

Proposed Plan Variation 2

Summary of Submissions



Submissions ordered by Submitter

Publicly Notified 3 October 2014

1. INTRODUCTION

This document, Summary of Submissions, summarises the decisions requested or inferred for each submission received on Proposed Plan Variation 2 - Hill Country Landscape Domain Boundary Review. Where no decision has been specifically requested, Council Officers have where possible, inferred the decision requested from the text of the submission.

Proposed Plan Variation 2 was publically notified on 15 August 2014 with the period for submissions closing on 15 September 2014.

A total of 13 submissions were received in relation to Proposed Plan Variation 2 and this report provides a summary of those submissions in accordance with Clause 7 of the First Schedule of the Resource Management Act 1991 (RMA).

Copies of full submissions can be inspected at the following locations during opening hours:

- Horowhenua District Council – 126 Oxford Street, Levin
- Te Takere – 10 Bath Street, Levin
- Shannon Service Centre – Located in the Shannon Library, Plimmer Terrace, Shannon
- Foxton Library - 5 Clyde Street, Foxton

These documents can also be viewed and downloaded from the Council website www.horowhenua.govt.nz/variations.

2. FURTHER SUBMISSIONS

Further submissions must be in accordance with Clause 8 of the First Schedule of the Resource Management Act and may only support or oppose those submissions already made. In supporting or opposing a submission, a Further Submission may provide reasons for supporting or opposing, however only issues that are related to those that have already been identified in a submission may be raised. The following persons may make a further submission in support of, or in opposition to any of the submissions already received:

- Any person representing a relevant aspect of the public interest; and
- Any person that has an interest in the plan greater than the interest that the general public has.

Any Further Submission should be made on Form 6 of the Resource Management (Forms, Fees, Procedures) Regs 2003 or closely follow this format. Failure to include all necessary information or complete the form correctly may prevent the Further Submission from being able to be considered. Form 6 Further Submission forms can be obtained from the Council Service Centres and Public libraries listed earlier or downloaded from the Council website www.horowhenua.govt.nz/variations.

Council is adhering to the prescribed statutory timeframe set out in the Resource Management Act of 10 working days for the lodgement of further submissions.

Further Submissions can be made in writing and will need to be received by the Horowhenua District Council before **5:00pm** on **17 October 2014**.

Further Submissions can be:

Delivered to: Horowhenua District Council,
126 Oxford Street, Levin

Posted to: Shaping Horowhenua,
Horowhenua District Council,
Private Bag 4002,
Levin 5540

Faxed to: (06) 366 0983

Emailed to: districtplan@horowhenua.govt.nz

Any person making a Further Submission on Proposed Plan Variation 2 is required by law to provide a copy of their further submission to the person who made the original submission to which the Further Submission relates within five (5) working days of serving the Further Submission to the Horowhenua District Council.

Section 4 of this report provides the address for service for each person or organisation that has made a submission on Proposed Plan Variation 2.

3. PROCESS FROM HERE

The current process of public notification and calling for submissions and further submissions is part of the statutory consultation process required to be undertaken for any Proposed Plan Variation.

Once the Further Submission period has closed (17 October 2014), a Planning Report identifying and summarising all submissions will be produced. This Planning Report will provide an impartial assessment of the merits of the Submissions, including whether the issues are valid

under the relevant legislation. The Planning Report may also contain any recommended amendment to the Proposed Plan Variation 2 to address matters raised by submitters.

Before a formal Council hearing is held, a pre-hearing meeting may be held where Council Officer's consider that such a meeting would help clarify, mediate or facilitate a resolution on any matters raised in the submissions.

The Planning Report will be circulated to all submitters and further submitters in advance of the formal Council hearing. At least 10 working days notice will be given of the hearing date. Anyone can attend the Council hearing, however only those submitters who have indicated that they wish to be heard will have the opportunity to speak about the matters raised in their submission at the hearing, or they can nominate a representative or consultant to speak on their behalf.

The Hearings Panel will consider all relevant matters before making a recommendation to Council for a decision.

All submitters will receive notice of the decision on Proposed Plan Variation 2 and the reasons for why the decision was made. The Council will also publicly notify the decision.

Any submitter who is not satisfied with the decision can lodge an appeal with the Environment Court.

4. SUBMITTERS

The following table provides the names and addresses for service of all those who made a submission in relation to Proposed Plan Variation 2. The purpose of this table is to enable any person who makes a Further Submission on Proposed Plan Variation 2 to meet the requirements of the law and send a copy of their Further Submission to the person who made the original submission that they have made a Further Submission on. This needs to be done within five (5) working days of submitting their Further Submission to the Horowhenua District Council. Please note that some submissions relate to more than one of the Proposed Plan Variations currently notified.

Submission Number	Submitter	Address for Service	Wish to be Heard
201	M. J. Page	365 Manakau North Road RD 31 Levin 5573	Not specified
202	Federated Farmers of New Zealand	PO Box 715 Wellington 6140	Yes
203	Gray Harrison	PO Box 38090 Wellington Mail Centre Lower Hutt 5045	No
204	Joan & Brian Judd	35 Emerald Hills Road RD 1 Levin 5571	No
205	Horowhenua District Council (Planning Team)	Private Bag 4002 Levin 5540	Yes
206	Gary & Emily Williams Family Trust	107 South Manakau Road RD 3 Otaki 5583	Yes

Submission Number	Submitter	Address for Service	Wish to be Heard
207	Horowhenua Farmers Ratepayer Group	156 Gladstone Road RD 1 Levin 5571	No
208	Stephen Poulton	135 Gladstone Road RD 1 Levin 5571	Yes
209	Kenneth Rowland	563 State Highway 1 RD 20 Levin 5570	Yes
210	David Honore	171 Bartholomew Road Levin 5510	Not specified
211	Daniel Kilsby-Halliday	55 Poulton Drive RD 1 Levin 5571	Yes
212	Ian Smith	265 Kuku East Road Manakau 5570	No
213	Christine & Bruce Mitchell	297 Potts Road Levin 5571	No

5. ADDITIONAL INFORMATION

The Council Planning Officers are able to provide additional information on making a Further Submission or the proposed plan variation process. Additional information including the Proposed Plan Variation documents, are available from the Council website www.horowhenua.govt.nz/variations.

6. SUMMARY OF DECISIONS REQUESTED

Each decision requested as set out in this summary endeavours to identify the individual outcomes sought in the submission. This is to enable people to quickly establish whether a submission might be of interest to them. It is not a substitute for inspecting the submission itself where the matter may be of interest. Please note the table contains a summary of the submissions. The onus is on the reader to check the full submission for the exact wording used and relief requested by the submitter.

If, after inspecting the summary of decisions requested there are areas of interest, it is recommended that the full copies of the individual submissions are inspected.

Each submission has a unique number, the first three numbers identify who the submission was made by (e.g. 201 = Submitter 1). Each submission point is identified by two numbers which appear after the decimal place.

Submission 201.07

201 Is the submitter/submission number

.07 is the submission point number

Any Further Submission made must specify the number of the original submission that the Further Submission relates to. The unique submission number is also used to cross reference the address for service for all of the submitters contained in the following table. Note that in some submissions the submission point numbers are not consecutive. This only occurs in a few submissions and is due to amendments made to the submission summary table when it was being audited. The submissions below have been organised and presented in numerical order.

Where it has been specified or is clear that the submission is either in 'support' or 'opposition', to Proposed Plan Variation 2 this has been included in the table below. The term 'In-Part' has generally been used for those submissions that are supporting or opposing part of the Plan Variation or a Plan Variation provision while seeking amendments. It has also been used for those submissions that might be neutral on the Variation or a particular matter.

Where specific wording changes have been requested to Proposed Plan Variation 2 by submitters these have been shown in Summary Table in the following ways:

Underlined text = New text to be included in the Plan Variation

~~Strikethrough text~~ = Text in the Plan Variation to be deleted.

SUMMARY OF SUBMISSIONS: PROPOSED PLAN VARIATION 2

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
201.00	M. J. Page	Planning Maps 38 & 39	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.
202.01	Federated Farmers of New Zealand	Planning Maps 38 & 39	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	General	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.
203.01	Gray Harrison	Planning Maps 38 & 39	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).

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
203.02	Gray Harrison	Planning Maps 38 & 39	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).
204.01	Joan & Brian Judd	Planning Maps 38 & 39	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	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.

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
				will impact on their ability to enjoy their property.	
204.02	Joan & Brian Judd	Planning Maps 38 & 39	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	General	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.
205.00	Horowhenua District Council (Planning Team)	Planning Maps 38 & 39	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	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

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
				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).	the Manakau Downlands Landscape Domain.
206.00	Gary & Emily Williams Family Trust	Planning Maps 38 & 39	In-Part	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. 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.	Retain the existing Hill Country Landscape Domain boundary.
207.00	Horowhenua Farmers Ratepayer Group	Planning Maps 38 & 39	Support	The submitter thanks the Council for proposing to alter Planning Maps 38 & 39 so that the western boundary of the Hill Country	No specific relief requested.

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
				Landscape Domain now follows the base of the foothills and the Tararua Range 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.	
208.00	Stephen Poulton	Planning Maps 38 & 39	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.
209.00	Kenneth Rowland	Planning Maps 38 & 39	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 and Pukeatua Hills (i.e. not included within the Hill Country Landscape Domain).
210.00	David Honore	Planning Maps 38 & 39	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.

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
211.01	Daniel Kilsby-Halliday	Planning Maps 38 & 39	In-Part	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. 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.	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.
211.02	Daniel Kilsby-Halliday	Planning Maps 38 & 39	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.
212.00	Ian Smith	Planning Maps 38 & 39	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.
213.01	Christine & Bruce Mitchell	Planning Maps 38 & 39	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 better aligns with the defining	No specific relief requested. Inferred: Retain the proposed Hill Country Landscape Domain boundary in relation to the submitter's property.

Sub. No	Submitter Name	Provision	Support/ In-Part/Oppose	Summary of Submission	Decision Requested
				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	Planning Maps 38 & 39	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	General	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.

