

Hearing 19: Natural Features and Landscapes

Questions from the Hearing Panel

As foreshadowed by paragraph 12 of Minute 1, having read the Section 42A Report (and the associated specialist report by Mr Bentley) for the above, the Hearing Panel members have a number of questions that they would appreciate being answered by the Section 42A Report author(s) in writing prior to the hearings commencing.

Paragraph or Plan reference	Question
8.2	Are there any specific rules for which you would recommend non-notification clauses?
8.4	Whilst your point about not needing to integrate with adjoining Council plans is understood, has any work been done to compare, or ground-proof, the proposed PDP provisions with those of adjoining Councils?
9.9.1	What is the relationship between 'significant landscapes' and 'VAL's', or are they indeed essentially the same?
10.4.3	But do not the words "break the skyline" as notified also provide some uncertainty as to what that means, i.e. where is applied from, which views (public or private view points) etc?
10.5.2	Can you please review the s42A report/Reply report for H15 and advise us whether a similar policy to the new policy you are recommending here is required, i.e. providing a cross to the EI Chapter required with respect to the Natural Features Chapter?
10.24	But is the word "avoid" appropriate at all in P2 which relates to the VAL's not ONL's. Does the chapter include non-complying activities for rules being exceeded in VAL's?
11.4	<p>You state:</p> <p><i>"To avoid this unintended outcome, I acknowledge there is a need to include wording in the NFL Chapter policies to ensure consistency with the EI Chapter. I consider that this should provide some relief to network infrastructure operators so that where a resource consent is triggered under the NFL Chapter, this should recognise and provide for important infrastructure. <u>I do not consider that a change to NFL-R1 is required however.</u>"</i></p> <p>Please clarify why a change to Rule 1 is not also required, i.e. as a follow up to the changes to the policies, to make this clear to readers of the Plan.</p>
11.5	Same question as above, applicable to Manawa Energy, would an amendment to R1 not assist to clarify/implement the recommended change to the Policy?
11.40 – 11.42	<p>Please respond to the statement by Ms Wharfe for Hort NZ (para 6.16):</p> <p><i>The s32 Report introduces Rule NFL-R3 to include horticultural plantings with no clear reasons set out why they have been included in the rule, given</i></p>

Paragraph or Plan reference	Question
	<p><i>that the expert reports did not identify horticultural plantings as an issue, apart from vineyards.</i></p> <p>Can you please confirm if there is in fact a sound basis for including in the NFL chapter specific controls on horticultural plantings (other than for vineyards) from the s32 Report and the landscape reports referred to in your report.</p>
12.2	<p>Your recommendation for REQ1 is to retain NC status for breaches of the height rule. Can you please respond to the Telco's letter (Mr Horne's para 17) in particular how NC status will align with your recommended new Policy 3, which recognises the needs of important infrastructure.</p>
12.46	<p>Can you please review whether there may still to scope to make this change (and the Panel will ask Orion to comment on this too).</p>
15.3	<p>Flock Hill Station has requested removal of the ONL from part of its property to facilitate a proposed FHSZ. This is not supported in the s42A Report. Please respond to Ms Stewart's planning evidence for this submitter where she recommends the ONL is retained but the relevant NFL rules are excluded from application to the proposed new zone, as has been done with the Porter's Ski Zone (SKIZ) and Grasmere Zone (GRAZ).</p>