remnant bush areas, as well as the remaining significant wetland areas provide habitats for a range of indigenous flora and fauna.

Landuse

The land use in this domain reflects the varied topography, with soil fertility, climate, aspect and proximity to water (above and below ground) promoting a range of activities. In general, the high class soils result in primary production activities including horticulture as being the most dominant land use, with a number of orchards and some smaller-scale production activities also present.

The location and density of dwellings tends to be that associated with primary production and rural lifestyle settlement. Both State Highway 1 and 57 cross this domain, resulting in the rural areas being better connected than some other domains.

VISUAL QUALITY

Natural Science Factors

The variation in topography and the large number of gullies and streams reveals the remnant natural representation of the complex environmental processes of this area. The modified elements of the regular geometry of pastures, shelterbelts and drains results in a multi-patterned and visually dynamic landscape.

Aesthetic values

The sense of this area being an intermediate zone is heightened by the ability to obtain views of both the beginning and end of the catchment process. These views tend to be either framed by landforms and vegetation, or unobstructed and expansive across open pasture.

Alternatively, the undulating landscape can also result in a sense of enclosure within localised areas, particularly towards the elevated terrace and foothill areas.

SENSITIVITY

The level of sensitivity depends largely on the part of the domain in question. In terms of ecological sensitivity, the areas in which the hydrological system dominates require consideration of any adverse impacts – particularly where it is unmodified.

Maintaining view shafts across the plains and the ability to capture a view extending from the ranges to the sea are important characteristics of the domain.

Visual absorption capability

Because of the reasons above, the open expansive areas maintain a lower level of VAC, although the existence of mature shelter belts will provide a level of absorption for appropriate development. The more complex, undulating areas containing the gullies provides a higher level of VAC, however these also tend to be within or close to the more elevated areas so a clustered approach to development would be more appropriate than large lots containing isolated large dwellings.

OPPORTUNITIES & CONSTRAINTS

This domain has extensive areas of high class soil but the mixed nature of the landform provides the potential to enhance natural values. The roading network in this domain provides a good level of connectivity.

The extensive areas of pine forestry also provide the opportunity to reduce the visual impact of potential development within this area.

Constraints to development include the sensitive ecological nature of the area. There are opportunities through land use change to benefit the existing natural values of the area (wetlands, streams and remnant bush areas) through rehabilitation and enhancement.

The effects of building site location, effluent disposal design and location, earthworks and road construction on existing vegetation and waterways need consideration to avoid adverse visual or ecological impacts.

Levin-Ohau

LANDSCAPE CHARACTER

The domain's rather varied character is influenced by its location in the volcanic lowland terrace area of the district. The domain's character is strongly influenced by the hydrological system.

Landform

Terracing is a dominant landscape element in the eastern part of this domain and is clearly influenced by Ohau River and its tributaries. Flooding and sediment deposition has created the terracing and the wide expanses of river-plain in the central part of the domain.

Landcover

The original vegetation cover in this domain has been heavily modified or destroyed through farming activities. The dominant cover is now pasture grasses, crops, exotic shelter belts and some areas of pine forest. The volcanic and alluvial soils provide a high level of fertility, with cultivated species becoming a dominant part of this domain as a result of large and small scale horticulture activities in this domain.

Remnant areas of indigenous vegetation occur generally in close proximity to the river. Some of these areas are public reserves, the largest of these reserves being the Kimberley Scenic Reserve.

Land use

The high class soils in this domain result in farming and horticulture being the dominant land uses. The exception to the wide distribution of high quality soils is an elevated band of sandstone just north of Muhunoa East and West Roads. The land parcels within this band are smaller, and reflect the general change in land use towards Levin itself, where it becomes progressively residential in nature. Around the south western urban edge of the Levin a number of industrial activities have extended beyond the Industrial zone and are being undertaken in the Rural zone

A number of properties adjacent to State Highway 1 take advantage of passing traffic to sell produce grown onsite from small retail shops also onsite. Other significant growers in this domain are key providers to local supermarkets and restaurants.

Although associated with the Ohau township, the introduction of vineyards to Ohau reflects a broadening of productive land uses in this area.

VISUAL QUALITY

Natural Science Factors

The hydrological system is the main contributing element to natural landscape values in the area; with the land form's distinctive shape a result of the paths of the river and streams. The high class soils are a result of alluvial matter. High water tables and/or uncontrolled streams and springs are responsible for the remnant wetlands.

Aesthetic values

The most influential factor in terms of aesthetic values is probably the rural amenity created by the existing land uses. The reserves in the area contribute examples of 'naturalness' to the area, as do views of the Tararua Ranges (located outside this domain) however, naturalness is not a dominant element.

SENSITIVITY

The high level of modification to this area lowers its sensitivity to activities, except, where it may impact on rural character/amenity.

Further modification to the hydrological system is to be avoided, as the formation created through river and stream movement is a strong characteristic of the area. Development that enhances and rehabilitates waterways is desirable in this area.

Visual absorption capability

Despite the high levels of modification, the overall topography of this domain combined with the lack of extensive or densely vegetated areas means that the VAC is not particularly high. The elevated and visible nature of the terraces reduces the VAC of these terrace areas.

The relatively high density of the area of the domain located near Levin (north of Muhunoa East Road) does present a higher level of VAC, because there is already a visible level of activity in terms of built structures and landscape modification that could be increased without negative impact.

OPPORTUNITIES & CONSTRAINTS

Proximity to both state highways, fairly comprehensive roading network and a mix of parcel sizes presents opportunities for effective development in this domain. However, the varied landscape character and strong hydrological presence provide constraints on how this should be approached.

The geomorphological processes of this domain result in areas of high class soils separated by bands of uplifted sandstone, rock outcrops, waterways and peaty swamps. These areas of non high class soils would be more appropriate for future development that encourages environmental enhancement and riparian rehabilitation, with the areas of high class soil retained for primary production purposes.

Consideration of adverse visual effects resulting from development of prominent sites on elevated terraces or uplands will also be required.

Kuku

LANDSCAPE CHARACTER

This domain has many of the same components that make up the character of the Levin-Ohau domain. The domain is located south of the Ohau settlement and extends to the southern boundary of the district.

Landform

The flat fertile plains are the dominant topographical element, of this domain which also includes a series of former river terraces from the Ohau River, Waikawa Stream and Manakau Stream. The active hydrological system in this area results in flood risks from these waterways, and this is

exacerbated by the elevated water table in the area which are subject to ponding in prolonged wet weather.

Landcover

The presence of the fertile soil has resulted in a predominantly pastoral and horticulture environment. The original land cover of flax, kahikatea and other forest species found in areas of inundation has almost completely been cleared. Some isolated remnant areas of indigenous vegetation remain, which together with a number of significant wetlands support a wide range of indigenous flora and fauna.

Landuse

Land uses in this domain are a mix of dairying, pastoral farming and horticulture, at a range of scales, including some smaller and more intensive than in the other domains of similar character. Rural dwellings including farm worker accommodation associated with these production activities also occur within this domain.

This domain also accommodates sizeable non-production based activities such as the aggregate extraction operation.

VISUAL QUALITY

Natural Science Factors

The hydrology of the area is important to the character in visual terms as well as ecological. It underpins the land form, land use and land cover. The combination of these provides a particular visual quality, different from that existing prior to the cultivation of the area.

The remnant bush and functioning wetlands are of high quality. The Ohau River functions as a valuable ecological corridor despite the scale of primary productive land use which commonly impacts negatively on waterways. Rehabilitation projects are progressing well, however, mainly as a result of the reasonably healthy ecological networks in place.

Aesthetic values

The presence of primary production activities and in particular horticulture activities in this domain help create a varied, yet aesthetically pleasing landscape .

The naturalness of the high quality remnant bush stands and wetlands is also important.

SENSITIVITY

The waterways and remnant bush require protection, as does the productive/rural amenity of the area which is so important to the landscape character of this domain.

Visual absorption capability

The potential insertion of highly visible structures or groups of structures on the flat expansive plains and elevated terraces reduces the VAC of this domain. It is important that the location and design of structures is carefully considered, and that parcel sizes in this domain remain similar to the existing sizes, in appearance at least.

OPPORTUNITIES & CONSTRAINTS

In this domain there is a strong sense of an established culture of local productivity which requires protection and encouragement, but does not necessarily preclude complementary residential development.

The intensification of ecological processes, driven by the narrowing of the catchment between the Tararua Range and the coastal edge, provides both constraints in terms of the presence of high natural values but also the potential to use development as a means for enhancement and rehabilitation of those values.

Enhancement and rehabilitation could involve the streams, swamps and 'engineered' or modified waterways running through the catchment, which are at risk through stock activity and nitrification.

Care is required so that development is located to avoid visually prominent sites on the terraces to the east, and that existing vegetation and shelterbelts are utilised to screen and/or integrate structures in the more open areas to the west.

Manakau Downlands

LANDSCAPE CHARACTER

Varied landform and particular cultural/economic qualities make up this domain, which wraps around the eastern side of Manakau village. The village of Manakau has its own distinct character which is different from any other settlement in the district. It seems as if this character has permeated through into the environment beyond the village boundaries. The informal nature of the residential streets with no kerb or channel and narrow seal width within the Manakau village is an important element of the unique character of this rural village settlement.

Landform

The landform is a mix of types with discrete areas of more varied topography, particularly on the eastern side of the domain. Here, where the catchment is at its narrowest, the proximity of the foothills provides small enclosed areas, similar but more distinct to those found in the Tararua Terraces domain.

Landcover

Within the foothills the vegetation is mainly pine forest except in some areas where indigenous forest is regenerating. Otherwise, cover in this domain is predominantly pastoral grass and exotic trees, including shelter belts. There are some small isolated remnant bush stands within the pastoral areas.

Landuse

Pastoral farming is the most dominant of the land uses, ranging from small to large scale farms. Small scale horticultural activities also occur in this domain, reflecting the presence of high class soil around the fringes of the adjoining Kuku domain. More recently, lifestyle development has been occurring, in addition to the established small settlements or isolated buildings associated with the rural activities.

VISUAL QUALITY

Natural Science Factors

Natural values in the area are restricted to the remnant bush and wetland areas, as well as the regenerating bush on the foothills. Modification of the hydrological system through farm drains has reduced the visual quality of the waterways.

Aesthetic Value

The high level of rural character provides a 'picturesque' aesthetic. This results in the domain being vulnerable to development that is not in keeping with the current character or that would adversely affect the character of this domain and that of the Manakau village.

SENSITIVITY

The distinct character of this domain requires consideration of location, design and size of any development.

Developments adjacent to the Manakau village through insensitive design or by connecting to the existing roading network of the village could have a detrimental effect on the character of the village and in turn the overall character of this domain

Care should also be taken that no negative effects of development impact on the backdrop and views of the Tararua Range.

Visual absorption capability

The varied topography, and in particular the enclosed areas, provide a reasonably high level of VAC, as does the backdrop of dense forestry. Building on top of the elevated inland areas should be avoided so views of the Tararua Range are not compromised.

OPPORTUNITIES AND CONSTRAINTS

The particular character of this domain presents both opportunities and constraints in terms of development. So far, subdivision of parcels has been executed in a way that this domain retains its scale, which reflects that of the village itself. It is important that this character is maintained, as the domain is small and the particular characteristics could easily be overwhelmed by inappropriate development.

Development immediately adjacent to the Manakau village could be constrained by the existing village roading network as increased levels of traffic could adversely affect this important characteristic of the Manakau village.

The narrowing of the catchment in the southern part of the district means that the existing ecological and hydrological systems are intense and distinct and require protection and enhancement where possible. The limited presence of high class soil is not seen as a constraint.

The topography and existing vegetation provide opportunities for the integration and screening of future development. Adverse impacts from locating structures in prominent sites, or in such a way that the integrity of the Tararua Range is affected are possible if inappropriate development occurs.

Hill Country

LANDSCAPE CHARACTER

The Hill Country extends the full length of the western side of the district and is characterised by its consistent elevated nature. The character is influenced by the climate of the area. The range and its proximity to the Cook Strait produce a very high rainfall and north westerly winds up to gale force which sweep up over the lower parts of the area.

Landform

The domain contains land generally above the 100m contour line where the gradient of the hills typically becomes noticeably steeper and includes the taller of the foothills as well as the highest peaks of the Tararua mountain range at some 1570msl (metres above sea level).

The range consists of parallel ranges interspersed with deep river valleys. It covers some 3,168 square kilometres, stretching from the Manawatu Gorge approximately 100 kilometres to the south.

Landcover

On the western side of the ranges themselves, the vegetation is predominantly conifers, ferns, shrubs and vines, largely due to the approximate 5,000 millimetres of rain received annually.

On the lower levels of the ranges and on the foothills, the vegetation is largely scrub species resulting from areas reverting to bush after being farmed. Species include manuka, kamahi, tauhinu and bracken.

Landuse

Landuse in this domain very much depends on the elevation of the site. The highest levels form part of Tararua Forest Park, and the foothills contain large scale forestry, pastoral farming as well as remnant and regenerating areas of indigenous bush and scrub.

This domain contains the headwaters of many of the hydrological catchments in the district and therefore influences, to some degree, all of the other landscape domains. The significant natural habitats found often form one 'end' of the ecological corridors in this area and are important for any future remediation work within these catchments.

Exotic vegetation and fauna are also dominant features in this area.

Residential, or indeed rural, living is not a strong feature of this domain however this area does afford a range of recreation opportunities, which in their limited number are not inappropriate to this landscape.

This domain includes major infrastructure such as the reservoirs and dams associated with the Mangahao Hydro Electric Power Station.

VISUAL QUALITY

Natural Science Factors

The natural unmodified landscape of the Tararua Range is a dominant factor in the level of quality in this domain. Additionally, the areas that are reverting to indigenous bush cover are adding to the level of biodiversity in the area.

Aesthetic values

The Tararua Range has 'iconic' qualities. The foothills, with the gentle undulating form and the rural character of the farming activities have a different aesthetic quality that contributes to the amenity of this domain.

SENSITIVITY

This domain has a high level of sensitivity for all the reasons discussed above and below, and in general, development should be discouraged.

Visual absorption capability

The range provides limitations on the ability of this landscape to absorb change. It is important that views of this element are not affected by the insertion of structures above a certain level.

Lower down in the foothill area, there is a greater ability, through the undulating topography and the presence of forestry, however care still needs to be taken that visual effects of any

development in this area maintain the rural amenity values and do not adversely impact on the outstanding landscape area.

OPPORTUNITIES & CONSTRAINTS

This landscape is highly sensitive. It is important that the amenity, landscape and natural values that result in the domain's iconic value be enhanced, or at the very least, maintained.

Residential or other inappropriate development should be severely restricted because of issues of high visibility and the level of landscape values in this domain.

6.5 Appendix 5: Schedule of Officer's Recommendations on Submission Points

Sub. No	Submitter Name	Officer's Recommendation
201.00	M. J. Page	Accept
202.01	Federated Farmers of New Zealand	Accept
202.02	Federated Farmers of New Zealand	Accept In-Part
203.01	Gray Harrison	Reject
203.02	Gray Harrison	Reject
204.01	Joan & Brian Judd	Reject
204.02	Joan & Brain Judd	Accept In-Part
204.03	Joan & Brian Judd	Reject
205.00	Horowhenua District Council (Planning Team)	Accept
206.00	Gary & Emily Williams Family Trust	Accept In-Part.
207.00	Horowhenua Farmers Ratepayers Group	Accept
208.00	Stephen Poulton	Accept In-Part
7209.00	Kenneth Rowland	Reject
210.00	David Honore	Reject
211.01	Daniel Kilsby-Halliday	Accept In-Part
211.02	Daniel Kilsby-Halliday	Accept In-Part
212.00	Ian Smith	Reject
213.01	Christine & Bruce Mitchell	Accept
213.02	Christine & Bruce Mitchell	Accept In-Part
213.03	Christine & Bruce Mitchell	Accept