

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 13
– Queenstown
Mapping Annotations
and Rezoning
Requests

**REBUTTAL EVIDENCE OF GLENN ALISTER DAVIS
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

ECOLOGY

7 July 2017

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Attachment A: Amended Boundary of SNA A23A

1. INTRODUCTION

- 1.1** My full name is Glenn Alister Davis. I am a Principal Environmental Scientist and Managing Director of e3Scientific Limited (formerly Davis Consulting Group Limited).
- 1.2** My qualifications and experience are set out in my statement of evidence in chief dated 24 May 2017.
- 1.3** 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. SCOPE

- 2.1** My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:
- (a) Fiona Black for Te Anau Developments (607);
 - (b) Donald Reid for Bobs Cove Developments Limited (712);
 - (c) Ben Espie for Karen and Murray Scott, Loch Linnhe Station (447);
 - (d) Simon Beale for Queenstown Park Limited (806) and Remarkables Park Limited (807);
 - (e) Nikki Smetham for Gibbston Valley Station (827); and
 - (f) Nicholas Geddes for Jed Frost (323).
- 2.2** I have read the evidence of the following experts, and consider that no response is needed:
- (a) Ben Farrell for Te Anau Developments (607);
 - (b) Nicholas Geddes for Jardine Family Trust and Remarkables Station Limited (715); and
 - (c) Alison Dewes for Queenstown Park Limited (806) and Remarkables Park Limited (807).

2.3 My evidence has the following attachments:

(a) **Attachment A:** Amended Boundary of SNA A23A

3. RURAL (GROUP 2)

FIONA BLACK FOR TE ANAU DEVELOPMENTS LIMITED (607)

3.1 Ms Black has filed evidence in relation to the submission by Te Anau Developments Limited to rezone marginal strip land at Walter Peak from notified Rural to Rural Visitor (**RV**) Walter Peak Zone. I opposed this rezoning submission based on the presence of ecological values and a lack of understanding of the activities that would occur within the marginal strip.

3.2 Based on paragraphs 39 – 40 of Ms Black's evidence I have changed my view and I no longer oppose the rezoning sought in the submission. This is based on the removal of the marginal strip between Beach Point west towards Mount Nicholas Station from the proposed RV Zone (as is also confirmed in Mr Farrell's evidence for the submitter). This marginal strip contains regenerating indigenous vegetation ecological values, and is within an area that is being restored for ecological purposes rather than containing existing ecological values.

MR DONALD REID FOR BOBS COVE DEVELOPMENTS LIMITED (712)

3.3 Mr Reid has filed evidence in relation to Bobs Cove Developments Limited's request to rezone land at Bobs Cove from notified Rural to Rural Residential Zone to support the residential development of the site. The proposal is associated with a land swap with the Department of Conservation.

3.4 Mr Reid states at paragraph 5 of his evidence that the land parcel currently held by Bobs Cove Developments Limited is covered in mature native vegetation. I concur with Mr Reid's assessment that

this land is covered in mature beech forest and is contiguous with the mature beech forest present in Bobs Cove Recreation Reserve.

3.5 Mr Reid states that the land he will receive from the Department of Conservation which is the subject of the rezoning request, was previously farmed and was a grazed paddock cleared of indigenous vegetation. Mr Reid states that the land has some regenerating indigenous vegetation amongst a large number of weed species such as gorse, broom, hawthorn and wilding eucalypts.

3.6 I accept that the site was historically farmed; however, it has been left to regenerate for some time and is now in an advanced state of recovery. I visited the site on 19 April 2017 and again with Mr Ben Farrell on 23 June 2017. During these site visits I have recorded 20 indigenous vascular plant species on the site and note that beech trees are present that are overtopping the manuka. I also noted weeds within the woodland including the wilding eucalypts but the site is dominated by indigenous vegetation. My view remains that the vegetation on this site requires protection measures under the Rural Zone that will be eroded if the site was to be rezoned to Rural Residential.

MR BEN ESPIE FOR KAREN AND MURRAY SCOTT, LOCH LINNHE STATION (447)

3.7 Mr Espie has filed evidence that shows the location of two Farm Base Activity Areas/RV Zone Areas proposed by Loch Linnhe. The evidence shows a change in the proposed spatial layout of the areas proposed for rezoning.

3.8 The proposed northern area shown in Appendix 1 of Mr Espie's evidence extends the original area sought in submission 447 further to the west toward Lake Wakatipu, so I have been instructed to consider the revised area. The revised northern area is approximately 2 ha and includes an area of approximately 5000 m² covered in regenerating indigenous vegetation dominated by bracken fern, but also including other indigenous broadleaved/hardwood species such as *Pittosporum tenuifolium*, *Coriaria spp*, manuka,

Coprosma propinqua, *Griselinia littoralis*, matagouri and cabbage tree. This regenerating indigenous vegetation borders a marginal strip that contains large mature southern rata (*Metrosideros umbellata*). The whole site lies within a land environment that has less than 20% indigenous vegetation remaining. The regenerating indigenous vegetation within the site is a valuable buffer to the southern rata stand on the lake shore, that is locally and regionally significant due to its rarity in the southern lakes (Lake Wakatipu, Lake Wanaka and Lake Hawea). I therefore consider the area shown as 'regenerating indigenous vegetation' on **Figure 1** should remain zoned as Rural, as in my view this zoning provides the best mechanism of protection for this vegetation.



Figure 1: Loch Linnhe Farm Base Activity Area (Northern Area), recommended exclusion

3.9 The proposed Farm Base Activity Area/Rural Visitor Zone located in the vicinity of the existing Loch Linnhe homestead has also been

varied since the original submission. The proposed area shown in Appendix 3 of Mr Espie's evidence extends the proposed area further south across developed pasture and removes the area from the lower reaches of the gully that runs through the site. I can confirm that the amended area has been developed for pastoral activity and indigenous vegetation has been removed. From an ecological perspective, I do not oppose the rezoning of the amended area.

**MR SIMON BEALE FOR QUEENSTOWN PARK LIMITED (806) AND
REMARKABLES PARK LIMITED (807)**

- 3.10** Mr Beale has filed ecological evidence in relation to the Queenstown Park Limited (**QPL**) and Remarkables Park Limited (**RPL**) submission for a Queenstown Park Special Zone (**QPSZ**).
- 3.11** I have reviewed Mr Beale's evidence and I generally accept Mr Beale's findings that the provisions under the QPSZ would be more beneficial from an ecological perspective, compared to the notified Rural provisions.
- 3.12** However, I consider the Council should maintain some control over the construction of new farm tracks, fire breaks and recreational tracks less than 2m in width. From an ecological perspective, it is possible that farm tracks less than 2m wide could remove locally and regionally rare plants and threatened plants that are present on the property. In my view, a controlled planning framework for these activities would provide better protection for these species, whereby Council's control would be confined to effects on ecological values.
- 3.13** Aside from this point I note that the QPSZ as promoted through QPL's evidence can provide positive ecological benefits. These are set out below.
- 3.14** In paragraph 10.1 of Mr Beale's evidence he states:

I refer to paragraph 26.16 of the report and reference the author makes to a comment by QPL concerning the SNAs and the impediment they pose. I understand this comment was made in

relation to farming operations but it is my understanding that this is no longer being pursued. The SNAs identified on the Site are natural attractions in my opinion that will enhance opportunities for commercial recreational activities consistent with the intent and purpose of the QPSZ provisions.

- 3.15** Although I understand from this paragraph that the submitter no longer pursues the removal of the four SNAs from the site, I am not aware if this submission point has formally been withdrawn. As set out in my evidence in chief, it is my view that the four SNAs are significant and I support this change of position from the submitter.
- 3.16** Mr Beale's evidence states that cattle grazing is a risk to the SNAs and is a permitted activity under the Rural provisions. I concur with Mr Beale that cattle grazing can disturb the vegetation by trampling the vegetation and opening shrubland canopy. The QPSZ provisions prohibit the grazing of cattle in the four SNAs. In my view, this is a positive benefit from an ecological perspective. Furthermore, the QPSZ includes provision for stocking rates above 600masl between SNAs F32B and F32A3. Stocking at rates above 3 stock units per hectare is a discretionary activity in this area of the QPSZ and I consider that this will limit grazing pressure on the SNAs.
- 3.17** The QPSZ requires the drafting (and Council approval) of a Comprehensive Development Plan (**CDP**) for the Rural Visitor Activity Areas. The CDP is a restricted discretionary activity that among other things provides Council with discretion over vegetation clearance. I consider this provision will mitigate risk to the ecological values associated with development activities within the proposed Rural Visitor Activity Areas.
- 3.18** Provided that the QPSZ provisions are modified so that Council has control over installation of new farm tracks, fire breaks and recreational trails less than 2m in width, I do not oppose the QPSZ from an ecological perspective.

MS NIKKI SMETHAM FOR GIBBSTON VALLEY STATION LIMITED (827)

3.19 Ms Smetham has filed landscape evidence in relation to the Gibbston Valley Station submission for a proposed Gibbston Valley Subzone.

3.20 I opposed the proposed Gibbston Valley Subzone in my evidence in chief, based on my understanding of the ecological values of the subject area and the lack of information regarding the types of activities that could occur within the subzone. Ms Smetham has presented a structure plan that sets out the activities that are proposed within the subzone. The important ecological values identified during investigations completed to support resource consent RM080864 are located within the 'Balance Area' of the structure plan. At paragraph 50 of Ms Smetham's evidence she states:

.. the balance areas of the SP will remain as unimproved tussock grassland pasture or grey shrubland. These areas convey a more natural character and typically contain higher ecological values than the productive areas and activity areas within the GVS subzone.

3.21 Based on the exclusion of the areas with higher ecological values from the development areas within the subzone, I no longer oppose the proposed Gibbston Valley subzone from an ecological perspective.

4. STRATEGIC

MR NICHOLAS GEDDES FOR JED FROST (323)

4.1 Mr Geddes has filed planning evidence in relation to Significant Natural Area (**SNA**) A23A. The submitter requests that the SNA boundary is removed from Lots 4, 14, 17 and 19 DP 26634. Mr Geddes considers the SNA should be excluded from these lots, on the basis that residential development activities on these lots were approved through the granting of resource consent (RM970272) in October 1996.

4.2 I have reviewed the boundary of SNA A23A through Lots 4, 14, 17 and 19. The proposed area to be removed from Lot 19 is cleared of indigenous vegetation and I can support the realignment to the boundary of the property. The exclusions requested from Lots 4, 14 and 17 amount to a total area of approximately 3150 m² which is less than 1% of the total area of SNA A23A. The SNA report recommendation states: "*Accept the shrubland area within the Closeburn Station as an SNA given its contiguous nature with regenerating shrubland and beech forest communities in the adjacent reserve*" (page 3 of SNA Report, 23 June 2011).

4.3 The requested exclusions from Lots 4, 14 and 17 are on the eastern boundary of the SNA, and in my view, will not undermine the contiguous nature of the regenerating shrubland. For this reason and the relative size of the proposed exclusion zones, I can support the request to amend the boundary of the SNA to the perimeter of the lot boundaries. I have prepared an amended plan for the SNA and provided this in **Attachment A**.

A handwritten signature in black ink, consisting of a stylized 'G' and 'A' followed by the name 'avis'.

Glenn Alister Davis

7 July 2017

Attachment A: Amended Boundary (shown in red) of SNA A23A

Figure 1: The area of potential significance - Closeburn SNA A - A23A.

