

Variation to Chapter 21 Rural Zone (QLDC District Plan) to introduce Priority Area Landscape Schedules.

Submitter no. 110 Kincardine Angus Ltd or nominee

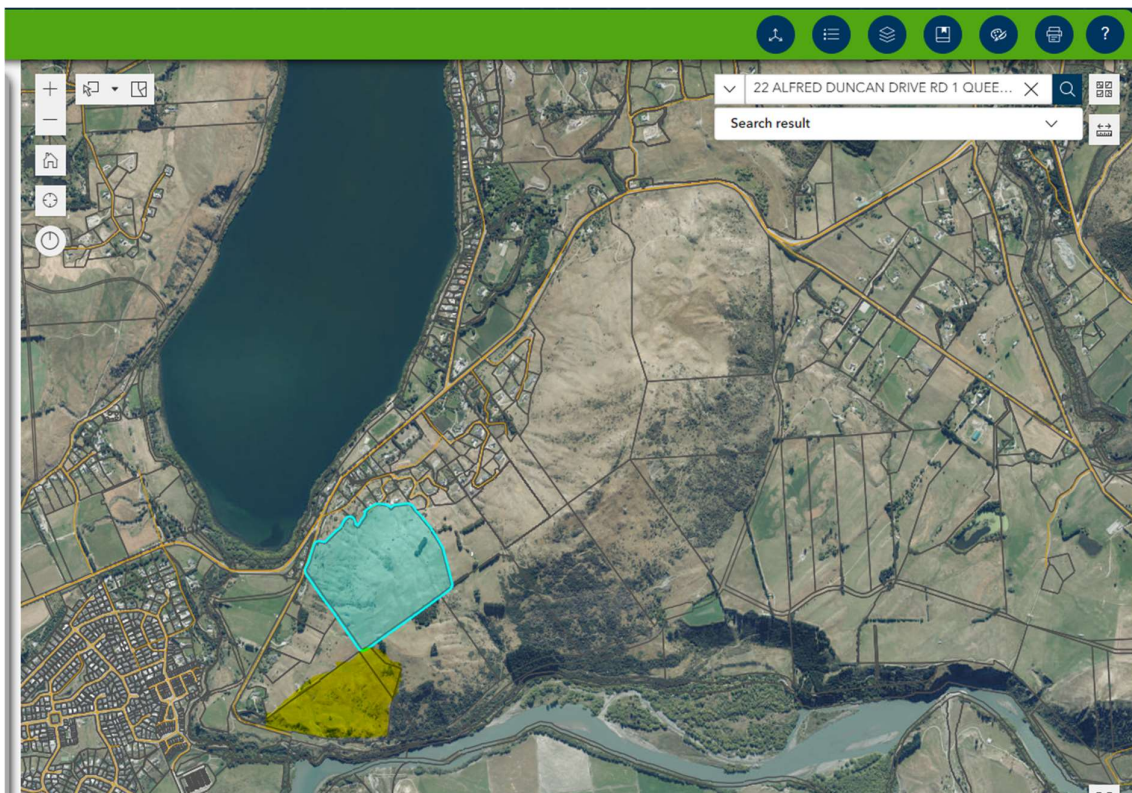
Introduction

1. We are Mike and Gemma Smith (nee Pemberton) of Kincardine Angus Ltd, and Trustees of Little Morven Trust, which own land in the Morven Hill Priority Area (PA).
2. We currently own and operate childcare centres (Gems Educational Childcare) locally and have an Angus Cattle Stud that we operate here in the Wakatipu Basin. We have both lived and worked in the Wakatipu Basin since 2002.
3. I am a former town planner, previously working for the Rotorua District Council, from 2002 until 2011, I was a consultant town planner for Baxter Brown Planning and Design, then Brown & Pemberton Planning Group (of which I was a Director), now Brown and Co. Planning Group, based here in Queenstown and Auckland. My experience includes working on large scale commercial, retail, residential, high country, agriculture, aquaculture, zone development, and work pertaining to the rural zones – ONF's and ONL's included. While it has been some time since I have practiced professionally - I remain familiar with the structure and intent of the District Plan provisions and planning skills, often calling on these through developing our three childcare centres and other land development projects.
4. We are one of a handful of “genuine farming families” in the Wakatipu Basin working, nurturing and maintaining the land. Our two young daughters have had the best of both worlds – being raised on a farm right next to a world class urban area offering high quality education, social, cultural and sporting opportunities. We have seen and benefited from development with an example being the expansive cycleway network established in the basin, which we can access through our property. We firmly believe that the outstanding natural beauty of this District has always and will continue to attract visitors and new residents, and subsequent growth to it.
5. We support having appropriate checks and balances in place to retain and protect the very attributes that make this place incredibly beautiful.
6. We do not support having overbearing or inconsistently applied provisions that exacerbate cost and timeframes, gentrify the land, and negatively influence the fabric of our communities. Generations of “Gems” preschoolers have had the privilege of attending farm school through our boutique nature play programme at our farm where they fed chickens, experienced the seasonal variation of life on a farm with lambing, calving, tailing, lamb feeding, watching a farrier trim ponies feet, riding a pony, walking up hills, discovering nature. At our children's local primary school, our girls were one of 2 farming families in a roll of over 600. We have regularly exposed children and families to experiences that would not have been available otherwise. We reconnected parents and grandparents with childhood and family memories.

7. If ownership and guardianship of land of this scale is narrowed to only the exceptionally wealthy and absent overseas landowners, educational opportunities for our younger generations will be lost along the way.
8. We certainly do not represent the traditional farm ownership model, however within our current operating model we have established ourselves as a solid performer within a comparatively small-scale operation to many of our competitors in NZ. Mike is the current President of Angus NZ, leading the genetic and market direction for the breed.
9. Given our combined background in agricultural land management, development and resource management planning we wish to provide for your consideration our concerns and suggestions for the Priority Area variation to assist your decision making, specifically in relation to the Morven Hill PA.

Background

10. Late last year we purchased a 53 ha parcel of land including the lower summit of Morven Hill known as Little Morven. This land formed part of a larger block (approximately 90ha) that we have leased and farmed over the past 17 years, along with other parcels of farmland in the area comprising around 200ha in total. We also have grazing arrangements with other operators in the District. This is the home of Kincardine Angus Cattle Stud, established by Mike's family in Canterbury in 1969. We also farm a small number of sheep (approx. 250) on this block. This has been our home for the past 12 years, and is our families turangawaewae.



Little Morven Trust Property highlighted in blue and yellow

11. We are one of the larger landowners in the Morven Hill Priority Area, and the largest landowner on Little Morven Hill, and suggest the most affected.
12. The property does not have any farm buildings, dwellings, approved residential building platforms or infrastructure such as sheep or cattle yards. This infrastructure is contained in a separate title on the balance of the farm that we have been leasing, and is currently subject to resource consent application for rural residential development and will not be available to us in the coming year.
13. Vehicle access to the top of the property (highlighted blue – the lower summit Little Morven) has historically been provided via the neighbours to the east through their farm, off Jean Robins Drive, relying on good neighbourly relations. The access through Duncan Alfred Dr does not provide sufficient capacity to allow access for farm machinery (tractors, feed out wagons, fertilizer trucks etc). We are currently working on a resource consent application which will be lodged in the near future, to enable us to establish a home, and the infrastructure we require to continue our farming operation into the future.
14. Approximately 31ha of the 53ha property (highlighted blue above) is subject to a no further development clause (northern facing slope), as a result of historical development by previous owners. This limits any development to the southern and western slopes of the property, highlighted yellow above.
15. We also do not represent deep pocketed developers or foreign landowners. We understand and respect the challenges that come with seeking to achieve a home and associated farm infrastructure on this property and given our circumstances we are approaching this with the appropriate care and consideration required to achieve a successful outcome.
16. Kincardine Angus Ltd's current pest and weed management for this site, includes significant rabbit control, weed control in the form of spraying for gorse and broom, which are prevalent on adjacent properties. Rabbits have over the past 5 years have become persistently worse to manage. Kincardine Angus Ltd has solely driven the pest management programme along Alec Robins Road, managing and coordinating the process with adjoining rural lifestyle neighbours. This year ORC has classified the Lake Hayes area as a hot spot for rabbits and invested more into the pest control programme, which is great to see.
17. The development of the twin rivers cycle trail along our southern boundary has effectively established a main highway for rabbits to travel between properties. Our efforts this year have included completing rabbit proofing on our boundary fence, our annual coordination of a neighbourhood poisoning plan in winter, additional rabbit shooting on top of regular pest management, helicopter spraying and hand spraying for weed control, weekly manual boundary fence checks plugging holes to prevent neighbouring populations of rabbits coming through to recently cleared attractive fresh rabbit free pasture.
18. Given the level of rabbit damage to pasture on the northern face of the property, we are considering introducing goats to our operation for biological weed control – to reduce the degree of spraying required to assist in restoring pasture in this area.

19. We have also commenced a native planting plan which we intend to continue to develop over the coming decades. We estimate that we have invested approximately \$20,000 in pest management and native planting this year. This level of effort (which is not consistent across this ONF) is fundamental to maintaining the openness and High perceptual value, and improving ecological values.
20. The key to sustaining this investment is that this land needs to have a purpose and provide us with a viable income and home.
21. We choose to be food producers providing genetically high quality stock to the beef industry in New Zealand and Australia – to provide a livelihood, and also as a way of life.

The Rural General Zone

22. As outlined in the QLDC District Plan the purpose of the Rural Zone is (Section 21.2 QLDC DP)

“The purpose of the Rural Zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity.....

...A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of rural properties that utilise the qualities that make them so valuable”.

23. We do not need to look too far over our boundary fence to see the results of rural land not being used for rural purposes, or landowners not being able to use rural land for reliable economic returns and land going to waste, rural amenity values being degraded with pastoral erosion through rabbit infestation followed by weed species (gorse, broom, *heracium??*), resulting in ecological values being degraded. A downward spiral that can take years (with the right landowner) to recover from.
24. We are concerned with the additional layer of “guidance” in the DP – that those assessing development applications in the future may lose sight of the zone purpose. This has been my experience with ONF / ONL applications in the past, that interpretation of the provisions is taken to the end degree – practical management of the rural properties needs to be given appropriate weight in consideration of development proposals.

PA Variation to Section 21 - Preamble

25. We are relieved to see that the preamble to the variation has been expanded to provide greater guidance around PA assessment clarifying that the assessment has been undertaken on “a whole and not intended to describe the relevant capacity of specific sites within the PA”. However, we remain concerned that there is a tension between the preamble and capacity statements and the interpretation of this through the processing of applications at Council.

In particular we are concerned that the no capacity statement sends a very dead-end message, particularly when the scale of assessment that is informing the PA variation is not granular - as any application on a ONF/L is.

Inconsistent application of Landscape Capacity across the ONF/L

- 26. When assessing the ONF Morven Hill: Schedule of Landscape values and comparing this to the ONF Peninsular Hill: Schedule of Landscape Values, and ONF Ferry Hill: Schedule of Landscape values, there appears to be inconsistencies in the application of Landscape capacity for rural living.
- 27. Peninsular Hill, and Ferry Hill both have higher associative values placed on them than Morven Hill, yet the landuse activity of Rural Living has a greater landscape capacity provided for (**Extremely limited** for both Peninsular Hill and Ferry Hill and **No Landscape Capacity** for Morven Hill).
- 28. Peninsular Hill also has a higher Perceptual Value of **Very High**, compared to **High** Perceptual Value applied to Morven Hill. Please refer to table 1.

	Morven Hill	Slope Hill	Peninsular Hill	Ferry Hill
Physical Values	high	Very high	high	high
Associative Values	moderate	High	high	high
Perceptual Values	high	Very high	very high	high
Relevant Landscape - capacity for Rural Living	No Landscape capacity	Extremely limited with qualifications	Extremely limited with qualifications	Extremely limited with qualifications

Table 1

- 29. We note that the summary for the Physical – Associative - Perceptual Landscape values for Slope Hill Peninsular Hill and Ferry Hill are discussed in greater detail than that of Morven Hill. From this it could be suggested that there is greater importance associated with these ONF’s. Yet does not equally transfer through to the Landscape Capacity assessment.
- 30. In Mr Heads Rebuttal evidence he notes the justification for recommending an unqualified rating of ‘no landscape capacity’ for a range of land uses.

“This is because ONF/L close to an existing urban area typically has a heightened landscape sensitivity to development change due to the size of the permanent viewing audience, the potential for a perception of (urban) development ‘creep’ along with the important role that such areas serve in clearly distinguishing between the more natural landscape (or feature) and urban areas.”

- 31. It is comfortably argued that:

- a. Peninsular Hill (Kelvin Heights sitting right along the northern foot of the roche moutonee and flanked to the south by Jacks Point development)
 - b. Ferry Hill with Frankton Flats developments sitting to the immediate southern toe are in much closer proximity to existing urban areas than Morven Hill is,
 - c. Slope Hill is flanked on both northern and southern sides by dense rural lifestyle development, and has a proposed zone change along Ladies Mile for high/medium density urban development.
32. As such Morven Hill should be allocated the status of Extremely Limited Landscape Capacity with qualifications.
33. I would also argue that if the commissioners required more confidence in the required outcome that conditions could specifically apply to the lower levels of Little Morven, as per earlier submissions on our behalf.
34. The balance of remaining open pastoral land on Little Morven Hill is predominantly in one land ownership, which already has significant development restrictions in place through existing land covenants. The provisions within sections 3 and 21 of the District Plan without the proposed PA Variation – already provide for significant protection, such that our instruction to our architects is to ensure that any future building is virtually impossible for the naked eye to see from public places.
35. In seeking natural justice and like being treated as like we seek that the Landscape Capacity for Rural Living on Morven Hill should be revised to Extremely Limited.

Important land use patterns and features

36. The current wording of clause 21.22.4(7) is as follows:
- a. *Predominantly used for extensive pastoral farming (sheep or deer), balage or hobby farming. Limited farming infrastructure, including farm tracks, fencing, stock yards, water tanks and four farm sheds.*
37. Cattle have been farmed on our 53ha property for approximately 10 years, our neighbours have farmed goats at varying numbers consistently over the years. Both balage and hay have been produced off ours and neighbouring land. The nature of the animals farmed on a property influences the nature and scale of the infrastructure required to manage them. For example – cattle cannot be safely handled in sheep yards. Storage of hay requires a shed, storage of balage does not, both have different supplementary feed purposes and are required.
38. A more accurate description of Important Landuse patterns and features would be as follows:
- a. *Predominantly used for extensive pastoral farming (cattle, goats, sheep or deer), balage/hay or hobby farming. Limited farming infrastructure, including farm tracks, fencing, stock yards, water tanks and four farm sheds.*

Relief sought

39. That consistent landscape capacity ratings, and natural justice are applied across the ONF/L's and specifically that the capacity rating for Rural Living on Morven Hill is aligned with that of both Peninsular Hill, Slope Hill and Ferry Hill, as Extremely Limited (with relevant qualifications), given that the combined physical, associative and perceptual values are greater than Morven Hill, which should mean that Morven Hill is afforded at least the same is not a lesser degree of protection. We seek the following Morven Hill PA is afforded the Landscape Capacity for:

***Rural Living** – extremely limited landscape capacity for rural Living development which: is located to optimize the screening and/or filtering effect of the natural landscape elements; is designed to be small scale and have a 'low-key' rural character, integrates landscape restoration and enhancement (where appropriate) and enhances public access (where appropriate).*

40. Existing land use patterns – that the description is amended to more accurately reflect existing landuse patterns as follows:

Predominantly used for extensive pastoral farming (cattle, goats, sheep or deer), balage/hay or hobby farming. Limited farming infrastructure, including farm tracks, fencing, stock yards, water tanks and four farm sheds.

41. That Little Morven Hill – given land ownership and existing development restrictions can be afforded a greater Landscape Capacity.
42. That the tension between Preamble and Capacity Ratings – will be addressed via the above steps.

Conclusion

43. We request that due consideration be given to the points outlined above. We wish to see a balance struck between protection of the landscape, in a framework that enables our family and community to provide for our social, economic and cultural wellbeing (as per Purpose of the Resource Management Act).
44. We thank you for your time and are happy to take any questions.

Gemma and Mike Smith.