

Before Queenstown Lakes District Council

---

In the matter of            The Resource Management Act 1991

And                            The Queenstown Lakes District proposed District Plan Topic 12  
Upper Clutha Mapping

---

**STATEMENT OF EVIDENCE OF LYNDEN CLEUGH FOR**

Allenby Farms Limited (#502 and #1254)

Dated 04 April 2017

---

**Solicitors:**

Warwick Goldsmith | Rosie Hill  
Anderson Lloyd  
Level 2, 13 Camp Street, Queenstown 9300  
PO Box 201, Queenstown 9348  
DX Box ZP95010 Queenstown  
p + 64 3 450 0700 | f + 64 3 450 0799  
warwick.goldsmith@al.nz | rosie.hill@al.nz

**anderson  
lloyd.**

## **Introduction**

- 1 My full name is Lynden Andrew Cleugh. I am the Managing Director of Allenby Farms Limited ("**Allenby**") and am authorised by that company to give this evidence on its behalf.
- 2 Allenby is the landowner of Lot 104 DP 412843, approximately 90ha of land located at Hidden Hills Drive, Wanaka, and forming the majority of the Mt Iron landform ("**Mt Iron Property**"). Recently Allenby purchased approximately 27ha of land located at 707 Aubrey Road, Lot 4 DP 471320 ("**Little Mt Iron Property**").
- 3 The location of the Mt Iron Property and Little Mt Iron Property is shown on the **attached** Allenby Development Stages Plan marked 'A' (**Plan A**), and further described in the following sections.

## **Allenby Mt Iron History**

- 4 Allenby is responsible for a significant amount of the residential development in the residential neighbourhoods nearby Mt Iron in Wanaka. The Mt Iron Property was originally part of my late father and his brother's purchase in 1965 of 750 acres of land located partially on Mt Iron and partially on the flatter lands on the northwest side of Mt Iron. This property was originally purchased as a satellite farm for the Allenby dry land farm in the Maniototo, given severe drought on the home farm and the need to find off-farm grazing.
- 5 When the Mt Iron Property was first purchased it was very basic, with no house, no reticulated stock water, few fences, and just an old woolshed. In the early years of owning the property, the children and our fathers used to camp by the woolshed while working on the farm and getting the property up to the standards of a working grazing block. After getting the land more or less in shape, the next priority became working on putting a house there for the family to stay. We found some suitable trees in the town, cut them down, and I vividly recall as a 12 year old driving the old tractor round the streets towing the logs to the mill while the others did the traffic control.
- 6 With the help of an off season lamb buyer friend, a revolutionary A- Frame style cottage was built part way up Mt Iron. This cottage still serves as a family holiday home. We are quite proud of the fact that, although we have only owned the property for 50 years, five generations of Cleughs have been involved with the property.

## **History of Allenby Development**

- 7 Towards the end of the 1960s a change in local legislation enabled parcels of land as small as 10 acres to be subdivided. Allenby took this opportunity, and

ended up selling about 17 ten-acre rural lifestyle blocks through the 1970s. This first block of development is indicated as Stages 1 and 2 on **attached Plan A**. These lots have since been subdivided further by subsequent landowners. A large part of the money was used to put us 6 children from the 2 families through high school and tertiary education and also to build a retirement house in Ranfurly for our grandparents.

- 8 In 1984, after much thought, a subdivision plan for the southwestern corner of the Mt Iron Property, where Anderson Road meets what is now Mt Iron Drive, was drawn up and a pre development auction was held for nine sections to test demand. To our surprise, these were snapped up by a handful of eager buyers who could see a future for Wanaka which up until this point had really been 'lands end'. This stage was the start of development of 'Stages 3 and 4' on Plan A. That very nervous low key start turned into a 20 year project, between 1985 and 2007, which saw 449 lots developed some of which could subsequently be subdivided. This development was carried out over 17 phases, and building covenants relating to design and building materials started to be introduced by the 13<sup>th</sup> phase, in 2004. There was a period through this time which saw the same contractors on the job for a continuous 10 years – a large part of their working lives.
- 9 It was at the start of this phase that it became apparent that Wanaka was going to become a significant tourist and holiday destination, and as a family we made a conscious decision to endeavour to do the right thing for the area and Mt Iron.
- 10 In the early 2000's, with the 17 phases in Stages 3 and 4 nearing completion, we developed a 37 lot rural residential subdivision off Aubrey Road, which we called Hidden Hills, and which is Stage 5 on Plan A. We consciously designed this as a reasonably up-market 1 acre rural residential subdivision as some lots were on the northern toe of Mt Iron and we felt that a denser urban type subdivision was inappropriate. Public access to the DOC estate was granted from Hidden Hills Drive at this point by way of a right of way easement in favour of the Council.
- 11 In 2010, along with 2 adjoining landholders, we commenced the process which was to become Plan Change 45 and known collectively as Northlake. This encompassed, by Wanaka standards, a very large comprehensive parcel of land and a lot of people (including Council) had trouble getting their heads around the fact that 1500 odd lots were included in our plan change.
- 12 It had been our intention, right from the 2020 future planning workshops that were conducted in Wanaka in 2001, that this entire parcel of land needed to be rezoned as one to avoid fragmented development of the area. Allenby had been waiting for the right time and impetus to do so. The sales figures that our 2 stakeholder partners have achieved to date make it hard to believe that there was

a perception that this plan change was unnecessary. Allenby's part of the PC45 Northlake development is marked as 'Stage 6' on Plan A, and will comprise 350 lots of the Allenby land, soon to be titled.

- 13 Stages 7 and 8 on Plan A depict this current rezoning proposal through this District Review Plan, and future development possibilities which will form the last piece in this historical development journey of Allenby. Those stages are further addressed below.

### **Public Benefits Promoted Through Stages of Development**

- 14 Throughout the above stages of development Allenby has taken the opportunity, wherever possible, to give back to the community of Wanaka and to promote responsible and comprehensive planning outcomes for this family land.
- 15 We felt, and still do feel, privileged to own such an iconic property. We saw it as our duty to put back into the community. Mt Iron was treating us well and we needed to treat Mt Iron well. From the outset of the subdivisions, walkways and reserves were created to enable easy access to the Mt Iron walking track from various points.
- 16 Sections were setback from the State Highway and Anderson Road to preserve the entrance to Wanaka and exotic trees were planted to enhance the State Highway entrance. Child playground equipment was installed on two reserves. Toilets were constructed and a carpark area landscaped at the start of the Mt Iron walkway. A significant part of these areas is still owned by us, although they are generally used for the enjoyment of the public.
- 17 Allenby made an area of land available to the Council to construct much needed water tanks on high ground. One of the reserves was created so that it was big enough for a rugby field if this was ever necessary (now called Allenby Park). Easements were granted for infrastructure to be installed along the main road.
- 18 We have always considered carefully the types of activities to occur on the more elevated parts of Mt Iron in particular. In making these decisions, we consider that public enjoyment and access is paramount and should be promoted where possible. Advances from the Council of the day to construct a road for tour buses up Mt Iron were rejected by us as inappropriate. Various proposals for adventure activities, such as those springing up in Queenstown at the time, were also rejected for similar reasons.

### **Current Farming and Land Management Practices on Mt Iron**

- 19 One obvious consequence of the stages of development described above is that the original Mt Iron Property has now shrunk down to that area containing

approximately 90 ha which is subject to this hearing. Allenby has been solely in charge of maintaining and up-keeping that balance Mt Iron Property. The relatively small size (for farming purposes) of the remaining Allenby land, its topography, nature of the soils and the tough climatic conditions, make this land challenging to farm viably.

- 20 Pests and wilding tree species on the property have had a huge toll in terms of cost and time obligations. Over the past 50 years I have devoted countless hours undertaking wilding pine clearance, and pest management control. I believe that if this significant work had not been undertaken over the years, the whole of Mt Iron by now would be covered in wilding pines and pests.
- 21 We have also been involved throughout our tenure in significant restoration and regeneration of the Kanuka forest over the land. Originally, there was very little Kanuka cover over Mt Iron, in particular on the steeper northern sides. Now there is significant cover of Kanuka, which regenerates itself quickly in these areas, resulting from our land management practices.
- 22 This land management work was always undertaken as part of a belief that farming and conservation practices can go hand in hand, although somewhat ironically these efforts have now resulted in Significant Natural Area identification making farming much more difficult. Achievement of ecological maintenance and enhancement is an on-going task in this area, and one which requires continual persistence, perseverance, and financial support to keep on top of.
- 23 In addition Allenby has carried out fence line and track clearing works so that DOC vehicles and emergency services can access the Mt Iron public trail and Mt Iron Summit through our property. Without that informal access which Allenby allows through our property, DOC would not have vehicle access to maintain the DOC trail easements and for emergency services.
- 24 Mt Iron is accessed legally via a DOC trail easement up the southern and western face of the Allenby property, to the summit of Mt Iron (shown in green on **attached Plan B**). A section of the DOC trail has been placed outside of the DOC estate and now encroaches upon the Allenby land (identified as the new "Foxtrot" trail on Plan B).
- 25 The reality is that Mt Iron is now treated by the general public as if it were a public park or recreation reserve. Many informal trails have appeared over the Allenby land, which diverge from the main DOC trail and traverse the northern sides of the property down towards Hidden Hills Drive. Those informal trails are marked yellow on **attached Plan C**. The public has no legal right to use those yellow trails.

- 26 I see up to 100 people wandering over our property in any given day, and I suspect the numbers are much higher than that. Many mountain bikers, walkers, rock climbers, and other outdoor enthusiasts often walk over our family property and along these informal trails. I believe that most of the general public are not aware this is private land, and do not know where the DOC estate starts and finishes. That extensive degree of public use, outside the formal DOC and QLDC easements, only happens because Allenby allows it to happen.
- 27 Due to recent legislation there is an increasing focus on health and safety issues. There are a number of places on Mt Iron that people wander to take photographs which are potentially dangerous because people could easily fall. Allenby is becoming increasingly concerned about potential health and safety liabilities which can arise from that situation. Allenby has been advised that, in terms of the relevant legislation, Mt Iron is technically a '*place of work*' as it is a rural farming property and that, if somebody informally wandering over the land was injured, there is potential for landowner liability.
- 28 I understand that such liability concerns may be able to be addressed by appropriate signage and/or perhaps some protective works in particular places, but Allenby does not see why those costs and responsibilities should fall on a private landowner as a consequence of what is actually legal trespass.

### **Allenby Faces a Choice**

- 29 I am 62 years old. My generation of the Allenby family is now getting on in years, and my personal involvement as the person responsible for managing Mt Iron on behalf of the Allenby family is coming to an end. The family have consulted about this and have come to a decision that a choice must be made by both the Allenby family and the Wanaka community.
- 30 One option is that the balance Mt Iron Property remains in private ownership and subject to the decisions of future private owners. There are two existing houses located on the property (both within the proposed Rural Lifestyle zone) so the property could probably be subdivided into at least 2 separate properties, each containing a house, relatively easily. Alternatively options for more intensive farming could be explored, such as some sort of specialty livestock farming. Any future private use of the property could result in the public being excluded from all parts of Mt Iron except the existing formal DOC and Council easement trails. There is no guarantee of future vehicle access to the DOC Mt Iron trail for maintenance and emergency service purposes. At this stage Allenby has not given serious consideration to any of these options, because that is not the ultimate preference of the Allenby family.
- 31 The other option, being the option strongly favoured by the Allenby family, is our vision for the future management of Mt Iron being presented at this hearing. We

see this District Plan Review as the opportunity to realise that option, and to set the scene for the future final stages of the Allenby development legacy.

### **Purchase of Little Mt Iron**

- 32 As part of realising this vision, Allenby has recently undertaken the significant decision to purchase the 27ha property which is the Little Mt Iron Property, adjoining the Allenby Property and the DOC land. This opportunity arose very recently, unexpectedly, while we were preparing for this hearing. The Little Mt Iron property already has consent for one house. We have been advised that, due largely to topography and visibility considerations, it is unlikely that consent could be obtained for any additional houses on the Little Mt Iron Property.
- 33 It was immediately apparent to us that the acquisition of Little Mt Iron would enable the opportunity for an overall management regime applicable to the Little Mt Iron Property, the Allenby Mt Iron Property, and (with the cooperation of DOC) the large area of land managed by DOC. Allenby entered into a conditional contract to purchase Little Mt Iron, allowing one month for investigations into that overall management potential. Dr Lloyd was enthusiastic about the added ecological benefits which could be achieved if Little Mt Iron was acquired and became part of this proposal. Our consultation with DOC also resulted in a very favourable response to the possibility of being able to manage the recreational values of these three properties in a complementary way.
- 34 In particular the Little Mt Iron Property provides the ability to create formal public trails on the eastern side of Mt Iron which will provide public access from Old Racecourse Road through the northeast part of the DOC land and then up Little Mt Iron to the summit of Little Mt Iron, and then westward through the Little Mt Iron Property and the DOC estate to link to Hidden Hills Drive or across the Mt Iron Property to connect to the Mt Iron DOC trail - as shown by the new "Charlie," "Delta," "Alpha" and "Bravo" trails proposed and shown on Plan B. In addition there is already informal public access on the eastern side of Mt Iron to rock climbing faces located both on the DOC estate and on the Little Mt Iron Property (as referred to in the evidence of Mr Galloway). Therefore it seems to us that the potential recreational benefits which could arise from the acquisition of Little Mt Iron could be more significant than the ecological benefits.
- 35 If the Little Mt Iron Property could be added to the Mt Iron Property, both would benefit from management with each other, and in turn deliver benefits to the overall ecological and recreational management of Mt Iron. In my experience it is better to provide for a holistic management regime for wilding and pest species eradication in particular, rather than relying on multiple landowners to combine efforts. The same obviously applies to managing recreational use.

- 36 Allenby has committed to buying Little Mt Iron at a purchase cost of \$1.2 million, purely to enable the creation of this opportunity. Little Mt Iron has no subdivision or development potential. If this rezoning proposal is unsuccessful, Allenby will sell Little Mt Iron in particular (hopefully not losing any money in the process) and the recreation opportunities will be lost.
- 37 The consented house site on the Little Mt Iron Property is intended to be retained, but with a boundary adjustment so that the lot around the house site is much smaller than currently. The balance of Little Mt Iron, including the areas of the new trails, will be subsumed into the wider balance ownership of the Mt Iron Property.

### **Allenby Vision**

- 38 The Allenby vision for Stage 7 on Plan A is illustrated on **Attached Plan B** and **Plan D**. It involves public access opportunities combined with ecological maintenance and revegetation to be funded by the existing and future owners within the proposed Mt Iron Park Rural Lifestyle zone.
- 39 We are very conscious that the existing extensive public access to Mt Iron is treasured by many locals and enjoyed by many visitors to Wanaka. We believe that access can be legalised and can be enhanced by the creation of additional trails that would be maintained in the future. These proposed new trails are identified on Plan B as Alpha, Bravo, Charlie, Delta, Foxtrot, Echo and Golf. Those trails will largely be as they currently exist although some upgrading will be required in places. They will be formalised by public easement in favour of the Council. We believe there could be opportunities for even more trails in the future, if that is considered appropriate as part of the overall management of Mt Iron.
- 40 While we have been responsible for the establishment and ongoing regeneration of the existing Kanuka forest, and we have protected that existing forest through significant efforts on wilding pine control, we were unaware of the other important ecological values of Mt Iron discovered recently through Dr Lloyd's investigations for the purposes of this hearing. We agree with Dr Lloyd that there is an exciting opportunity here to protect the existing ecological values and improve them.
- 41 Plan D shows the proposed Protection Areas which will be subject to pest plant and pest animal control to enable ongoing natural regeneration of the native bush, and a Revegetation Area which will be planted in accordance with the recommendations of Dr Lloyd. In addition about 90% of the existing Kanuka bush within the proposed Rural Lifestyle zone will be permanently protected.
- 42 Public access will be granted throughout all of the Protection Areas and the Revegetation Area, subject to whatever controls are considered necessary from



time to time as part of the proposed ecological and recreation management strategies.

- 43 This proposal will see a select few house sites carefully positioned on the lower flanks of Mt Iron, nearby Hidden Hills, combined with a significant increase of public access benefits over the balance of the Mt Iron property, and the guarantee of on-going ecological, pest management and recreational strategies.
- 44 Allenby as the proposed developer will be responsible for the initial works necessary to secure future community benefits:
- (a) Initial removal of identified pest plant species across the entire Rural Living zone land, the balance Mt Iron Property and the Little Mt Iron Property;
  - (b) Initial pest animal control as recommended through the subdivision process;
  - (c) Any works required to bring the proposed public trails up the required standard.
- 45 All of that work will be carried out prior to the creation and sale of lots, so that lot purchasers only have to buy into the ongoing management regime. That management regime, as approved through the subdivision process, will be implemented by the landowner who actually owns the land containing the Protection Areas and the Revegetation Area, and the costs will be apportioned between the sixteen private lot owners (which includes one residential lot containing the already consented house on Little Mt Iron).
- 46 The package of positive benefits is closely linked to the provision of these additional house sites, as these owners will provide the income necessary to maintain the public trails to the required standard and to continue the approved program of ongoing pest plant and pest animal control. Allenby considers that together, these two properties under the proposed rezoning regime will add to what is almost a green belt through the middle of the built up areas of residential land, almost from the Clutha River to the State Highway, and will provide a one-off opportunity to secure future leisure and recreation activities over a very large area.
- 47 We feel very strongly that this opportunity needs to be embraced by the community now while it is available. If this proposal is not taken up now, it is unlikely to be repeated as we will have to explore other options for the future management and ownership of Mt Iron.

### **Proposed New Building Restriction Area (BRA)**

- 48 The proposal includes creating a new BRA over the western slopes of Mt Iron below the Protection Area which contains the native bush. That lower proposed new BRA area is currently pasture. It forms an important foreground to views of Mt Iron from residential areas to the west.
- 49 This is really just additional protection for that land. Allenby realises there is probably limited opportunity to secure consent for buildings in that area due to the ONF status of that land. However Allenby considers it appropriate to put into place an additional layer of protection to ensure that any future owner of this land would have considerable difficulty securing any such consent.

### **Proposed Removal of BRA**

- 50 Allenby seeks removal of an existing BRA which currently applies to Allenby land adjoining the State Highway entrance into Wanaka. This BRA was imposed while Allenby owned the land and without Allenby's knowledge. Inquiries have been made, but no one seems to be able to locate any historic documentation explaining when it was imposed and why it was imposed.
- 51 I assume the BRA has some relevance to protecting the entry into Wanaka. I find that somewhat ironic, as most of the tree planting along that stretch of highway, which enhances the visual experience of entering Wanaka, is located on Allenby land and is not subject to any form of protection. If this BRA does relate to the entry into Wanaka, I query whether it is being overtaken by events because the development of Three Parks will result in a new major intersection east of that stretch of highway and the entry into Wanaka will be (if it is not already) about where Puzzling World is located.
- 52 Allenby's primary concern is that this area of Rural zoned land is the only area that is still owned by Allenby which is not subject to ONF status and (in large part) SNA status. Allenby does not see any justification of the District Plan to deprive Allenby of an opportunity to apply for consent for a house and/or farm buildings on that land. There are many rural landowners who own rural land on the edge of townships which are not subject to such controls (the Cardrona entry into Wanaka being an obvious example).
- 53 The area of land subject to the existing BRA is shown as Stage 8 on Plan A. I doubt that Rural zoning is the long-term future of that land in that location.
- 54 Allenby has no particular plans at this stage. The future of that land will probably be decided by a plan change at some time in the future. Any such plan change process will be able to resolve issues such as the visual amenity of the entrance into Wanaka. In the meantime, Allenby considers it not unreasonable to be

allowed the same opportunity as any other rural landowner to apply for a resource consent which might or might not be granted.

### **Conclusion**

- 55 This District Plan Review is seen by Allenby as fitting in the last pieces of the puzzle (excluding Stage 8), and complementing the extensive development history of Allenby in Wanaka. We feel very fortunate to have been stewards of Mt Iron over the years, and we have taken our role in the community of providing good quality living opportunities and increased public access options very seriously.
- 56 We have cared for the land to the best of our ability, including by undertaking extensive wilding species management, and ecological enhancement through planting and facilitating regeneration of Kanuka. I believe that, without these efforts, Mt Iron would look very different to what it does today.
- 57 I believe that this proposal will be a very significant enhancement to the community of Wanaka, and one which should be seen as a package, because the provision of ongoing future public access, maintaining trails and walkways, and on-going environmental management of the land will not be possible without these requirements being associated with new rural lifestyle landholdings which will bear the cost.
- 58 In my ideal world I can see the whole of Mt Iron, Little Mt Iron and the DOC estate being owned and managed by the QLDC as a very important recreation and ecological treasure enjoyed by residents and visitors alike. I understand that would be a decision for another day. I would like to create the opportunity for that decision to be made.

**Dated this 04<sup>th</sup> day of April 2017**

**Lynden Cleugh**