



Report 08.759  
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Committee Council  
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## Draft Battle Hill Farm Forest Park Management Plan

### 1. Purpose

To consider changes to the draft *Battle Hill Farm Forest Park Management Plan* for approval to release the draft *Battle Hill Farm Forest Park Management Plan* for further public consultation.

### 2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the *Local Government Act 2002*.

### 3. Background

The *Battle Hill Farm Forest Park Management Plan* review began in February 2006. The draft *Battle Hill Farm Forest Management Plan* (the draft plan) was written under the now repealed provisions of the *Local Government Act 1974* and consultation on it has broadly followed the statutory process set out in the *Reserves Act 1977*.

As the park is not reserve land and the relevant provisions of the *Local Government Act 1974* have now been repealed, there is no statutory requirement for a management plan – rather it is a policy of good practice to have one.

A total of 45 submissions have been received following the two phases of consultation to date. The Parks and Forests Hearings Committee formally considered the 17 submissions received in the latest round of consultation at a Hearing on 20 June 2007 where six submitters were heard. The Subcommittee agreed to give all written submissions preliminary consideration, then revisit in greater detail at a later time (**see Report 07.443**).

Issues surrounding the plan were discussed with officers at a workshop on Wednesday, 11 July 2007. No decisions were made at this workshop.

Following the workshop a proposed "final version" of the draft plan was submitted to the Parks and Forests Hearings Committee for endorsement and

recommendation to the then Landcare Committee for approval. However, members of the public present at the meeting questioned proposed amendments relating to wind turbines and associated wind farm infrastructure forming part of the Puketiro wind farm project. In response to that the Hearings Committee resolved to delay final consideration of the draft plan until further consultation had been carried out with particular reference to wind turbines within the park. Since that time, the management plan review has been on hold.

On 29 September 2008 Council decided that it would make the park available for some ancillary wind farm infrastructure (i.e., infrastructure necessary to develop a wind farm on adjacent Puketiro Forest land) but not the installation of wind turbines.

## **4. Consideration of submissions**

### **4.1 Background**

Because it has been over a year since the Hearings were held, I have attached a summary of significant changes suggested during the last round of consultation (Attachment 2). However, I have deleted any recommended changes by RES that have been superseded by recent Council decisions. These issues and the changes to the draft plan that result from them (excluding the RES submission) have not yet been approved by Council. However, this latest version of the draft plan (see Attachment 1) has been updated to reflect these changes (as highlighted in yellow in the document) and officers request that they be adopted for release as part of this round of consultation.

In addition, the draft plan has been updated to reflect recent developments and Council decisions regarding the Puketiro wind farm project and its potential effects on the park. As the proposed new policies 3.62 and 3.63 make clear, Council made decisions on 29 September 2008 to make the park available for some uses as part of a wind farm development on Puketiro Forest land. While the draft plan accommodates these decisions, it is not a way of revisiting them. Consultation on the draft plan will be on the basis that adoption of the draft plan will not undo Council's past land use decisions about the park.

It is also relevant that the management plan in force at the time Council's 29 September 2008 decisions were made was the current (1992) Battle Hill Management Plan, which it is proposed will be replaced by the draft plan.

A full summary of the submissions and recommended changes is included in Attachment 3.

### **4.2 Summary of amendments**

Many submitters identified editing and style improvements that could be made. Officers agree that these could be made with little or no substantive changes to the draft plan's intent. Small editing changes that do not alter the meaning or intent of the draft plan have not been noted.

Tables have been revised and maps labelled to provide greater clarity. Text boxes will be used to illustrate the document and inform readers about the

land's value and/or particular management issues. A text box has been used to note Horokiri Stream's significance, policies have been modified to accommodate hang gliding and paragliding and provide for motorised recreation access to the Akatarawa Forest. Recommendations made by the Historic Places Trust have been incorporated into the draft plan.

### **4.3 Puketiro wind farm update**

In response to the public's request for more information, an attachment to this report has been developed (see Attachment 4) that outlines recent decisions by Council and the possible impact they may have on the park. This information is intended to facilitate the process of consultation, but it will not form part of the draft plan. Given recent developments, the draft plan and the information attachment have been updated to reflect the following provisions for:

- An access road from the Paekakariki Hill Road to the wind farm site.
- Wind farm access roads on or near the top of the ridge line.
- A transmission line to connect from the wind farm to Transpower's 110 kV transmission line near the Transmission Gully motorway route.
- Provision for buried power cables and communications cables.
- The possibility that the blades of wind turbines situated on adjacent land may overfly the park in some wind conditions.

In certain wind directions and because of their approximate 45 metre length, part of the blades of turbines sited on land close to the boundary could pass through the park's air space. The occasional occupation of this air space would have minimal impact on the park and would not impede use of the land. Only a few turbines are likely to be involved. Therefore, the draft plan allows for these wind turbines to fly over the park's air space.

Provision for all of the above is the result of Council resolutions. Therefore, the management plan makes provision for that. It also excludes wind turbines in Battle Hill, as a result of a specific Council resolution.

## **5. Risks**

Each time GWRC carries out a consultation process, there are a number of risks. These can be recognised and in some cases minimised but not always eliminated. There was public consultation for the various phases of the draft plan's development and a range of options were explored.

The public and interest groups are entitled to have an adequate time to respond. Hence, once the Council has approved the process, the consultation will start and remain open until mid-February 2009.

To ensure the public is aware of the consultation, there will be newspaper advertisements, use of GWRC's web site and, where details are known, previous contributors to the process will be contacted.

As the Battle Hill Farm Forest Park is not reserved under the *Reserves Act*

1977, there is no statutory requirement to carry out the consultation for the draft plan, or indeed to have a management plan. However, the process will generally follow the special consultative procedure set out in the *Local Government Act 2002*.

## 6. Next steps

The next step is for Council to approve the release of the draft plan for further public consultation. Given the timeframes and the close proximity to Christmas, officers suggest that consultation run for a three month period starting in early November 2008, running through the Christmas period and closing in mid-February 2009.

## 7. Communication

Notices will be placed in the Region's main newspapers asking for comment on the draft plan. A third newsletter will be sent to people interested in the management plan review, outlining the issues that have been raised. A media release will be made when the draft plan is issued.

## 8. Recommendations

*That Council:*

1. ***Receives and notes*** the contents of the report.
2. ***Approves*** the release of the revised draft Battle Hill Farm Forest Park Management Plan for public consultation, subject to any minor technical amendments that may be authorised by the Council Chair or the Parks, Forests and Utilities Committee Chairperson.

Report prepared by:

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### Attachments:

- 1 Draft *Battle Hill Farm Forest Park Management Plan*
- 2 Summary of significant changes to the draft *Battle Hill Farm Forest Management Plan*
- 3 Summary of submissions and recommended changes
- 4 Background attachment to draft *Battle Hill Farm Forest Park Management Plan*