

Mackenzie Guardians Incorporated



Submission - Resource Consent Application RM240167 – Godley Peaks Station Ltd

To: Manager Planning
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Submitter: Mackenzie Guardians Incorporated

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The land use consent application is to construct a residential unit and accessory buildings beyond the identified Farm Base Area (FBA) and within the Lakeside Protection Area (LPA) and Te Manahuna/Mackenzie Basin Outstanding Natural Landscape (ONL), and within an Area of High Visual Vulnerability (AHVV) at Godley Peaks Station

Introduction:

Mackenzie Guardians Inc. (the Society) is a community group formed in 2009 to promote the protection of the natural/naturalistic wildlife, water, vegetation, heritage, and landscape values of Te Manahuna/the Mackenzie Country. The rich heritage, unique ecology and iconic landscapes of the Mackenzie are highly valued by our members.

The Society is not a Trade competitor.

Background:

Since it was formed the Society has participated in several resource consent hearings, planning and policy development processes, submitted on seven Mackenzie Tenure Review applications, and advocated for a Dryland Park. The Society is currently a party to the Mackenzie Plan Change 18 (PC18) Environment Court appeal.

The Society considers the most important of the planning processes was Mackenzie District Plan Change 13 (PC13). The primary purpose of PC13 was to insert provisions in the district plan to protect Te Manahuna/the Mackenzie's outstanding natural landscapes and ecology from inappropriate subdivision, development, and use as required by section 6(b) of RMA.

Plan Change 13 has a long history. It was first notified in 2007. After the Council decision in 2009 was appealed, a lengthy Environment Court (ENVC) process followed which resulted in twelve Environment Court, and at least two High Court decisions, before a final decision was issued in April 2017. The Society joined the PC13 ENVC proceedings as a 274 party in 2016 and presented expert landscape, ecological, and legal submissions. Over the years PC13 was extensively consulted on by the public and key stakeholders. The PC 13 process came at a great cost to all parties who participated including the Mackenzie District Council.

As far back as 2011 the first ENVC Decision on PC13 found that the *grandeur and openness of the general landscape of the Mackenzie Basin, of all landscapes in New Zealand's high country, make it an outstanding natural landscape* (Para 106).

Resource Consent application RM240167:

The Society **opposes** the application for the following reasons:

1. The application is contrary to the s.6 of the RMA, the Canterbury Regional Policy Statement, and the Mackenzie District Plan objectives, policies, and rules.

The ten separate/connected buildings proposed to be constructed at a higher terraced elevation within the Mackenzie ONL and within the Tekapo LPA will be highly visible day and night. Buildings will be seen from the Lake Tekapo surface and shoreline, and across the wider landscape, particularly from the Godley Peaks Rd, the Lilybank Rd, the Mt John observatory and public walkways, and from surrounding foothills and mountain ranges.

2. New buildings should be located inside the Farm Base Area.

3. If approved the proposal could set a precedent and encourage others to locate large buildings outside of FBAs, within the Mackenzie ONL, within LPAs and within Areas of HVV.

4. If approved the proposal could result in future commercial activities.

5. The Society found no independent assessment of ecological values at the site, and the access road which is to be upgraded. Two 2x2m quadrats at 2 separate locations seems inadequate to fully characterise the vegetation present.

6. Mitigation measures provided by the applicant are not sufficient to address the potential to degrade Mackenzie ONL values.

Relevant sections of the Mackenzie District Plan include:

Rural Objective 3A – Landscape values *Protection of outstanding landscape values, the natural character of the margins of lakes, rivers, and wetlands and of those natural processes and elements which contribute to the district's overall character and amenity.*

NFL-O2 Te Manahuna/ Mackenzie Basin ONL.

- (1) *To protect and enhance the outstanding natural landscape of Te Manahuna/the Mackenzie Basin ONL in particular the following characteristics and/or values:*
- a) *the openness and vastness of the landscape*
 - b) *the tussock grasslands*
 - c) *the lack of houses and other structures*
 - d) *residential development limited to small areas in clusters*
 - e) *the form of the mountains, hills and moraines, encircling and/or located in, Te Manahuna/ the Mackenzie Basin*
 - f) *undeveloped lakesides and State Highway 8 roadside*

Policy 3B2 Subdivision and Building Development in particular 3B2 (3) *to strongly discourage non-farm buildings elsewhere in the Mackenzie Basin outside of Farm Base Areas.*

Policy 3B6 Lakeside Protection Areas, in particular 3B6 (b) *.....to avoid adverse impacts of buildings, structures and uses on landscape values and character of the Mackenzie Basin lakes and their margins.*

Buildings located within an LPA is a non-complying activity under Rule 3.4.4.

Buildings located outside the FBA and in an Area of High Visual Vulnerability is non-complying under Rule 3.4.5.

Earthworks proposed within an LPA is a noncomplying activity under NFL-R5.

The proposal does not meet NFL-R9.6 (Visual Vulnerability), NFL-9.7 (Height) or NFL-R9.8 (LPA) and is non-complying.

The proposal does not meet NFL-S1 (Height), NFL-S2 (Building footprint) and NFL-S3 (Building coverage).

Conclusion

After a long involvement in the Mackenzie District PC 13 process, the Society concludes **Application RM240167 Godley Peaks Station** is contrary to objectives, policies and rules in planning documents and will result in a **more than minor** adverse impact on landscapes, natural character, and on the high-country experience enjoyed by New Zealanders. There is potential for adverse effects on indigenous biodiversity.

The Society requests the application be **Declined**.

Mackenzie Guardians wish to be heard in support of this submission, and to expand on key issues of concern.