

APPENDIX A

Copy of Lake McKay Station Limited Submission #482



FORM 5: SUBMISSION

ON A PUBLICLY NOTIFIED PLAN CHANGE



Clause 6 of First Schedule, Resource Management Act 1991 – as amended 30 August 2010



TO // Queenstown Lakes District Council



YOUR DETAILS // Our preferred methods of corresponding with you are by **email** and **phone**.

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PLAN CHANGE // To which this submission relates to:

Proposed District Plan Change - District Plan Maps and Outstanding Natural Landscapes (ONL) and Rural Landscapes (RLC)

I **COULD NOT** gain an advantage in trade competition through this submission.

I **AM** ****** directly affected by an effect of the subject matter of the submission:
(a) adversely affects the environment; and
(b) does not relate to trade competition or the effects of trade competition.

* Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

** Select one.



SPECIFIC PROVISIONS // Of the proposal that my submission relates to are:

The location of the ONL lines on Proposed District Plan Maps 11, 11a, 18 and 18a.



MY SUBMISSION IS //

Include whether you support or oppose the specific provisions or with to have them amended; and the reasons for your views.

We oppose the location of the ONL line on the District Plan Maps 11, 11a , 18 and 18a. In the attached submission we explain why we oppose the proposed location of the ONL line and state where we consider the ONL line should be located.

Our submission is attached which includes;

- 1. Written submission plus photos (8 pages)
- 2. A Steven Landscape Report Maps x 2 - annotated.
- 3. District Plan Maps, 11, 11a, 18, 18a. - annotated



I SEEK THE FOLLOWING FROM THE LOCAL AUTHORITY //

Give precise details:

To alter the ONL lines on Proposed District Plan Maps 11, 11a, 18 and 18a.

DO

wish to be heard in support of my submission.

WILL

consider presenting a joint case with others presenting similar submissions.

SIGNATURE

Signature (to be signed for or on behalf of submitter) **

Date

02/10/15

** If this form is being completed on-line you may not be able, or required, to sign this form.



Lake McKay Station

Submission on QLDC Proposed District Plan - Section 6- Landscapes.

Proposed ONL line on District Plan Maps 11, 11a, 18, and 18a

My submission is that the proposed demarcation line for the ONL should be set at a higher altitude on the north end of the Pisa Range and where it passes through Lake McKay Station. The ONL on Maps 11 and 11a from the CODC boundary to Luggate town is along the margin of the valley floor. From Luggate town the ONL follows the line of Luggate Creek, more or less at the valley floor altitude further west to the foot of Mt Barker. This results in the majority of Lake McKay Station being within the ONL. However we contend that most of the lower terraces on the north end of the Pisa Range are a modified farm landscape and should be in the category of RLC and not ONL. In particular the terraces between Dead horse Creek and Tin Hut Creek and the south branch of Luggate Creek on Lake McKay Station which have an area of 300 hectares, have been cleared of indigenous vegetation and converted to pasture around 20 years ago. In the last 2 years an irrigation scheme has been developed for 200 hectares of the terrace land.

This is a multi million dollar investment which results in this area being more intensely cultivated with crop rotation and winter feed production. It forms the major part of the stations operation. A further 70 hectares of irrigation development is planned for the terrace on the east side of Dead Horse Creek in the next two years.

The irrigated area is highly visible from Highway 8A and is clearly an agricultural landscape and not an ONL.

We have noted that the landscape architects that were advising the Council on the ONL for the Luggate area had differing views on the location of the ONL. The line on the valley floor as shown on the proposed DP plans was the line recommended by Marion Read. However Anne Steven recommended that the ONL demarcation was at a higher altitude, above the Dead Horse Creek and Tin Hut Creek terraces as these were modified farming landscapes. Anne Steven is a local landscape architect who has a long association of living and working in the Upper Clutha area. The ONL in Anne Stevens report was set at about the 600m contour line which we agree is a more appropriate level

To the west of Tin Hut Creek the ONL demarcation follows the line of the north branch of Luggate Creek. The proposed ONL line includes a vast 270 ha which the Council in 2012 has granted resource consent No RM 110723 to Lake McKay Station to clear of indigenous plants. A large part has been done and further clearance is planned. The area will be planted in lucerne and harvesting with baleage will be an annual event. Part of this area is visible from Ballantyne Rd and the mid run area is viewed as a modified farm landscape and not an outstanding natural landscape.

Further for the Mid run area we are currently applying for a Plan change for the northern half of the Mid –run to be zoned as Rural Lifestyle. The vision is for there to be sporadic, well-spaced out 2 hectare blocks along the margin of the Kanuka conservation area proposed for the Luggate Gorge and the margins of the SNA islands (E30E_1 and E30_2) proposed by the QLDC for the Mid –run area. The Rural Lifestyle blocks will be well spaced out in rolling hill country so few of the sites will be visible from the other sites and the open country around the blocks will continue to be farmed.

The proposed Rural Lifestyle is a form of diversification of land use for the farm business to be more resilient in the future.

The kanuka area in the Luggate Gorge is proposed to be established as a DoC conservation area for future protection of the values. Where the lifestyle blocks back onto the Conservation area and the SNA areas there will be conditions applied in the zone for the protection of any remnant native vegetation. The RRRZ is an opportunity to maintain and enhance the indigenous vegetation in this area but the establishment of the RRZ will be difficult when the area is in the category of ONL.

The parts of the Mid rune area that are visible from the public view points on Mt Barker Road and SH6 will be mostly modified farm land. Under the proposed Plan review the ONL does not apply to Rural Lifestyle zones. Hence we recommend that the ONL is located on the slopes above the Mid rune area at the 600m asl contour line. The line at this altitude will be continuous with the location of the line that we are proposing (the 600m contour) above the Dead Horse Creek and Tin Hut Creek terraces.

ONL to the East of Luggate - Map 11

As noted above we concur with Anne Stevens assessment of the ONL and the demarcation line being above the modified farmland on the terraces on Lake McKay Station at approximately the 600m asl contour line. To the east of Luggate the line lowers to the 500m contour to join in with the ONL in the CODC area which we concur with.

Anne Stevens assessment also includes an area of ONL beside SH6 on the eastern approach to Luggate (see attached Plan from A Steven ONL Review report). We gather the reasoning for the ONL in this location is to add protection to the remnant native vegetation (predominantly kanuka) on the terrace faces that are viewed from State Highway 6. The land to the south of SH6 is owned by Lake McKay Station and consists of cultivated paddocks beside SH6 and on the next terrace. The terrace faces and the rocky bluffs just east of Luggate have not been cleared or grazed in recent years due to the steep slopes and marginal increase to grazing area. We recognise the value of these areas for the remnant native vegetation and for maintaining the landscape views from the highway and are planning to preserve the areas with QEII covenants.

We are also planning a Rural Lifestyle zone at the rear of first terrace with the idea of diversifying the farming operation. The protection of the native vegetation on the terrace faces is to be incorporated into the ownership and value of the lifestyle blocks. The ONL would not apply to the proposed Rural Lifestyle zone but the intention is to achieve the same purpose as the ONL by including conditions for dwellings to be located at the back of the terrace, and not visible from the Highway, and for vegetation on the terrace faces to be retained. Hence we consider that this area of Lake McKay Station is predominantly modified farm land and as parts of it are proposed for Rural Lifestyle zone then an ONL status is not necessary. We consider that the ONL line on Map 11 in the area south and east of Luggate should run along the line of the 600m contour line from the CODC boundary to the Criffel faces near Mt Barker Road.

ONL Clutha River Corridor

In the area to the east of the Wanaka airport the ONL line for the Clutha River Corridor runs along the line of the terrace on Lake McKay Station (see Map 18a). The terrace is fully modified for pasture and crops and has a centre pivot irrigator installed. The terrace face has been cleared of native scrub and the irrigator tracks down the face at the north end. We note that the landscape architects had differing views on the ONL line at this location (see attached Plan from Anne Stevens report). We support the Marion Read ONL line that runs along the margin of the lower terrace closer to the Clutha River. The lower terrace is on the boundary between farm land owned by D J Pittaway and the DoC conservation reserve.

We also disagree that the full length of the terrace face directly east of the Airport is included as ONL. The land is owned by Lake McKay Station and the majority of the terrace face has been cleared of native scrub and is modified farm land. On the south end of the terrace face there are farm structures established which include, fences a hayshed, a silage pit, water storage tanks and a track running diagonally across the slope. On the north end of the terrace slope there is a mature stand of kanuka that is included in the plan as SNA area (E18G – Winestock). We agree that it is appropriate for the north end of the terrace face to be included as an ONL but the ONL should only extend along the terrace face to around 800m south of the Clutha River. The southern half of the terrace face is modified farm land including existing farm structures and should be zoned as RLC.

Summary

In summary we request the following changes to the proposed ONL on Maps 11, 11a, 18 and 18a;

1. The ONL line on Map 11 follows the 600m contour line from the CODC boundary to the Criffel faces near Mt Barker Road (see attached Map 11 with annotated ONL line) .
Accordingly the ONL is deleted from Map 11a.
2. The proposed ONL line for the Clutha Corridor on Map 18 and 18a follows the line of the lower terrace on the boundary between D J Pittaways property and the DoC Conservation land (see attached Map 18a with annotated ONL line)
3. The proposed ONL line on the terrace face east of Wanaka airport, only extends along the terrace face to 800m south of the Clutha River (see attached Map18a with annotated ONL line).



View of Irrigation area. The proposed ONL line is in the manuka gorge area to the fore behind the power poles. Siluced faces are to the centre of the hill side.



Close up of gold workings on faces, water races entered the area to the right.



Fodder beet an example of the type of intensive cultivated crop grow on under irrigation



Cleared and developed area within Midrun with siluaced faces in the background.



Gold workings on faces of Mid Run hillside. To fore is further areas planned for clearance.



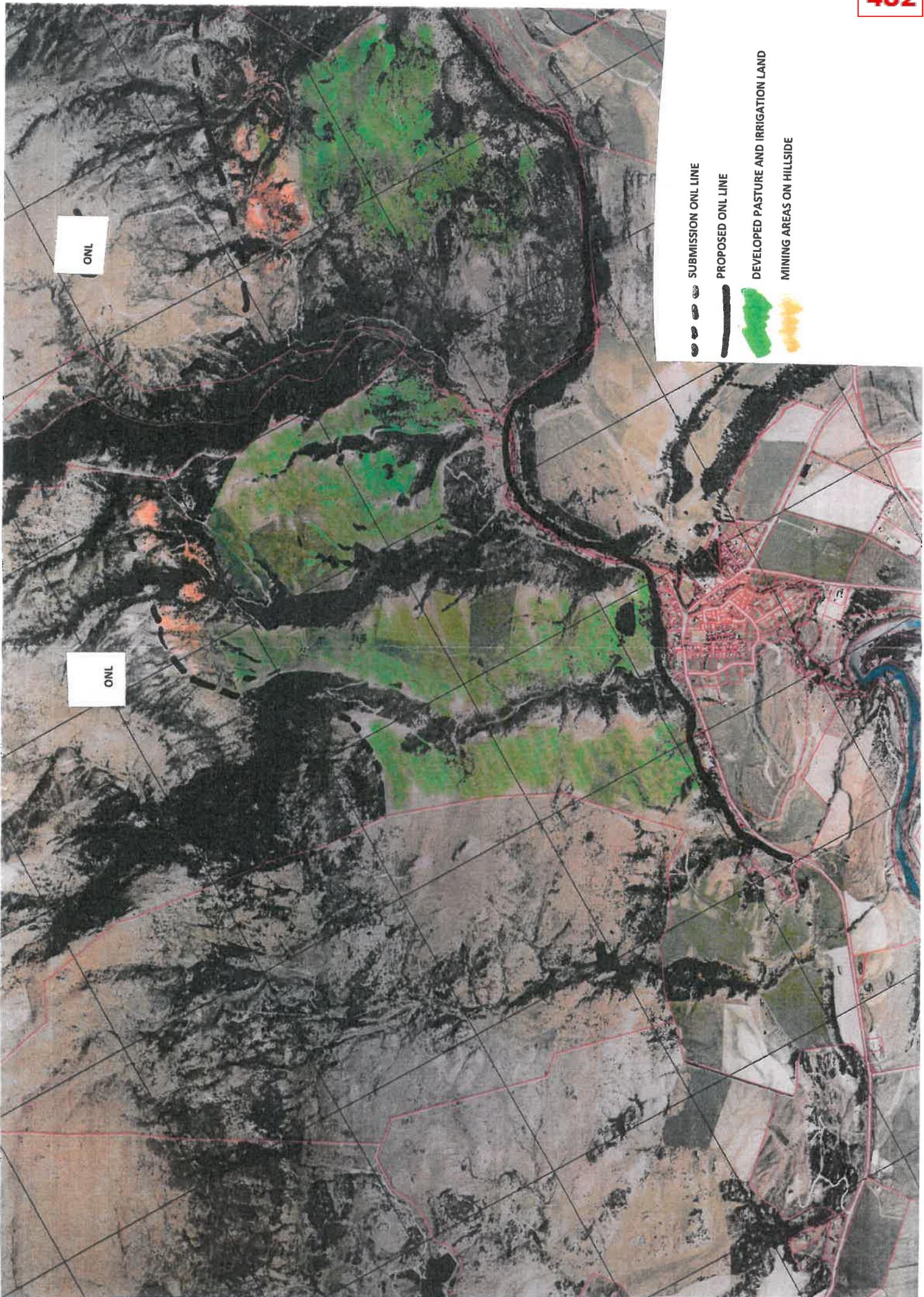
Mid run developed pastures from Ballantyne Road



Lake McKay irrigated area views from Highway 8a



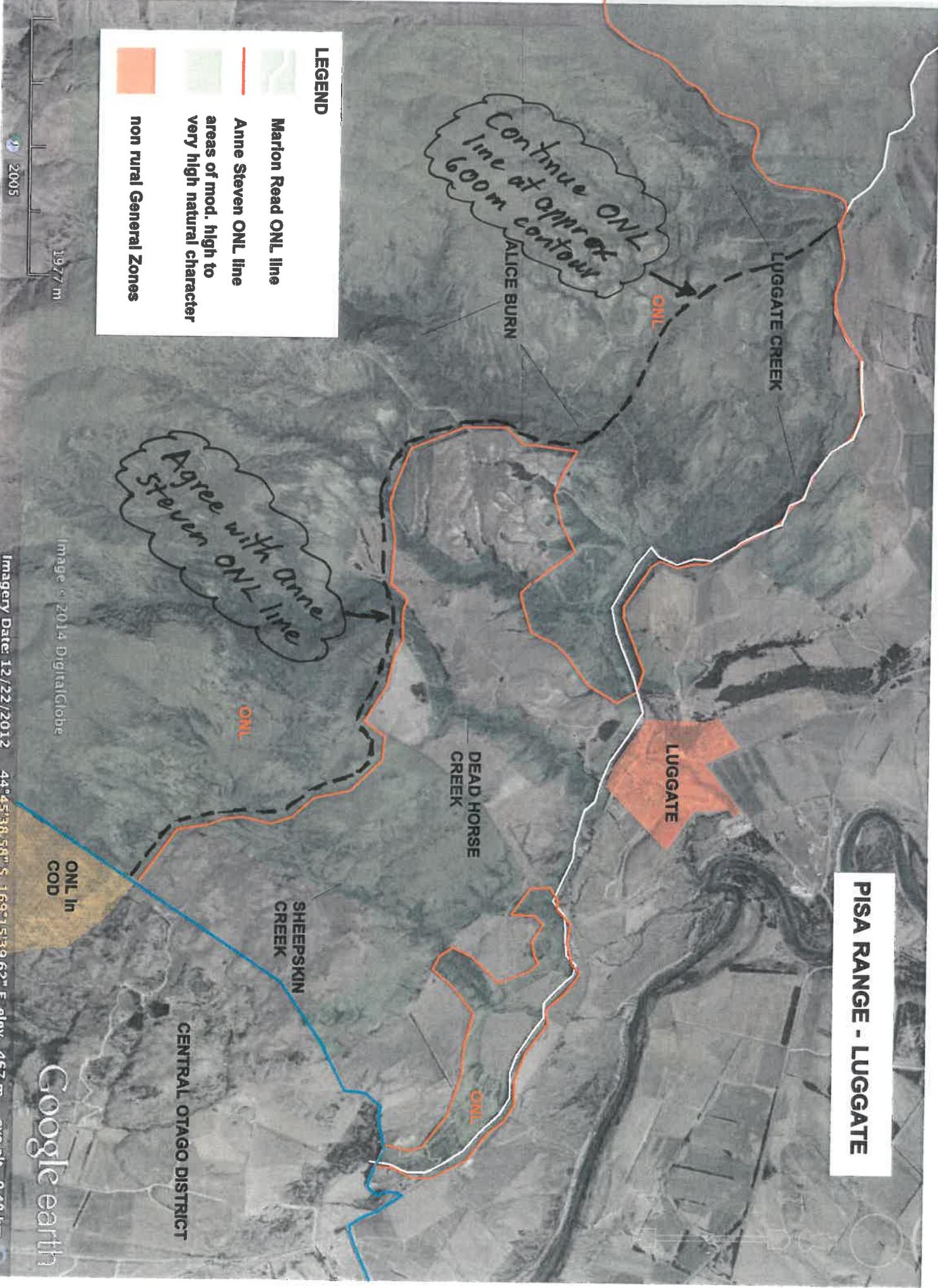
View of terrace face on Lake McKay Station beside SH6 on eastern approach to Luggate. It is proposed to protect the terrace slopes with QEII covenant.

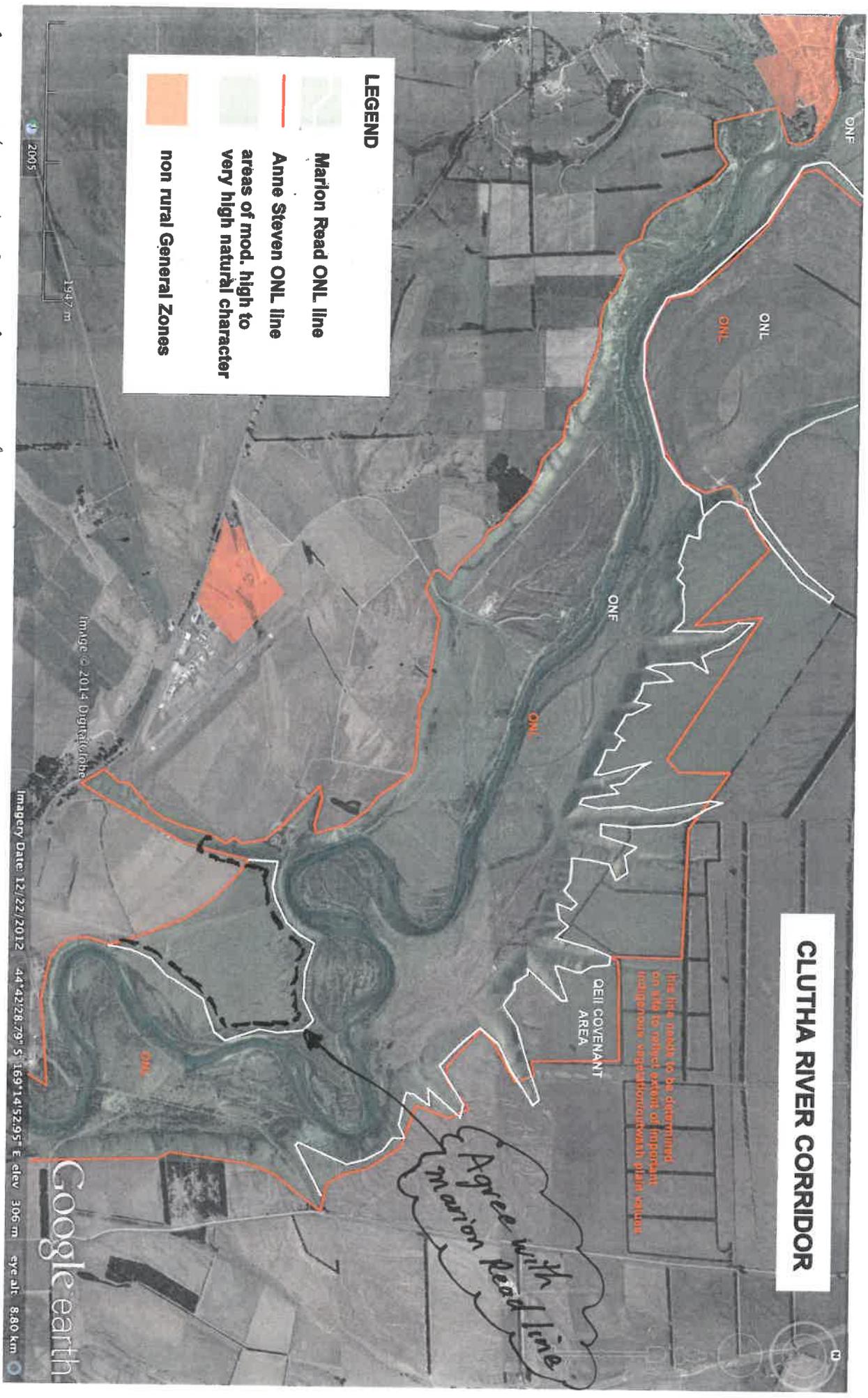


PISA RANGE - LUGGATE

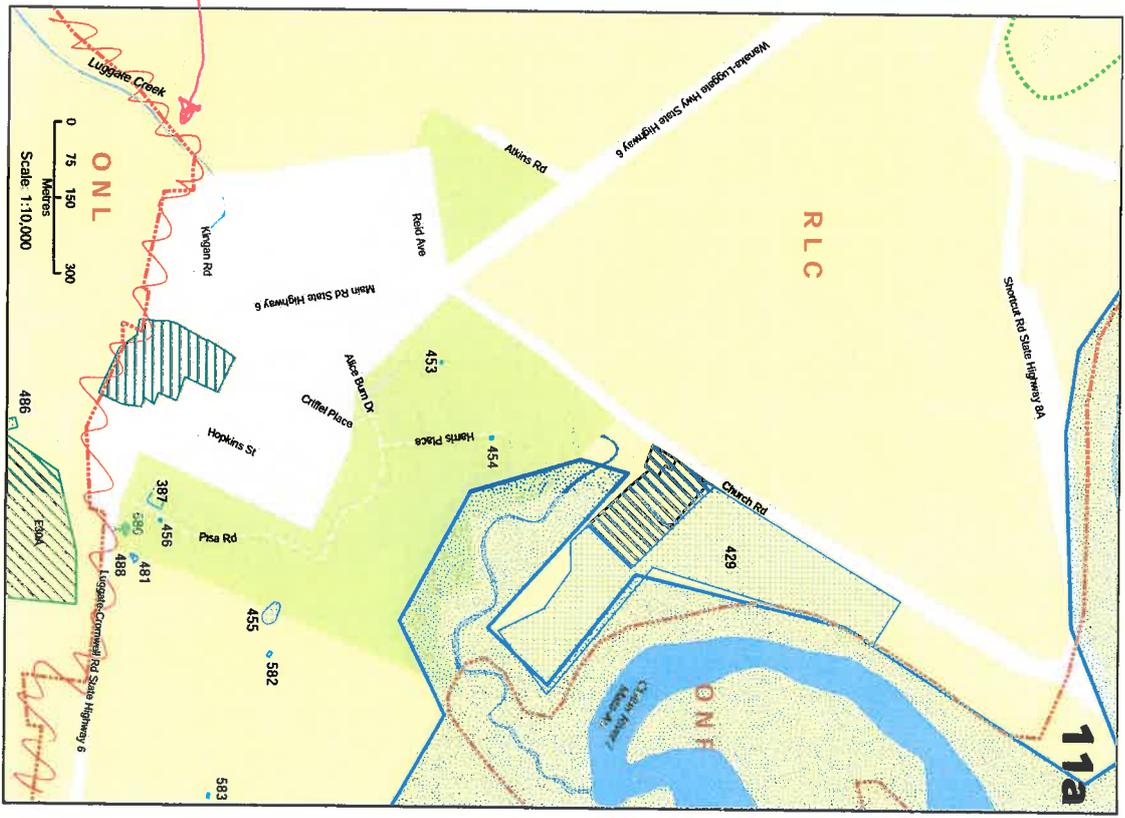
LEGEND

-  Marlon Read ONL line
-  Anne Steven ONL line
-  areas of mod. high to very high natural character
-  non rural General Zones





Anne Steven ! Peer Review of Marion Road Landscape Assessment: - June 2014



QUEENSTOWN LAKES DISTRICT COUNCIL Proposed District Plan Map 11 - Mt Pisa, Luggate (Inset)

- Legend**
- Productive Trees
 - Precinct Road
 - Boundary
 - Land Use Classification (ONL, ONL, RLC)
 - Roads
 - State Highways
 - Territorial Authority Boundary
 - Significant Natural Area
 - Uniformed Roads
 - Designated Areas
 - Sub-Zone
 - Sub-Zone
 - Rural Industrial
 - Commercial Precinct
 - Hydro Generation Zones (Operative)
 - Townships (Operative)
 - Rural
 - Rural Residential
 - Rural Lifestyle
 - Water



Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement

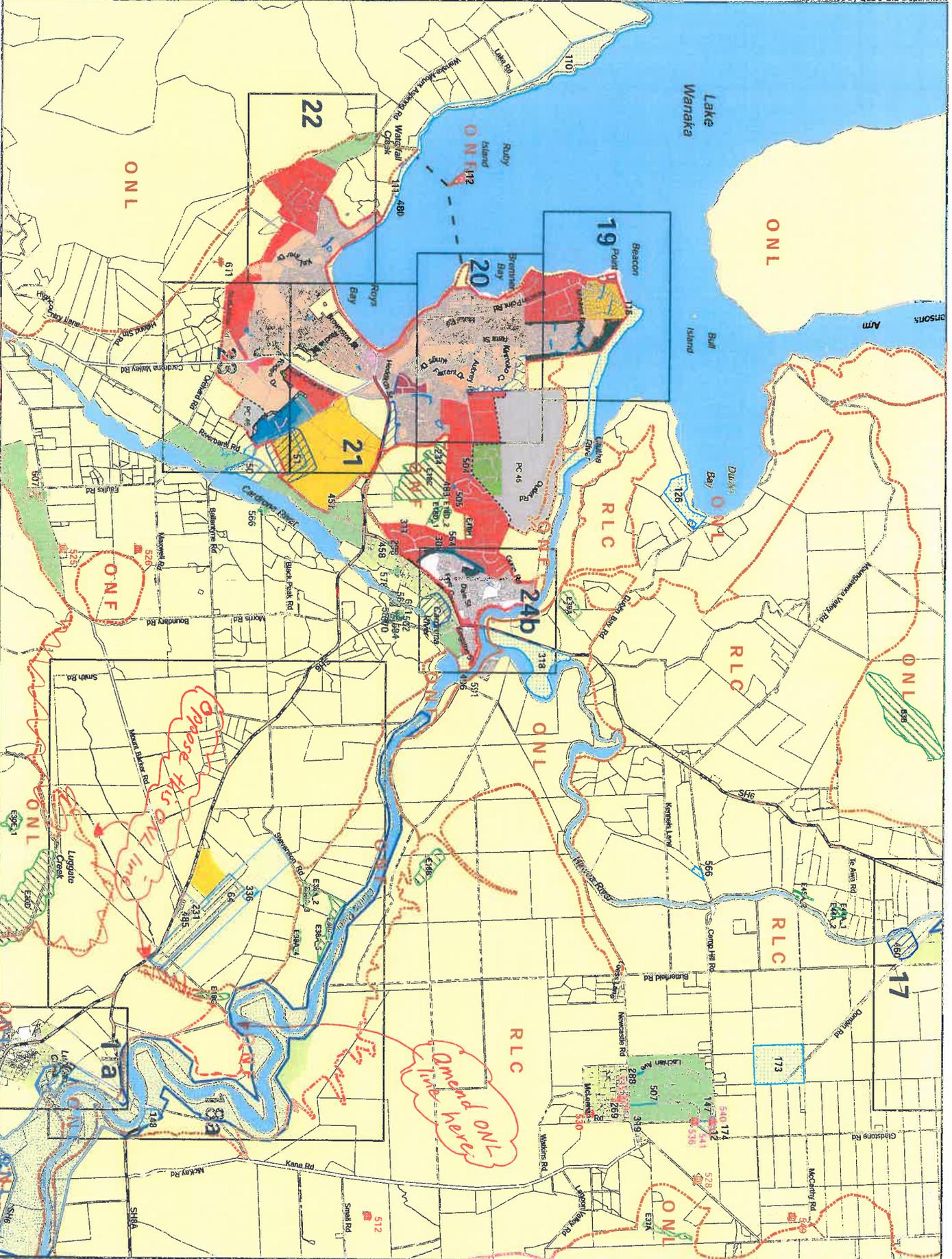
Maps created by QLDC GIS Department



Proposed District Plan Map 18 - Wanaka Rural, Hawea Flat



Date Published: 26/08/2015



Legend	
	Historic Heritage
	Protected Tree
	Parcel/Road Boundary
	Landscape Classification (ONF, ONL, RLC)
	Urban Growth Boundary
	Roads
	State Highways
	Significant Natural Area
	Designated Areas
	Building Restriction
	Rural Industrial Sub-Zone
	Potential Open Space (Stage 2 DP Review)
	Plan Change
	Hydro-Generation Zone (Operative)
	Industrial B (Operative)
	Rural General (Operative)
	Rural Residential (Operative)
	Medium Density Residential
	Local Shopping
	Come
	Low Density Residential
	Business Mixed Use
	High Density Residential
	Large Lot Residential
	Townships (Operative)
	Town Centres
	Industrial A Zone (Operative)
	Rural
	Rural Residential
	Rural Lifestyle
	Open Space
	Zone
	Special Zones
	Water

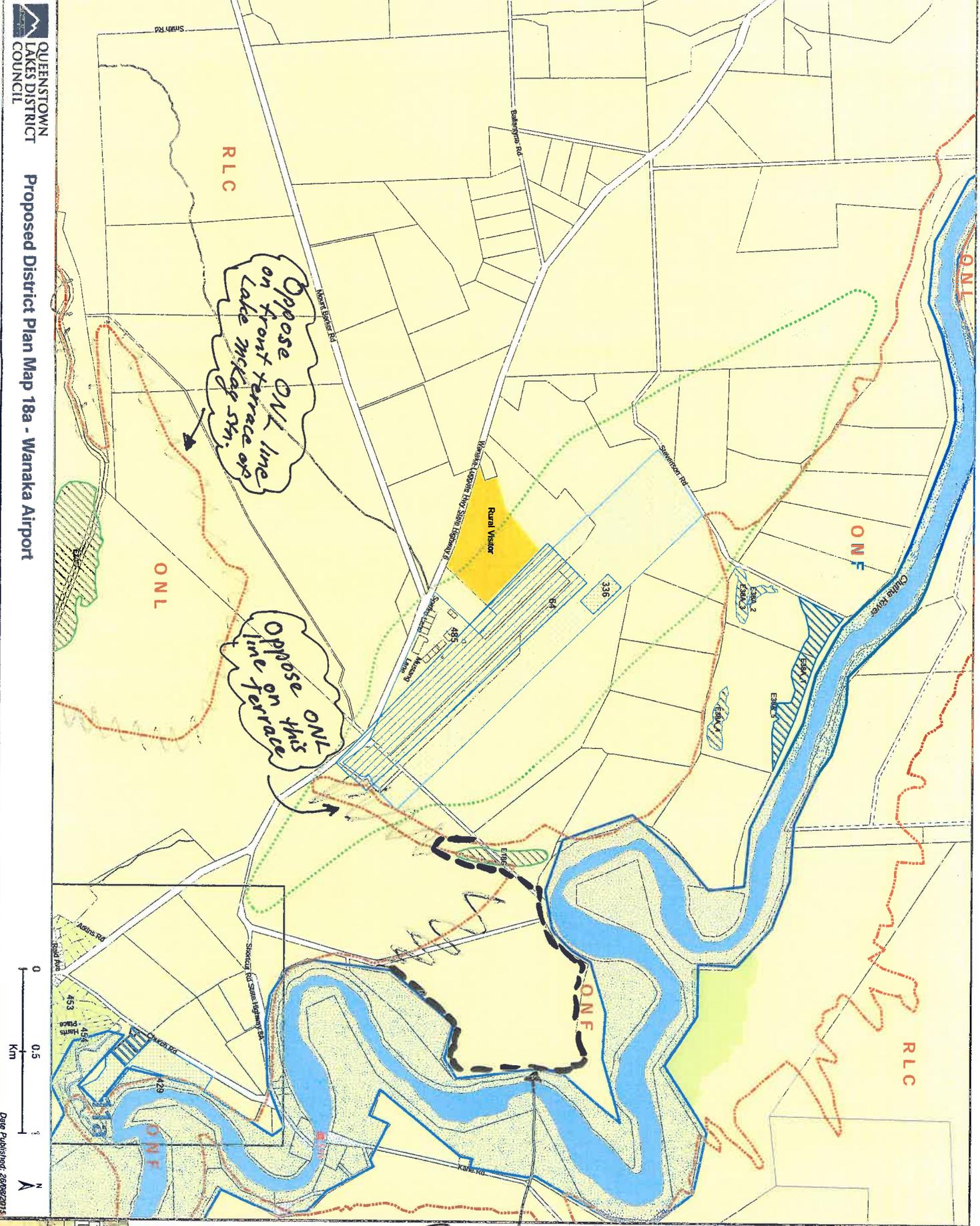
18

Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement

Maps created by QLDC GIS Department

QUEENSTOWN LAKES DISTRICT COUNCIL

Proposed District Plan Map 18a - Wanaka Airport



18a

- Legend**
- Historic heritage
 - Features
 - Perpetual road
 - Boundary
 - Landuse/cover
 - Conservation (ONL/ONL/RLC)
 - Wanaka Airport Outer Control Boundary
 - Significant Natural Area
 - Uniformal Roads
 - Designated Areas
 - Visitor
 - Accommodation
 - Sub-Zone
 - Rural Industrial Sub-Zone
 - Hydro Generation Zone (Operative)
 - Restoration
 - Building
 - Restoration
 - Townships (Operative)
 - Rural
 - Rural Residential
 - Special Zones
 - Water

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL
HEARINGS PANEL**

UNDER The Resource Management Act 1991

IN THE MATTER of the Rezoning Hearing -Stream 12
(Upper Clutha Mapping)

AND
IN THE MATTER of submissions by Lake McKay Station Limited.

**Statement of Evidence of Michael Kelly on behalf of Lake McKay Station
Limited**

**Response to Council S42A Report on Submission 482,
in regard to ONL (Outstanding Natural Landscape) on Lake McKay Station.**



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1. INTRODUCTION

- 1.1. My full name is Michael Robert Kelly. I am a Senior Planning Consultant employed by Opus International Consultants. My qualifications are a Masters of Applied Science degree in Resource Management from Lincoln University and a Bachelor of Science degree in Geology from Victoria University. I have twenty years experience in Planning work in New Zealand under the RMA(1991).
- 1.2. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

2. PURPOSE

- 2.1. The purpose of this report is **a response to the S42A reports** from Council on the **Lake McKay Station submission 482**. The Section 42A Reports from Council that are referred to are:
 - a. Statement of Evidence of Craig Barr on behalf of QLDC – Strategic Overview and Common Themes – 17 March 2017.
 - b. Statement of Evidence of Craig Barr on behalf of QLDC –Group 3 Rural – 17 March 2017.
 - c. Statement of Evidence of Helen Juliet Mellsop on behalf of QLDC – Landscape – 17 March 2017.
- 2.2. Our response includes the following issues;
 - a. On Lake McKay Station there is a range of Landforms from valley floor to ice eroded terraces to foothills and mountains of the Pisa Range. The valley floor and terraces have been modified by farming practices and there are differing opinions as to whether they should be included as ONL.
 - b. Landscape Architect assessment on Outstanding Natural Landscapes are often subjective and varied.
 - c. When Rural zone land is defined as ONL it is severely restricted in changing to an alternative land use.

3. LANDSCAPE ASSESSMENT

- 3.1. It is our view that the proposed ONL on Lake McKay Stn is erroneous and onerous.
- 3.2. In this analysis we have not employed a landscape architect to present another determination of the ONL. Instead we provide an analysis and comparison of the Landscape assessments that have been carried out in recent times for the purpose of defining an ONL.

- 3.3. Submission 482 opposed the ONL line in the PDP where it crossed Lake McKay Station (LMS). The ONL classification in the PDP affects LMS in two main areas;
- a. On the terraces on the south side of Luggate and
 - b. The margin of the Clutha River on the terrace south of Wanaka Airport.
- 3.4. In regard to Area a. - the Landscape south of Luggate - It is generally agreed that there are 3 distinct landscape forms on the south side of the Upper Clutha Valley near Luggate being, the valley floor, the terraces, and the foothills that form the north end of the Pisa Range. (See Photo 1).



Photo 1: View of the Landscape to the south of Luggate: taken from SH8A on the opposite side of the valley.

- 3.5. The landscape studies that were commissioned by the QLDC for the purpose of defining the landscape forms and making recommendation on ONL for the PDP were;
 - a. Landscape Classification Study of the Queenstown Lakes District – Marion Read - March 2014;
 - b. Peer Review of Landscape Assessment; Outstanding Natural Landscape of the Upper Clutha Part of the Queenstown Lakes District – Anne Steven June 2014
 - c. QLDC Landscape categorisation Lines – Paul Smith – July 2015
- 3.6. These reports agreed on the landform types but did not uniformly agree on the boundary for the ONL. In the area south of Luggate Ms Read recommended that the ONL boundary should be at the foot of the terraces. Whereas Ms Steven considered that the terraces were a modified farming landscape and not ONL, and that the boundary of the ONL should be at the base of the foothills. Ms Steven’s ONL line was approximately along the 550m asl contour which was at the same level as the ONL in the neighbouring Central Otago District. The line then lowers to around 400m at the Luggate Creek Gorge and then rises again on Criffel Station to above the modified farm land. A plan from Ms Steven report depicting the different ONL lines is attached in Appendix 1 of this report along with the section of her report describing the landforms on the north end of the Pisa Range.
- 3.7. We consider that Ms Stevens definition of the landscape more accurately defines the natural landscape from the modified landscape and we support this version of the ONL rather than Ms Reads version.
- 3.8. Despite Ms Stevens review the PDP adopted Ms Reads’ definition of the ONL which runs along the boundary between the valley floor and the ice eroded terraces.
- 3.9. Our submission opposed the ONL along the valley floor. We agreed with Ms Steven in that the farmed land on the terraces was a modified farmed landscape (not a natural landscape) and that in our view the appropriate location for the ONL was above the terraces.
- 3.10. In our submission we included two plans that were annotated with our view of the location of ONL boundary line. Helen Mellsops Landscape Report for Council dated 17 March 2017 in a review of our submission notes that there is a discrepancy between the lines shown on the plans with one line at the approximate 550m asl and the other higher at 650masl. There was an error and the line was meant to follow the 550m contour on both plans.
- 3.11. To clarify this we confirm that in our view the ONL should be along the line of the boundary between the terraces and rising foothills of the Pisa Range, which on Lake McKay Station, is fairly uniformly along the 550m asl contour across Dead Horse Creek, Tin Hut Creek and the south branch of Luggate Creek. In our assessment the boundary then lowers to 450m asl where it crosses Luggate Creek gorge and then continues along this contour on Criffel Station, in a westerly direction, to the Cardrona River Valley.

- 3.12. Both Ms Read and Ms Steven's ONL include the Luggate Creek gorge and follow the line of the gorge upstream to the boundary with Criffel station. Ms Stevens line then continues up hill on the Pisa Range, to rise above the modified farm land on Criffel Station. However Ms Reads line continues along the base of the terrace at about the 400m asl contour. We consider that the line should continue along the boundary between the terrace and the rising slopes of the Pisa Range, which is at the 450m contour and is in-between the Steven ONL and Read ONL lines.
- 3.13. This boundary for the ONL was also recommended by Paul Smith in his Report to Council in July 2015.
- 3.14. The Report by Mr Smith was commissioned by Council for the purpose of better defining the ONL boundary at a few places around the Upper Clutha basin where there were discrepancies in defining the ONL. In particular at the base of the Pisa Range on Criffel Station. This report is referenced in the Stream 12 Council Bundle as CB71 and is also attached in Appendix 2 of this report.
- 3.15. In regard to the ONL on Lake McKay Station a recommendation of Mr Smith's was to include the hill on the north side of the Luggate Creek Gorge as an ONL. This hill is labelled as A3KV on the Topographic maps. Neither the Steven or the Read assessments included this hill as ONL. However following the report from Mr Smith this hill was included as ONL when the PDP was notified.
- 3.16. In January 2017 for the purpose of the S42A Report the Council employed a different landscape architect (Helen Mellsop) to assess the landscape affects of the proposed "mapping" submissions on the PDP.
- 3.17. Ms Mellsop's Report is a Statement of Evidence on Landscape dated 17 March 2017. In her Evidence, Ms Mellsop generally agrees with the ONL on Lake McKay Station as it is notified in the PDP.
- 3.18. In regard to the disagreement on ONL lines between Read and Stevens, Ms Mellsop makes the following commentary –

5.2. *I note that Ms Anne Steven, in her peer review of Dr Read's landscape boundaries study [CB70], has stated that for a landscape to qualify as an ONL it must be determined to have at least a moderately high level of natural character. This has led her (in her peer review) to recommend exclusion of some areas from larger ONLs on the basis that they were not sufficiently natural. Ms Steven's recommended landscape boundaries are sought by some submitters. I disagree with the suggested requirement that an ONL must have a specified level of natural character. A landscape may be significantly modified by farming activities and pasture improvement but still be recognised as an ONL for other reasons (eg striking topography or cultural/associative values). I understand that this principle has been confirmed by the Environment Court in Upper Clutha Tracks Trust v Queenstown Lakes District Council (the Parkins Bay decision*

5.3 *Late in the process of PDP preparation, I understand that alternative landscape boundaries in the vicinity of Criffel Station and for the Glenfoyle escarpments in south-east Hawea were recommended by Mr Paul Smith, landscape architect, of Vivian and Espie Limited. These recommended changes were included in the notified PDP. I understand they were not reviewed by any other landscape architect.*

- 3.19. Later in Ms Mellsops report a review of the ONL on Criffel and Lake McKay Stations is carried out and a change to the ONL is recommended on the basis of a different interpretation of the Landscape. The following explanation is provided in Ms Mellsops report for the amendment of the ONL line to exclude the Knob A3KV.

8.33 At Criffel Station, the till and glacial outwash gravels at the base of the ranges have been eroded by subsequent fluvial action to form a terrace and escarpment system. From closer viewpoints on Mount Barker Road and Ballantyne Road the terraces are not highly visible and the vegetation-covered escarpments appear part of the mountain range behind (refer Photograph 7 below). From more distant elevated viewpoints the terraces are legible and it is clear that they form an extension of the terrace system that wraps around Knob A3KV (refer to Figure 5 and Photograph 8 below). This hill and a smaller conical hillock on the Criffel Station terrace consist of lateral moraine remnants over schist bedrock and are of a different landscape character to the mountains behind. I therefore recommended that the majority of Knob A3KV be excluded from the ONL.

- 3.20. The relevant photos and plans from Ms Mellsops Report are attached in Appendix 3.
- 3.21. Based on the interpretation in Ms Mellsops report to exclude Knob A3KV we consider that the same interpretation could be applied to the Mid-run area on Lake McKay Station (ie. the rounded hill forms of lateral moraine remnants over schist bedrock as described for A3KV are similar in form to the rounded hill mounds in the Mid run area.) Therefore the mid-run area could also be excluded from the ONL classification. The boundary for the ONL would then be further back and along the next boundary between landforms which is the 550m contour at the base of the foothills.
- 3.22. However the point to note here is that four landscape architects have assessed the landscape on Lake McKay Station and the line of the ONL has been amended for each one of the assessments.
- 3.23. The Assessments from these reports illustrates two things to us;
- a. This area is not easy to assess for landscape values.
 - b. Landscape architects have varying views on how to assess ONLs.
- 3.24. Given the varying interpretation of the land forms in this area it would make sense to leave this land out of an ONL classification and to establish the ONL boundary at the higher altitude along the foothills of the Pisa Range (along the 500m contour line) as this boundary appears to be accepted in all four assessment as an ONL.

4. THE ONL IS ONEROUS SO NEEDS TO BE APPLIED CAREFULLY.

- 4.1. Given this situation I move onto the third point of our submission:
- a. The classification of land as ONL, and the Policies in the PDP on ONLs, severely restrict the range of land uses that are possible for Rural land.
- 4.2. This is illustrated in Chapter 6 - Landscapes – in the wording for the Policies on development in ONL and the RLC landscapes as follows;

6.3.1.3 That subdivision and development proposals located within the Outstanding Natural Landscape, or an Outstanding Natural Feature, be assessed against the

assessment matters in provisions 21.7.1 and 21.7.3 because subdivision and development is inappropriate in almost all locations, meaning successful applications will be exceptional cases.

6.3.1.4 That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.

- 4.3. The wording in Policy 6.3.1.3 creates a very high hurdle for any proposed development in an ONL area that involves a change in land use.
- 4.4. Although the Strategic direction of the Plan describes that the Landscape classification should not be overly restrictive on the continuation of farming in an ONL area. However there are rules in the PDP that restrict the development of a farm business even without changing the land use activity.
- 4.5. In Chapter 21 Rural - the Rules in Table 4 - 21.5.18. – the construction of a farm building in an ONL is restricted to less than 4m in height and less than 100m² in ground floor area in comparison to the RLC classification where the permitted activity for a shed is less than 5m in height and less than 300m² in area.
- 4.6. Again we are not disputing these Rules as it is agreed that it is reasonable to restrict the size of farm buildings in an ONL area. But what we are disputing is that once an area is classified as ONL then normal farm development is restricted so we need to be sure of the difference between a modified farm landscape and an Outstanding natural landscape.
- 4.7. For example on Lake McKay Station following the development of the irrigation on the Tin Hut Creek terrace area there are plans to construct sheds for storing winter feed. If this area is classified as ONL then the size of the sheds that can be constructed as a permitted activity are smaller than the usual economic size for a winter feed storage shed.
- 4.8. The Council S42 Reports have advised that they are reluctant to allow a change to Rural Residential/ Lifestyle zones in the terraces area on Lake McKay Station and have also advised that some sparse discrete residential development may be acceptable and would be better pursued by application for resource consent rather than a change of zone.
- 4.9. We contend that an application for a resource consent for a residential activity or a tourist activity (if it involves a building or a structure) will be virtually prohibitive in an area that is classified as ONL under the new Objectives and Policies in the PDP.
- 4.10. And therefore once a land area is classified as ONL then there is no flexibility in the future use for that land as it will only be feasible to carry on farming it.
- 4.11. For these reason we emphasise that it is necessary to be very clear about what is a ONL.
- 4.12. Further in areas like the terraces and the mid-run area on Lake McKay Station where there are differing opinions as to whether these landforms are ONL and where due to the lesser slope, undulating surface, and lower altitude it is possible to carry out discrete development that does not affect the landscape views then it would be fairer to leave the land classified as RLC.
- 4.13. In contrast to other land forms where there are steeper slopes and broad open faces in the land form, such as the foothills of the Pisa Range, where it would be difficult to carry out any development without it being visible from across the valley. These are generally the landscapes that everyone would agree are ONL and these should be the predominant landscapes that are classified as ONL

- 4.14. Determination of the classification of the landscape for any area under the 550m contour line on LMS should be left to determination when required on a case by case basis when a resource consent is applied for.

5. THE CLUTHA RIVER ONL

- 5.1. In our submission 482 we requested a change to the ONL boundary on the eastern end of the land owned by Lake McKay Station near the Clutha River. This is the irrigated land on the lower terrace at the south end of the Wanaka Airport.
- 5.2. At this location the ONL line recommended by Ms Steven was adopted by the PDP which is the line that runs along the foot of the terrace on which LMS has an existing centre Pivot irrigator.
- 5.3. Further east from this line is a broad terrace that is land owned by the Pittaways and has previously been farmed. Beyond this broad terrace is the Rekos Point conservation area (see the Plan attached to our submission entitled "Clutha River Corridor").
- 5.4. Ms Read placed the boundary of the ONL between the Pittaways land and the Conservation land and we agree with this location of the ONL as it a more definite boundary between modified farm land and natural landscape.
- 5.5. We note that Figure 4 in Ms Mellsops report showed our preferred boundary for the ONL extending into the Rekos Point conservation area which was not the case. Our submission only promoted adopting Ms Read's ONL boundary at this location.

Appendix 1

Excerpts of Report:

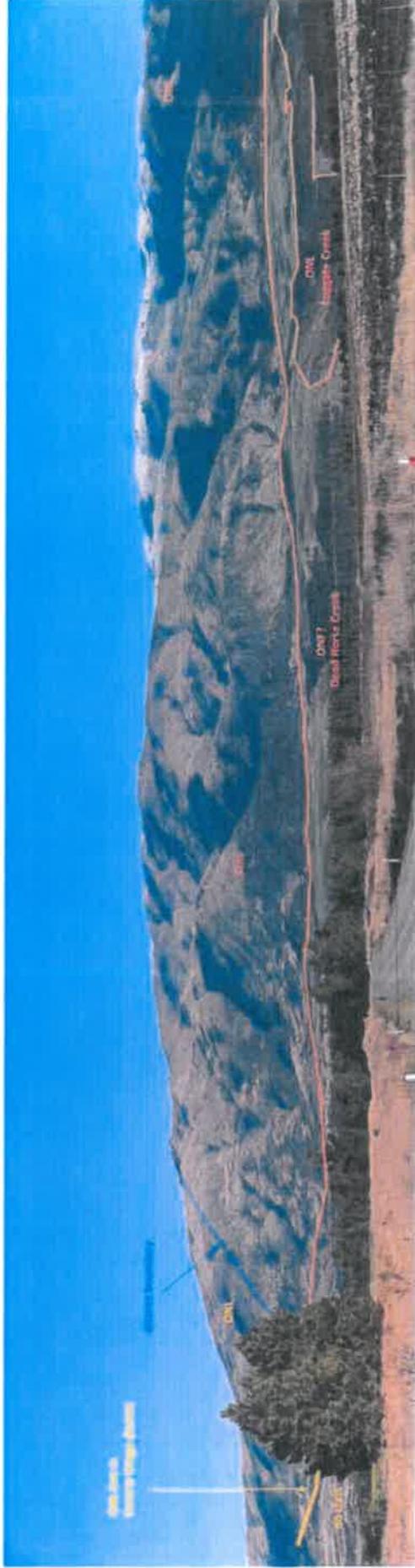
Peer Review of Landscape Assessment; Outstanding Natural
Landscape of the Upper Clutha Part of the Queenstown Lakes
District – Anne Steven June 2014

North End of Pisa and Criffel Range (Luggate Area) (see Plans Pisa Range-Luggate and Mt Barker-Hillend)

Marion has adopted the Environment Court ruling in the Bald Developments case C055/2009 which decided the site (at least) was outstanding pastoral landscape. Evidence given by Di Lucas was that all the landscape from the base of the hill to the range summit is ONL.

My opinion is that the middle lands of ice-scoured bedrock and moraine veneer is not sufficiently natural. Like the northeast side of Mt Brown, there is a balance of very modified cultivated farmland in paddocks with unnatural patterns of vegetation clearance lying on the smoother moraine veneer lands between very natural incised wooded gorges. This country is not as impressive as other parts and is not a major part of the backdrop generally seen from the basin floor areas to the north. The rock bluffs and Kanuka woodlands around the base of the hills, next to SH6, are very natural with high visual appeal however.

I assess the lower margin of rocky outcrops and kanuka woodland to be an area of ONL, between the district boundary and Luggate township; and, generally, the steeper slopes, bluffs and mountain lands above the farmed plateau to be ONL. This is consistent with the assessment in the Central Otago district. The hill slopes of Criffel Station closer to Mt Barker are considered too modified and scarred by tracking and fence lines to be able to be part of the ONL, being contiguous with modified lands below. Their topography and vegetation is also rather non-descript. The lumpier ice scoured rocky terrain with a greater coverage of Kanuka woodland between the impressive Luggate Creek gorge and Alice Burn is considered natural and striking enough to be ONL.



View of Pisa Range between south boundary and Alice Burn from Kane Road, showing ONL line



Pisa Range viewed from Watkins Road showing assessed ONL line (June 2014)

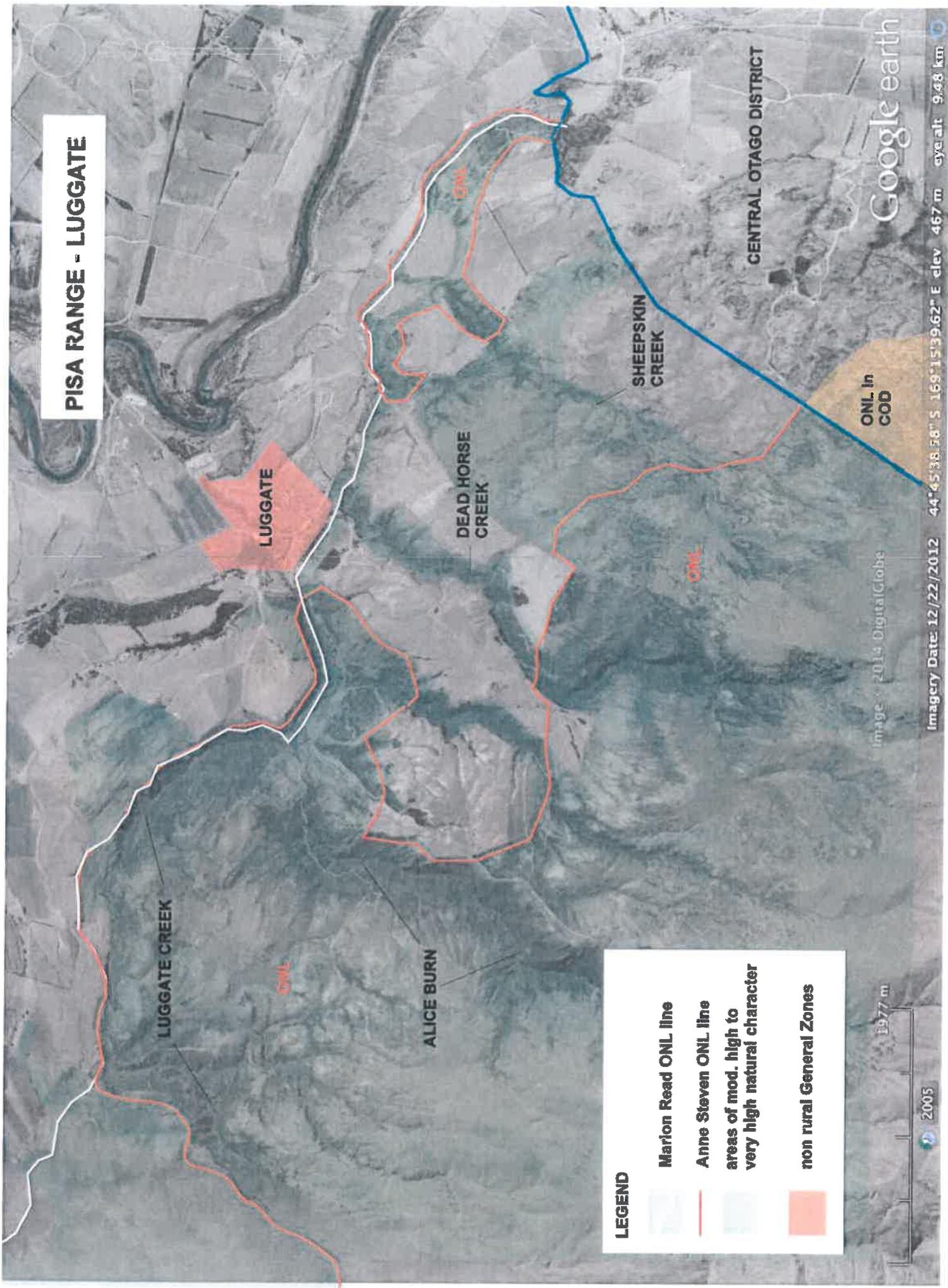


Pisa and Criffel Ranges viewed from Ballyntyne Road showing assessed ONL line (June 2014)



Pisa and Criffel Range viewed from Dublin Bay Road showing assessed ONL line (June 2014)

PISA RANGE - LUGGATE



LEGEND

- Marion Read ONL line
- Anne Steven ONL line
- areas of mod. high to very high natural character
- non rural General Zones



MT BARKER - HILLEND

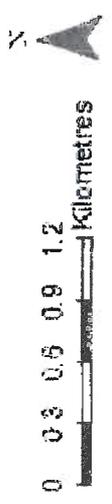
LEGEND

- Marlon Read ONL line
- Anne Steven ONL line
- areas of mod. high to very high natural character
- non rural General Zones

used to determine the location of the boundary of the proposed planning zone. To the extent possible, the Council has endeavored to ensure that the proposed planning zone is consistent with the objectives of the Resource Management Act 1991 and the Resource Management Act 1991. The Council has endeavored to ensure that the proposed planning zone is consistent with the objectives of the Resource Management Act 1991 and the Resource Management Act 1991. The Council has endeavored to ensure that the proposed planning zone is consistent with the objectives of the Resource Management Act 1991 and the Resource Management Act 1991.

Mt Barker to Hillend

27 May 2006



Appendix 2

QLDC Landscape Categorisation Lines – Paul Smith – July 2015

TO: CRAIG BARR, QUEENSTOWN LAKES DISTRICT COUNCIL

SUBJECT: QLDC LANDSCAPE CATEGORISATION LINES

REPORT PREPARED BY: PAUL SMITH (LANDSCAPE ARCHITECT)

REPORT REVIEWED BY: BEN ESPIE (LANDSCAPE ARCHITECT)

DATE: 20TH JULY 2015

INTRODUCTION

1. The purpose of this memo is to identify the landscape categorisation line that separates the Outstanding Natural Landscape (District Wide) (ONL(DW)) from the Visual Amenity Landscape (VAL) situated within and in the vicinity of Criffel Station, and why three escarpment faces located in south Hawea, in the vicinity of McKay Road and SH8 are incorrectly categorised as an ONF.

CRIFFEL RANGE

Brief description of the Criffel Range and its surrounds

2. I produced a landscape and visual effects assessment report regarding subdivision in the eastern part of Criffel Station in February 2014¹ (my 2014 report). My 2014 report describes the landscape character of the northern slopes of the Criffel Range as follows:

*"The mountainous slopes of the Criffel Range meet a number of terraces that rise up from the basin floor. These terraces and their associated escarpment faces are visually distinguishable from the rugged mountain slopes and they are of different geomorphology and geology to the mountain slopes. They have deeper, more fertile soils and therefore have been modified by farming much more than the mountain slopes. It is visually apparent that they are utilised for agricultural crop production and other farming purposes that are similar to those that occur on the floor of the Upper Clutha Basin."*²

*"The lower terrace is at a similar elevation to Mt Barker Road. The upper terrace comprises of a large area of verdant paddocks and is separated from the lower terrace by a steep escarpment face that is up to 40 metres in height."*³

¹ Vivian+Espie Ltd; Paul Smith; 13th February 2014; Criffel Station – Land Use and Subdivision Proposal – Mt Barker Road, Wanaka – Landscape and Visual Effects Assessment Report.

² Ibid. Paragraph 7

³ Ibid. Paragraph 11

3. The upper terrace extends from approximately Knob A3KV to the ridgeline that the Criffel Diggings Track is located on. The lower terrace is practically part of the floor of the Upper Clutha Basin as it is at a similar elevation to Mt Barker Road. However the western end of this terrace, near the southern toe of Mt Barker, it is separated from Mt Barker Road by an escarpment face.
4. South and east of the upper terrace is Knob A3KV that stands approximately 562 masl, similar in height to Mt Barker, and is separated from the Criffel Range by Luggate Creek. It is visually apparent that this hill has been managed in a similar manner to the upper slopes of the Criffel Range. When viewed from the surrounding areas it is difficult to distinguish this hill from the Criffel Range.

"The overall character of the northern slopes of the Criffel Range landscape, the values associated with it and their significance are that of a relatively dry and tussock dominated open landscape that is for the most part only utilised by high country farming. Appreciation of these slopes can be gained from the wider reaches of the Upper Clutha Basin and the surrounding elevated areas"⁴

5. In summary, the terraces located at the toe of the Criffel Range have been modified over a number of decades for farming purposes. These terraces and the values associated with them evidently differ from the slopes of Criffel Range and have much in common with the floor of the Upper Clutha Basin.

The landscape categorisation line

6. Categorising the landscapes of a district into outstanding natural landscapes and landscapes that are not both outstanding and natural is an exercise that must obviously be done at a very large scale.
7. A report produced by Dr Marion Read⁵ outlines her opinion of the location of the landscape categorisation line along the northern toe of the Criffel Range. Dr Read's assessment of this landscape categorisation line was reviewed by Ms Anne Steven⁶. Ms Steven opined the landscape categorisation line to be located differently to Dr Read. Dr Read produced a

⁴ Ibid. Paragraph 8.

⁵ Read Landscapes; Dr Marion Read; 1st April 2014; Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features.

⁶ Anne Steven Landscape Architect; Anne Steven; June 2014; Peer Review of Landscape Assessment - Outstanding Natural Landscape of the Upper Clutha Part of the Queenstown Lakes District - For the Queenstown Lakes District Council.

"Post Review Amendments Report"⁷ which took into consideration Ms Steven's assessment. In this report Dr Read concluded that she did not accept Ms Steven's position on the location of this line.

8. Dr Read's report describes the landscape categorisation line from the District boundary east of Luggate township to west of Mount Barker as stated below and as shown on Appendix 1 and 2 of this memo.

*"In my opinion the boundary of this ONL should follow the base of the Pisa Range from the District boundary skirting around behind Luggate along the boundary of the residential zoning and then follow the true right bank of Luggate Creek. It should cross the creek to the south of the knob 'A3KV' to incorporate the bluff system beyond its left bank within the ONL. The line should then follow the southern and western edge of the north facing terrace until the vicinity of Mount Barker is reached. This incorporates the farmed terraces within the ONL(DW) and is consistent with the Environment Court's decision in the Bald Developments case."*⁸

9. My 2014 report assessed the landscape categorisation of Criffel Station and briefly describes the distinguishable characteristics that define the location of the landscape categorisation line as stated below.

*"This boundary line shown on Appendix 8B – Map 1 of the District Plan does not extend east to the immediate vicinity of Criffel Station since this vicinity has not been examined in detail by any past Environment Court proceedings."*⁹

*"I consider that there are significant distinguishable characteristics between the Criffel Range mountainsides and the terraces that are immediately adjacent to the floor of the Upper Clutha Basin. These terraces share many characteristics with the basin floor. Overall, I consider the landscape category boundary extends east along the toe of the mountain range and along the upper edge of the terraces as is shown on Appendix 2 of this report."*¹⁰

10. The landscape categorisation line as shown on Appendix 2 of my 2014 report is shown on Appendix 1 and 2 of this memo. I disagree with Dr Read's landscape categorisation line for the following reasons:

- The northern slopes of the Criffel Range are of a relatively dry, tussock-dominated, extensively managed, open landscape. This landscape character differs to that of

⁷ Read Landscapes; Dr Marion Read; 16th October 2014; Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments.

⁸ Ibid. Paragraph 3.7.5.1.

⁹ Ibid. Paragraph 10.

¹⁰ Ibid. Paragraph 12.

the terraces that have been utilised for more intensive agricultural purposes for many decades. The landscape character and the activities that occur on these terraces are identical to those of the floor of the Upper Clutha Basin.

- The location of Dr Read's landscape categorisation line is somewhat contradictory in relation to the justification set out in her report for the following reasons:
 - Dr Read's line ascends/descends the escarpment face immediately east of Smith Road in a way that does not relate to landform. Dr Read's line does not consistently follow the toe or the top of the escarpment.
 - The terrace that Dr Read considers to be part of the ONL(DW) is a relatively small part of the overall terrace system located at the toe of the Criffel Range. Dr Read considers the remainder of this relatively large terrace not to be categorised as part of the ONL.
 - Dr Read's line bisects a flat paddock area of the terrace, in a way that is unrelated to landform, so as to include a bluff system immediately west of Knob A3KV.
 - The bluff system has similar landscape characteristics to much of Knob A3KV, however Dr Read does not include Knob A3KV in the identified ONL.

11. Taking into account all of the above, I consider that the landscape categorisation boundary line should be drawn as shown by the red line on Appendix 1 and 2 of this memo.
12. In summary, the vast, open, rugged, steep, extensively farmed mountain slopes of the Criffel Range have a landscape character that is consistent with an ONL categorisation. The flat, verdant, intensively farmed terraces and valley floor have a landscape character that is consistent with a RLC categorisation.

THE THREE ESCARPMENTS FACES

13. Part of an escarpment face located within the vicinity of the McKay and Luggate-Tarras Road intersection has been categorised as being an ONF, as can be seen on Appendix 3. The two escarpment faces that separate the large terrace system located south-west of the

Grandview Mountain Range have been categorised as being ONFs, as can be seen on Appendix 3.

14. I produced a landscape and visual effects assessment report regarding a land use proposal within the Lagoon Valley Dairies Ltd, a farming property situated north of this terrace system, in January 2015¹¹ (my 2015 report). My 2015 report briefly describes the landscape character of the terrace system as follows:

*"The western side of the Grandview Mountain Range abruptly ends as it adjoins the eastern edge of the Upper Clutha Basin. In the vicinity of the Clutha River and the Crook Bum, the Grandview Mountain Range forms a number of terraces that descend down to the basin floor. These terraces and their associated escarpment faces are visually disguisable from the rugged mountain slopes and they are of different geomorphology and geology, being of deposited rather than up-thrust material. They have deeper, more fertile soils and therefore have been modified by farming much more than the mountain slopes. It is visually apparent that they are utilised for agricultural crop production and other farming purposes that are similar to those that occur on the floor of the Upper Clutha Basin. In many cases these terrace lands have deeper soils than the valley floor and hence are more useful for production."*¹²

15. Dr Read's "Post Review Amendments Report"¹³ took into consideration Ms Steven's assessment. In this report Dr Read concluded that she accepts Ms Steven's position on the terrace scarp's being an ONF. *"Ms Steven, while excluding the mountains from the ONL wishes to include the Glenfoyle Terrace Scarps as ONF. I consider that her reasoning for this is sound and I have amended the maps accordingly."*¹⁴

16. I disagree with Dr Read adopting these escarpment faces as being ONFs for the following reasons:

- ONFs identified within the Queenstown Lakes District include hills, river corridors, islands, lakes and other natural features that are distinct from their surroundings. Examples include the Shotover Gorges, Roys Peninsula, Mt Iron, Mt Barker and Slope Hill. The escarpment faces in question are part of the terrace system that extends south-west of the Grandview Mountains. They are inextricably linked to the terrace tread and to the greater landscape. I do not consider that they are

¹¹ Vivian+Espie Ltd; Paul Smith; 27th January 2015; C Wing & L Rickman – Land Use Proposal – Kane Road, Wanaka – Landscape and Visual Effects Assessment Report.

¹² Ibid. Paragraph 10.

¹³ Read Landscapes; Dr Marion Read; 16th October 2014; Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features: Post review amendments.

¹⁴ Ibid. Paragraph 3.6.4.

sufficiently distinct from their context to be considered as features. They are not independent from their surroundings.

- The relevant escarpment faces are geomorphologically legible and are visually interesting. However, I do not consider that they can be said to stand out from the rural landscapes and features of the district in terms of landscape merit. They are simply not remarkable or valuable enough to be termed outstanding. To do so would be to devalue the term outstanding within our district; to set the bar to low which may have significant consequences. Obviously it is the case that there are many visually prominent and geomorphologically interesting parts of our rural landscapes that are valued in their current state. This does not mean that we need to stretch the definition of the term outstanding to include them. They can sit comfortably within our non ONL landscapes and still gain appropriate protection by the District Plan's provisions.
- The escarpment face separating the elevated terrace at the toe of the Criffel Range from the Upper Clutha Basin that lies further to the north has not been categorised by Dr Read or Ms Steven as ONL or ONF. This seems inconsistent and weakens the case for the identified escarpments to be included.
- The vegetation cover on these escarpment faces varies. There is some native grey shrub cover but there is also considerable pasture grass cover. Again I consider this weakens the case that the escarpment faces are distinct features or are outstanding.

17. In summary, the escarpment faces that have been identified by Dr Read are simply parts of the greater landscape in the way that many escarpments or other pieces of landform throughout the district are. They are not significantly distinct from their surroundings to be features in their own right. Similarly they are not remarkable enough in terms of natural, physical, perceptual or associative factors to be termed outstanding. I consider they should be categorised as the surrounding landscape.



REF: 0375 Appl
DATE: 20.07.2015
SCALE: NOT TO SCALE

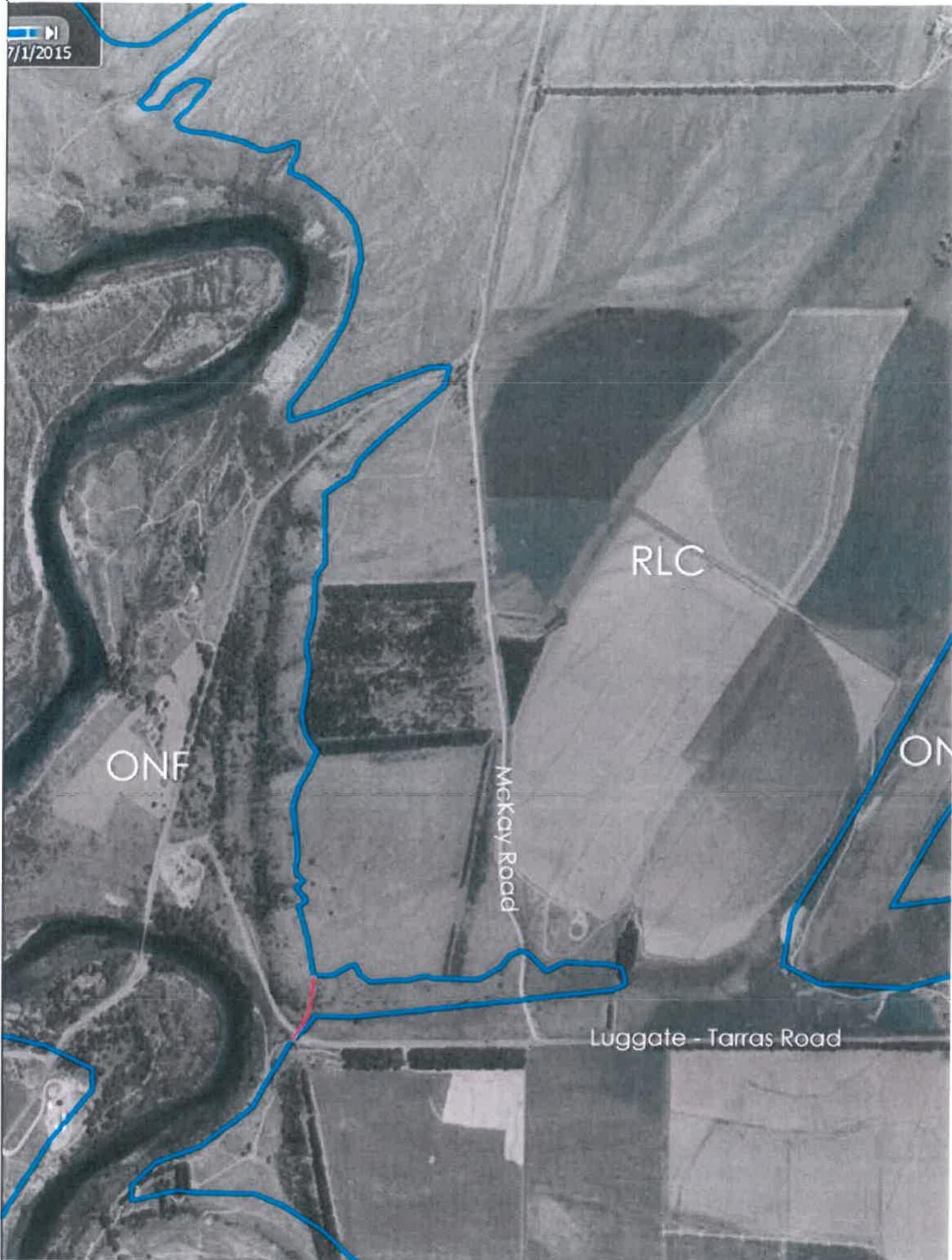
Appendix 1: Landscape



Knob A3KV

REF: 0975_A3KV.2
DATE: 20 07 2015
SCALE: NOT TO SCALE

Appendix 2: Landscape



Appendix 3

Excerpts from;

Statement of Evidence of Helen Mellsop on Behalf of QLDC

Landscape - 17 March 2017

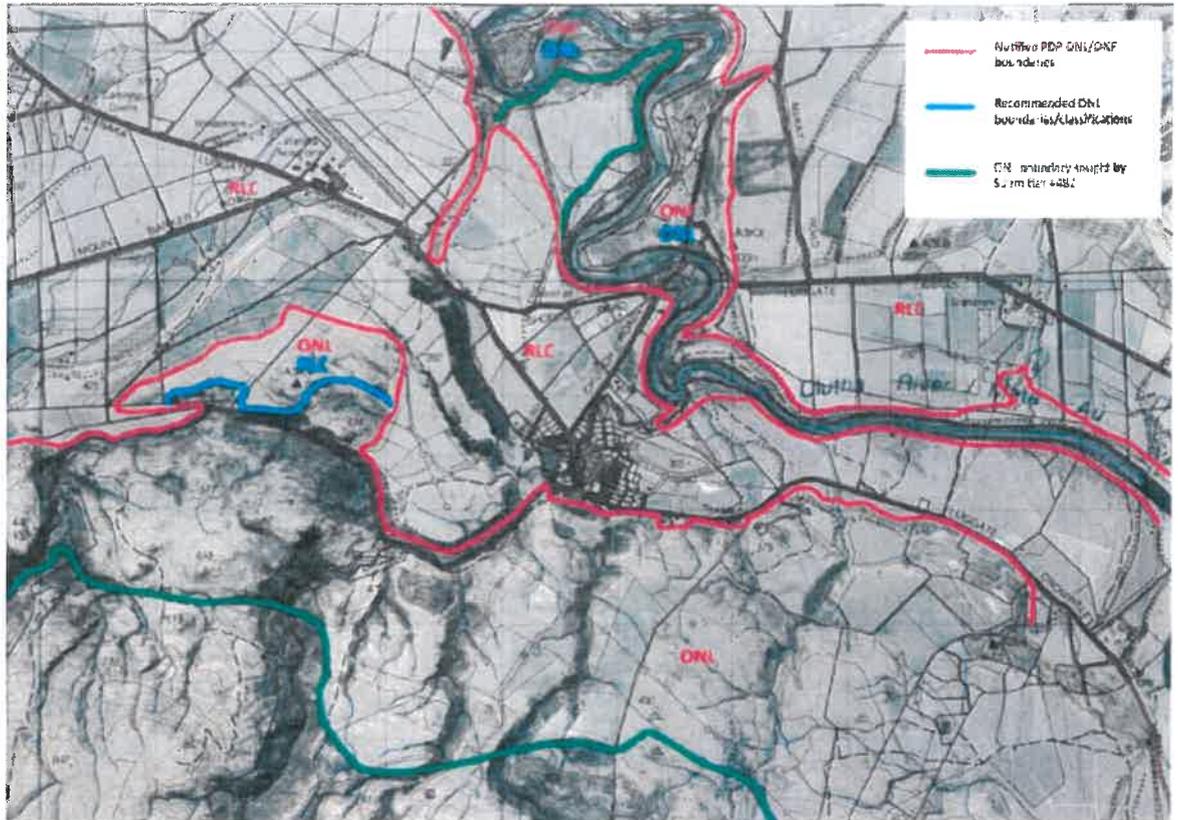


Figure 4: Notified and recommended ONL boundaries on and near Lake McKay Station, and ONL boundaries sought by the submitter.

Northern end of Pisa/Criffel Range from Luggate Creek gorge to Mount Barker

8.30 In Dr Read's landscape boundaries report [CB68], Ms Steven's peer review [CB70] and Mr Smith's assessment [CB71], there were differences of opinion in regard to the appropriate location of the ONL boundary at the northern end of the Criffel and Pisa Ranges on Criffel Station and LMS. The boundaries recommended by Mr Smith were included in the notified PDP. LMS has sought a boundary roughly following the 600 above mean sea level (amsl) contour (refer Figure 6 below), though the boundaries sought are somewhat contradictory on the two maps appended to the submission: LMS has sought this boundary change on the basis that indigenous vegetation clearance and pasture improvement has been undertaken on the slopes below 600 amsl and that this part of the range has a modified farming character.

8.31 Having visited the area and assessed the landscape character and values I am largely in agreement with Mr Smith's boundary on Criffel and Lake McKay stations, but with one modification to correct an

inconsistency in his reasoning. The northern end of the Criffel/Pisa range, which is recognised as an ONL, is a complex landscape where the ice-eroded schist mountains meet glacial lateral moraine remnants, mounds and terraces of glacial till and outwash plain terraces. On both properties, the ice-eroded shoulder of the range below 600 amsl does include some areas of gentler contour and moraine remnants overlaying schist bedrock.

8.32 However as with the northern Pisa Range to the east, the lower ice-eroded shoulder that is sought to be excluded is a visually coherent part of the mountain landscape, despite the areas of improved irrigated pasture and cropping (refer **Photograph 8** below). It is also an integral part of the ONL from a geomorphological perspective.

8.33 At Criffel Station, the till and glacial outwash gravels at the base of the ranges have been eroded by subsequent fluvial action to form a terrace and escarpment system. From closer viewpoints on Mount Barker Road and Ballantyne Road the terraces are not highly visible and the vegetation-covered escarpments appear part of the mountain range behind (refer **Photograph 7** below). From more distant elevated viewpoints the terraces are legible and it is clear that they form an extension of the terrace system that wraps around Knob A3KV (refer to **Figure 5** and **Photograph 8** below). This hill and a smaller conical hillock on the Criffel Station terrace consist of lateral moraine remnants over schist bedrock and are of a different landscape character to the mountains behind. I therefore recommended that the majority of Knob A3KV be excluded from the ONL.



Photograph 7: View towards terrace escarpments at Criffel Station from Smith Road (panorama stitched from 3 photographs taken at 50mm lens equivalent at 3.22pm on 4/12/16).



Photograph 8: View towards northern end of Pisa/Criffel ranges from Mount Iron (panorama stitched from 2 photographs taken at 50mm lens equivalent at 10.00am on 4/12/16).

- 8.34** Given the complex topography of this area and the varying levels of naturalness I consider the most defensible method of determining the ONL boundary is on geomorphological and visual integrity grounds. The edge of the schist mountain runs along the rear of the terraces on Criffel Station, roughly in the location of the notified PDP line and to the north of Luggate Creek gorge on the southern side of Knob A3KV (refer **Figure 5** below). This geological boundary is reflected in the landform and vegetation, with rougher steeper ground and greater indigenous vegetation cover within the schist areas, and more even contours and less indigenous vegetation on the terraces and lateral moraines. The recommended ONL boundary, following these changes in geology, landform and land cover is shown in **Figure 6** below and in **Figure 4** above.

Mike Kelly for Lake McKay Station - Summary of Evidence - 01 June 2017
Upper Clutha Mapping - Hearing Stream 12

1. My name is Mike Kelly and I am a Senior Resource Management Planner with Opus International Consultants. I have been engaged by Lake McKay Station Ltd (LMS) to make submissions on their behalf on the Proposed District Plan. I am the author of the following submissions, numbers 439, 482, 483, and 484 and this summary statement addresses each of these submissions.
2. Submission 439 - SNAs on Lake McKay Station. Our initial submission raised 4 issues on SNAs as follows:
 - a. Requested Adjustment of the boundaries for several SNAs,
 - b. The cost of pest control and rates remission
 - c. Concern with the QLDC consultation process for SNAs
 - d. Threatened Environments Classification and opposition to Rule 33.5.3
3. Colin has addressed the issue of cost and lack of consultation. Our opposition to Rule 33.5.2 and the use of the Threatened Environment Classification Maps was discussed in Hearing Stream 2, May 2016 and the wording in the rules was subsequently clarified. The issue that is being addressed in Stream 12 is on the SNA boundaries which I will comment further on.
4. The requested amendment to the boundaries of the SNAs is to allow corridors for existing farm roads. Initially we requested sections of the proposed SNAs to be left out of the SNAs, predominantly this was land on either side of the existing farm roads, but also in the case of the SNA E30A (Dead Horse Creek) the land in the middle section of the SNA was sparse on kanuka and had potential for development to grazing pasture.
5. The reason for requesting corridors for roads is that any upgrade to the roads that was more than maintenance would require resource consents and the services of an ecologist to support the application. This is costly and time consuming, for the land owner.
6. We have taken note from Mr Davis's rebuttal evidence that the Rules of the underlying Rural Zone for land within a "Threatened Environment Classification (TEC)" area would be the same and also require consent for any clearance of indigenous vegetation of greater than 50m². However from my interpretation of Rule 33.5.3, if the area of the site is greater than 10ha, then up to 500m² of clearance is allowed as a permitted activity in the Rural zone within a TEC area as opposed to only 50m² within an SNA.
7. We are also aware of the recent decision from the High Court in the case Royal Forest and Bird Vs Christchurch City Council, 3 May 2017, NZHC 865; which found that "the significance of an area of indigenous vegetation is determined firstly by its ecological values" and "the relevance of land use practices is limited to the next step where Council determines appropriate ways to manage the site".

- a requirement for a landscape plan to achieve screening of built form on site (which could include retaining the trees on the front of the terrace until other plantings are established).
36. I consider that the site specific controls can be applied in a Rural Lifestyle zone and are recommended in the provisions to be included in Chapters 27 and 22 of the PDP (see appendix 4)

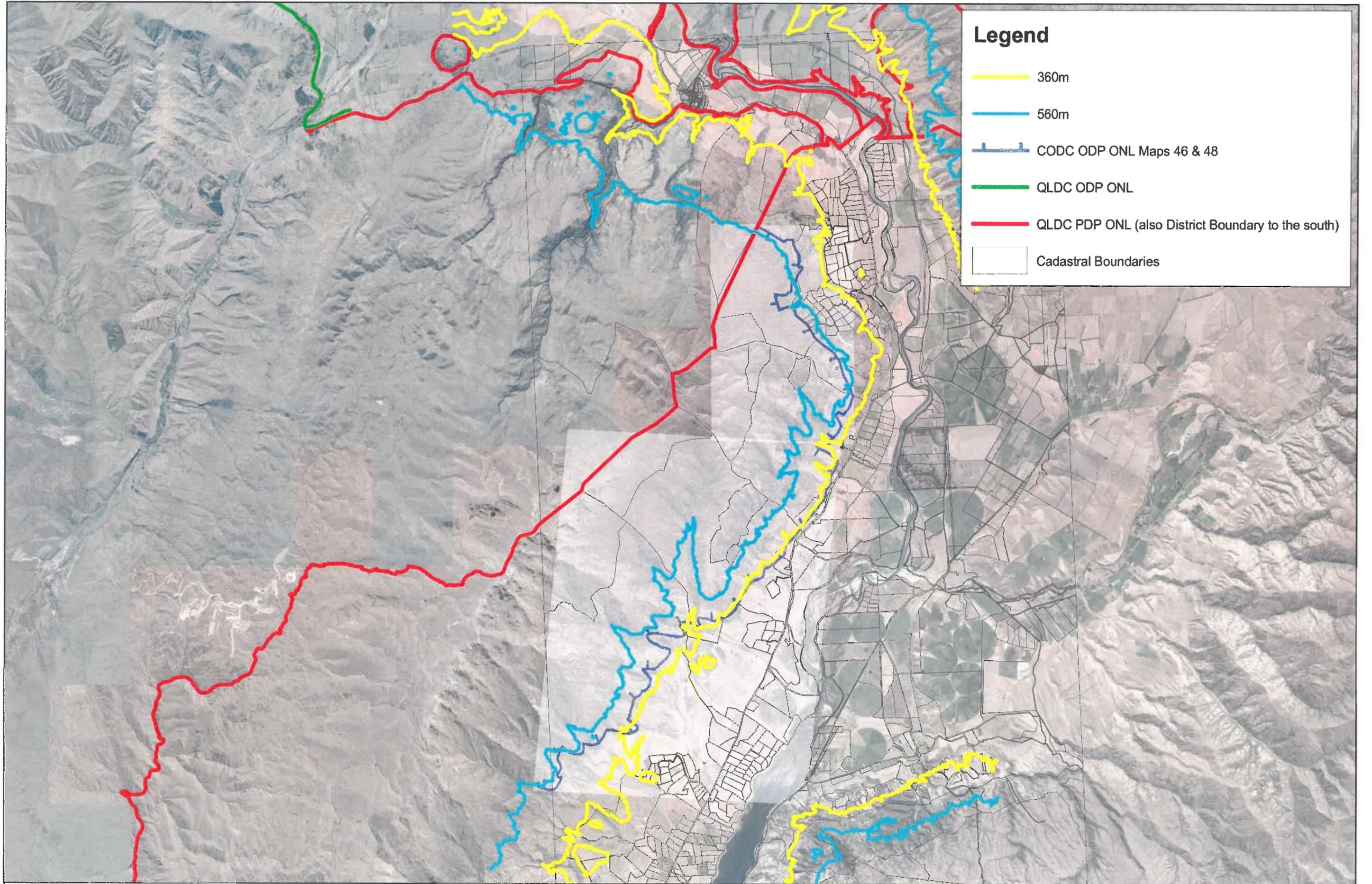
Area 4

37. Area 4 is 42 hectare area on two terrace levels and there is potential for 12 Lots. The terrace risers have remnant indigenous vegetation and each lot will include a section of the terrace riser that will require plans for the eradication of exotic plants, control of pest animals and enhancement of indigenous vegetation.
38. Services to be provided by developer and not by Council. Water supply is feasible from either a bore on the flats beside SH6 or from Dead Horse creek (existing water permit). Waste water disposal is by septic tank and the ground is suitable for on-site disposal field.
39. Access is by existing farm road and no new road across the terrace risers will be required.
40. The Council S42A Report – Transport - opposed access due to poor sight distance at the intersection with SH6. However this is not correct and the sight distance along SH6 comply with NZTA guidelines.
41. Area 4 is similar to Area 1 where there is no available water supply for irrigation and has areas of regenerating indigenous vegetation (predominantly on terrace risers). Hence the area has limited farming production capability but very good potential for RL development due to north facing land with fantastic views and close proximity to Luggate.
42. There is potential for environmental gains with regen indigenous vegetation areas being maintained and enhanced under RL small block ownership rather than cleared for farm grazing development.
43. Similar to areas 1 and 3, the main adverse effects are related to landscape and visual amenity effects. We believe the landscape effects can be minimised by the proposed controls on development as listed in the recommendations for provisions to be included in the PDP in Chap 27 and Chap 22 (see appendix 4).

Submission 482 - ONL

44. Submission 482 – ONL – In our response to the Council S42A reports we raised the issue of the lack of agreement on the location of the ONL boundary on Lake McKay Station. The fact that four Landscape architects have studied the landscape in this area and have presented four variations of the ONL boundary.
45. This is a concern for my client and from a planning perspective as the land that falls within an ONL has a future land use largely restricted to farming.

46. We considered enlisting another LA to analyse the landscapes and present a report to the Panel on behalf of Lake McKay Station. At the time it was difficult to find an LA in NZ who was available to do the work but also not conflicted from working for Council or for neighbouring land owners. Then on further consideration we realised that a report from another LA could have two outcomes; a new ONL line or one that agreed with one of the four proposed ONL boundaries, and neither outcome would solve the issue of where is the most appropriate location for an ONL.
47. Our view is that the ONL should only be assigned to the lands where there is full agreement from the landscape architects that the landscape qualifies as an ONL. From reading evidence from a number of LAs the landform that is widely accepted as ONL is the foothills of the Pisa Range. These are the steeper slopes that rise above the terraces and it is the boundary between these two landforms that we consider should be promoted as the ONL boundary. We have promoted this as the ONL boundary as above this contour the landscape is fairly unilaterally un-modified. Whereas below this contour much of the land is farm land and has been modified by farming practices.
48. I note here that I do not have the professional qualifications of a landscape architect and the experience to state what aspects of these two landscapes makes one an ONL and not another. But the point I am making here is that the boundary we are promoting as the ONL line is where, we have observed from the LA reports presented so far, no one disputes that the foot hills and mountains of the Pisa Range are ONL, whereas below the boundary of this landform are the terraced farmlands and there appears to be a range of LA opinions on whether this land form is ONL.
49. Our initial submission promoted the reasoning that an ONL boundary at about the 500m contour correlated with the ONL on the Pisa Range in the Central Otago District.
50. Since then I have seen the evidence presented to the Panel explaining that the ONL in the CO District at the boundary with QLDC is at the 500m contour line, not because this was the agreed boundary of the ONL, but because there were existing consents granted for Rural Residential developments and the ONL had to be shown on the plans to be outside of these RR areas, and that further south of the RR developments the ONL boundary is at a lower altitude.
51. While I accept these findings it is interesting to note that further south in the CO District, along the eastern flank of the Pisa range the ONL line generally aligns with the same landscape boundary that we have identified being the boundary between the foothills of the Pisa Range and the terraces modified by farming activity. In Appendix 6 there are plans showing the ONL on the Pisa Range in the CO District. The ONL fairly closely follows the boundary between these two landscapes. At Queensberry the boundary is along the 360m contour line and further south, on Mt Pisa Station it rises again to around the 500m contour.
52. The point to note here is not so much the altitude of the ONL but that it appears to be along the boundary of the farmed terrace land and the steeper foothills of the Pisa Range which in our view is an appropriate boundary for the ONL. as above this boundary the status of ONL is fairly unanimous and below this boundary the jury is still deliberating. It is our opinion that setting the boundary of the ONL at lower altitudes in the PDP (along the valley floor as is the case south of Luggate) is too restrictive on future land use of the terrace farm land.



Legend

- 360m
- 560m
- CODC ODP ONL Maps 46 & 48
- QLDC ODP ONL
- QLDC PDP ONL (also District Boundary to the south)
- Cadastral Boundaries

**QLDC/CODC ONL and Contour Lines (overview)
Lake McKay Station #482**

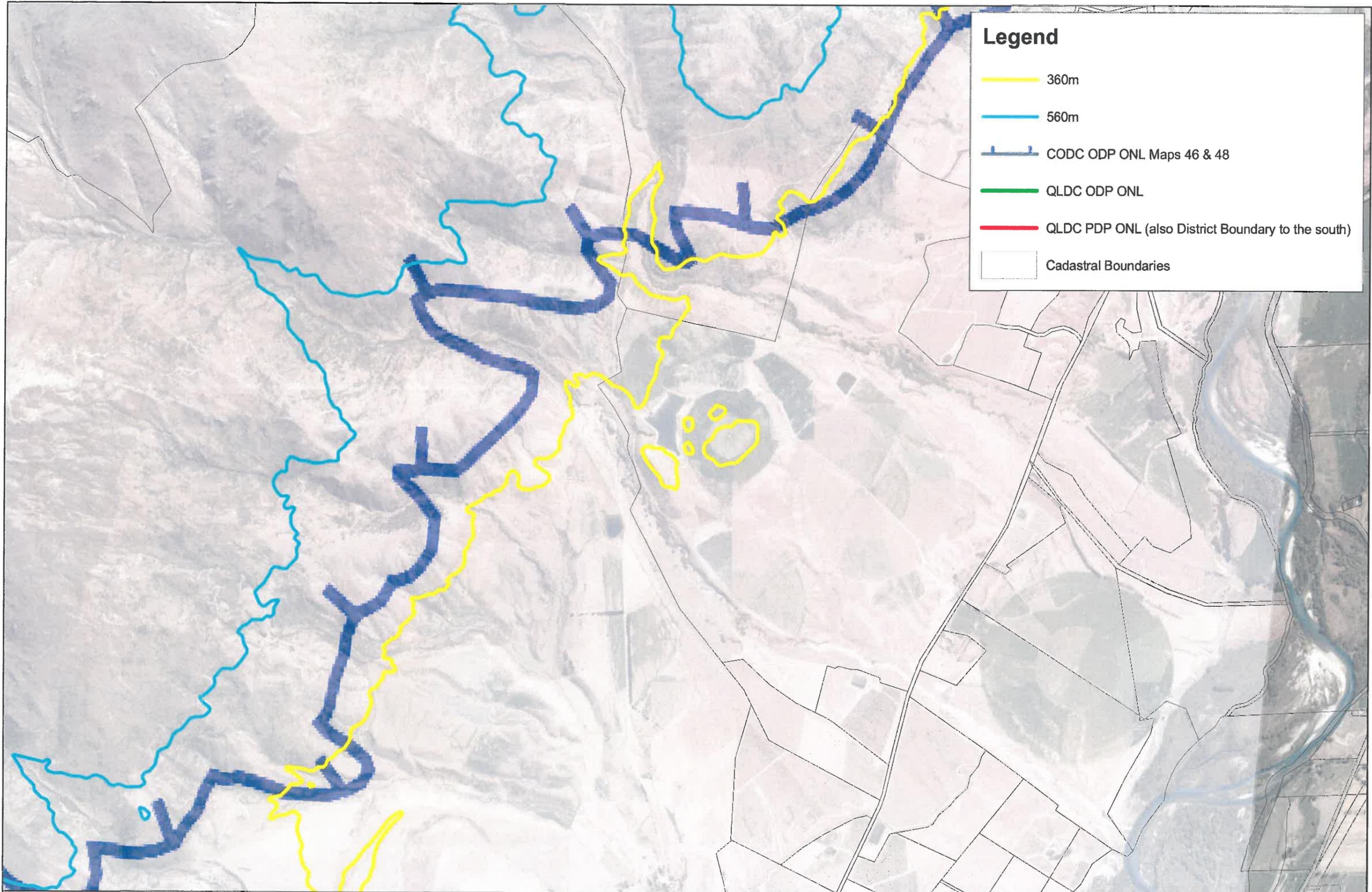


Opus International Consultants, 61 Herbert Street,
Alexandra, 9320, New Zealand
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Scale
0 0.5 1 Kilometers

Project No: 6-NZ123.00-0853X
Date: 31/05/2017
Designed by: Mike Kelly & Lock O'Rourke



Legend

- 360m
- 560m
- CODC ODP ONL Maps 46 & 48
- QLDC ODP ONL
- QLDC PDP ONL (also District Boundary to the south)
- Cadastral Boundaries

**QLDC/CODC ONL and Contour Lines (Pisa Station)
Lake McKay Station #482**



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 Project No: 6-NZ123 00/0850X
 Date: 31/05/2017
 Designed by: Mike Kelly & Iook Dittus

Colin Harvey for Lake McKay Station

- 1 I am Colin Harvey and my family interests own Lake McKay Station. I have a broad background in agriculture. Known primarily for the Ancare animal health business I founded, but also interests in new technology ventures, in my roles as a Council Member of Massey University, and as the founding Chairman of Hobbiton Tourist Venture in Matamata. I am an Officer of the New Zealand Order of Merit and hold degrees in Agriculture and Commerce.
- 2 Lake McKay Station is a 6500 ha property on the Pisa Range immediately behind the Luggate township. The property has gone through tenure review. It is bordered by the Luggate Gorge and divided by the Fall Burn (south branch of Luggate Creek) both of which are within corridors of DOC land.
- 3 Our summary today raises several concerns over the Council response to our submissions on the Proposed District Plan. In summary these are:
 - a. The boundaries for several SNAs on Lake McKay Station ,
 - b. Concern with the limited QLDC consultation process for SNAs.
 - c. The cost of pest control and rates remission for SNA's consider the size of these areas within Lake Mckay.
 - d. The potential loss of grazing income from not being able to develop SNA areas and being able to offset this with other development
 - e. The location of the ONL and the impact of this on future land use and the diversity of our business.
 - f. The inclination by QLDC to limit the development of the rural residential market based on the Dwelling Capacity i modelling exercise.
- 4 We have seen the PDP process as one that integrates with the long term planning for Land Use on Lake McKay Station. This is a major farming operation which covers some 7000 ha with a property value in excess of \$30 million. It must be appreciated irrigation systems, pasture establishment and animal breeding require planning at least five years ahead and our planning horizons for farming and land use are in excess of ten years. For example it has taken seven years to shift from a fine wool Merino farming operation to Wairere Merino based flock and stud. This shift has lifted lambing percentages from 80 to 150 while still producing a unique high quality wool. It has required intensification with irrigation systems, pasture development and breeding.
- 5 The plan, which overlaps with the PDP process includes further farm development, the implementation of SNA's, reserve areas in cooperation with Department of Conservation and others, public access and residential development. Residential development is a way to help absorb the cost of taking land out of production. Our plans for these areas are not just about protecting biodiversity for its own sake but on the integration of the SNA areas beside residential life style development to give public utility, access and enjoyment to what are some very unique indigenous vegetation in a unique setting. To defer parts of these plans as proposed by Council (Craig Barr in his Report on the Dwelling Capacity Model) makes no sense as it destroys looking at the total use situation over a long term period.

- 6 The issue of definition of SNA's remain a major one – over 400 ha of Lake McKay Station has been included in this classification. As we have discussed previously, the SNAs include several essential farm roads which contain major irrigation supply pipelines. It is illogical that parts of these have been excluded and parts included. This is a very significant area of land which as land owners we have created in indigenous vegetation by good stewardship. Our concern here is that there has not been sufficient consultation with the Council on the proposed SNAs on Lake McKay Station (LMS). We were pleased with the recommendation of the Panel to hear the submissions seeking amendments to the boundaries of the SNAs at the later time and that in the interim period there should be further consultation between the scientific experts representing the Council and the landowners with outstanding concerns on the SNA boundaries.
- 7 I will not dwell on this matter at this time. But the Commissioners should be aware that the consultation process followed by Council was not that which was represented to us in 2011 or that laid out by the Environment Court.
- 8 Further we are concerned that the SNAs had immediate legal effect when the PDP was notified before there was definitive agreement on the boundaries of some of the SNAs.
- 9 The cost of maintaining the SNAs are carried by the land owner this has not been addressed in Council's response. All the SNAs on Lake McKay are neighbouring to pasture land and they become sanctuaries for pest animals particularly rabbits but also stoats, ferrets possums and pest plants. There are 400 hectares of SNAs proposed on Lake McKay and the on-going cost of pest control will be significantly higher than if the SNAs were converted to pasture. This pest control requires the use of aerial poison drops at considerable expense.
- 10 A rates remission would only cover around a tenth of the annual expenditure on pest control but it is some recompense and worth pursuing. However the rates remission is onerous for the land owner who not only has to apply for the remission but in the process has to show there is an economic loss from the existence of the SNAs. We have requested that there is an addition to the policy in Chapter 33 to make this an easier process.
- 11 The placement of the Outstanding Natural Landscape (ONL) line has an effect on the proposed land uses on Lake McKay. It is obvious in the submissions there is a considerable variation in the views of Landscape architects to the placement of this line. They appear to be quite subjective with no real objective evidence. There needs to be solid agreement between Council, Landscape architects and landowners before an ONL classification is applied, as it does affect future land use and farming activities as proposed in Chapter 6 Landscapes 6.3.4.3.
- 12 The submission of Craig Barr and Mark Osborne in this PDP in limited dwelling capacity need to be challenged as the modelling it is based on is considerably flawed. Like the Soviet planner ignored the bread queues, these gentlemen have ignored the people sleeping in cars and on the beach in Wanaka over the Xmas period. Our gigantic seasonal variation is part of the character of our district and is recognised in the PDP Strategic direction. It goes with the demand for open spaces and low density rural housing. In my experience, which has included the creation of the likes of Hobbiton Movie Park and the launch of some two hundred new products, allowing a free market is the only way to have supply and demand match up. This type of capacity planning has created our economic problem of today.

History has shown that this type of demand planning is always wrong the question is just by how much..

13 I refer to Mike Kelly to elaborate on the Planning aspects of our submissions.