

Landscape

Subdivision and Land use resource consent application

at: Glenbrook Station, 2/1857 Twizel – Omarama Road (SH8)

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1. Introduction

In its s92 request (hereafter referred to as the RFI – request for further information) the Council sought further information regarding three landscape matters, which are summarised as follows.

1. An assessment with reference to relevant landscape provisions in the Canterbury Regional Policy Statement (CRPS).
2. A ranking of effects on landscape character.
3. An assessment of cultural landscape effects.

Each of these matters is addressed in turn.

2. The CRPS landscape provisions

In seeking further information regarding the CRPS, the RFI refers specifically to the Chapter 12 (Landscape) provisions. It also refers to Appendix 4 which identifies the Mackenzie Basin as one of Canterbury's outstanding natural features and landscapes at a regional scale. But first, the Chapter 12 Objectives and Policies are addressed.

In examining the Objectives and Policies (cited in the **Appendix 1** accompanying this response) it is clear their purpose is to instruct and guide territorial authorities on how they should manage the landscapes within their respective districts. It is evident some of the directives are mandatory where the term 'will' is used, while others are encouragements where the terms 'should' and 'may' are used. The Objectives and Policies also spell out Regional Council obligations.

In summary and in essence¹, the Chapter 12 Objectives and Policies direct territorial authorities to:

1. Identify and protect outstanding natural features and landscapes (Objective 12.2.1 and Policy 12.3.1), in addition to other landscapes (Objective 12.2.2 and Policy 12.3.3).
2. Recognise the landscape values set out in Appendix 4 (Policy 2.3.1.1).
3. Through detailed assessment of the matters set out in Policy 12.3.4(1), identify the boundaries of ONF/L (Policy 2.3.1.2).
4. Manage the District's ONF/Ls appropriately (Policy 12.3.2) noting that the application site in this case is not recognised within the current operative District Plan as being within an ONL.

¹ Not all policy matters are listed here – for a full citation see the accompanying Appendix.

5. Consistent management across adjoining Districts (Policy 12.3.4)

Because it is clear that the CRPS Chapter 12 provisions target territorial authorities, it does not appear that applicants seeking resource consents are required to give them consideration. This is predicated on the presumption that District Plans will implement the CRPS landscape provisions and in so doing achieve appropriate landscape management on a case by case basis. The landscape assessment accompanying the application does this via its consideration of the relevant District Plan landscape provisions.

Finally in this regard, the RFI notes that the CRPS identifies the whole of the Mackenzie Basin as being an outstanding natural feature and landscape at a regional scale. This includes all modified landscapes within the basin including settlements, tourist activity, farming and power generation. The CRPS does however recognise that not all of the basin will attract ONL/F status, where it states in the '*principal reasons and explanation*' to Policy 12.3.1 that:

Due to the broadness and scale of the Canterbury Regional Landscape Study Review 2010, and its geomorphological basis, the boundaries of the outstanding natural features and landscapes are not fixed on the ground. Accordingly, it is acknowledged that it is appropriate for local authorities to undertake detailed, collaborative studies at the appropriate scale and context for each district, to ensure that outstanding natural features and landscapes are identified in both district and regional plans. These will need to go through consultation processes with landowners and resource users.

It does not necessarily follow therefore, that the application site is located within an ONF/L and indeed it is not under the current operative Plan.

4. An effects ranking of landscape character

In the landscape assessment effects on character are comprehensively discussed in the section addressing landscape effects – pages 9-11. And then further when considering the relevant District Plan landscape provisions.

When it comes to ranking landscape character effects it is noted that the NZILA² assessment guidelines urge caution. The reasons given are cited in **Appendix 2** accompanying this response. Nevertheless, for the sake of clarity two aspects of landscape character can be ranked, these being natural and generic rural character. Specific (rural) character cannot be ranked as this comprises the way landscape elements, patterns and processes are combined to give a landscape its distinctiveness.

² NZILA - New Zealand Institute of Landscape Architects

4.1 Natural character

Essentially the degree of natural character arises from how much elements, processes and patterns in the landscape has been modified by human activity. The presumption is that at the top end of the scale the landscape is entirely indigenous and devoid of modification. Through case law a seven-point scale has emerged whereupon the degree of natural character is ascertained. The scale is expressed as follows:

Very high / high / moderate high / moderate / moderate low / low / very low

An issue with any landscape assessment is the extent of the landscape being assessed – that is, where are the boundaries. In this case the boundary is defined by the extent of the application site.

As described in the landscape AEE, the site has been modified due to pastoral farming activity and the presence of wilding pine. This has resulted in large scale displacement of the original indigenous vegetation cover. Land form on the other hand, remains largely intact. There are no structures on site such as buildings, water tanks, transmission lines, although farm fences are present. Consequently, the natural character of the site is assessed 'moderate high' with a bias toward the 'high' end of the spectrum.

Should the proposed subdivision proceed the natural character of the site will be diminished. This is primarily due to the introduction of buildings (houses and accessory buildings), vehicle access and landscaping within the home blocks. Consequently, natural character following subdivision is assessed 'moderate'.

4.2 Generic Rural character

Essentially generic rural character arises from the proportion of open space to built form. Or to put it another way, in rural landscapes open space surrounds buildings while in urban environments buildings surround space. Site density is the key parameter in delivering generic rural character. This applies to all rural areas, hence the generic label. Based on site density therefore, generic character can be ranked. Specific character however cannot, as it comprises the particular combination of landscape elements, processes and patterns and how they are arranged in relation to each other. Or to put it colloquially – 'it is what it is'.

While the application of a ranking scale to generic character is without authority (eg: case law or NZILA assessment guidelines), a scale such as that applied to natural character can be applied. This would be entirely based on site density.

As the site is currently devoid of buildings its generic rural character is assessed to be 'high'. Not 'very high' though as the neighbouring property within the visual catchment of the site does contain a number of buildings. However, if these were disregarded, then the generic character within the site would be 'very high'.

As implementation of the proposed subdivision would result in the introduction of 14 dwellings and their accessory buildings, site density will, as a consequence, be substantially lessened. As a result, generic rural character will therefore be 'moderate high'.

In this regard, it is necessary to take into account the District Plan standard determining site density, which in this case is one dwelling per 20 hectares.³ On this basis it is clear that the District Plan determines the 20-hectare minimum to be sufficient to deliver generic rural character while factoring in the outcomes sought under the Rural Scenic overlay.

5. Cultural landscape effects

A number of matters arise from consideration of cultural landscape effects.

The first concerns values attributed to the landscape of the application site and its immediate setting by manawhenua. In this regard manawhenua (runaka) have been consulted, as encouraged by the NZILA Assessment Guidelines. To date no response has been received.

The second point is that the District Plan does not identify any cultural and / or heritage features of note within the application site or its immediate surrounds. The Rural Scenic overlay does however denote cultural significance where the aim is to provide for a higher level of aesthetic appeal. Broadly, this is achieved via the provision of ample open space, the domination of vegetation over built form, visual coherence and a relatively high degree of natural character. It is assessed that the proposal will achieve these outcomes for the reasons described in the landscape AEE.

The third matter concerns cultural significance arising from land use.

Current land use comprises pastoral farming, albeit on land overtaken by wilding pine (which have been recently removed). Since European occupation of the Mackenzie Basin land use throughout has been predominantly pastoral and continues to this day. Consequently, such land use has been historically anchored since the arrival of Europeans. While the proposal will result in higher building density than what currently exists, it is anticipated that pastoral activity will continue within the newly formed 20 hectare plus lots. As a result, the cultural values ascribed to the landscape arising from pastoral farming will be maintained, thereby retaining European historic continuity.

Other land use activity in the vicinity includes power generation, settlements (Twizel, Ohau & Omarama), recreation and tourism. Conservation activity is also present and indeed a large tract of land adjoining the application site to the west has recently been acquired by the Department of Conservation. Most of this variable activity, is located at lower elevations within the basin and therefore informs the loci of human

³ Waitaki District Plan: **14.4.2.6** Rural Scenic (S) Lot Size Except in the case of lots for access, utilities, reserves, and roads where there shall be no minimum lot sizes, no lots in the Rural S created by subdivision consent, including balance titles, shall be less than 20 hectares

activity within the broader landscape. The proposal will not be out of keeping with this pattern of cultural activity. Or to put it another way, the associative effects will accord with peoples' cultural expectations of where activity such as that proposed will occur.

The District Plan also signals the possibility of such activity where it sets out standards (site density for example) and provisions to be considered when subdivision and subsequent land use is contemplated. In other words, the operative District Plan, being a democratically arrived at document, reflects cultural expectations within the district and more specifically for the Rural Scenic zoning in which the application site is located. As a result, the District Plan informs potentially acceptable landscape outcomes subject to the relevant provisions, including those seeking the avoidance, remediation and enhancement of adverse effects.

Andrew Craig – *Landscape Architect*



APPENDIX 1

Canterbury Regional Policy Statement – Chapter 12 Objectives and Policies

Note: only the objectives and policies are cited; not the explanation and reasons.

12.2 OBJECTIVES

12.2.1 Identification and protection of outstanding natural features and landscapes

Outstanding natural features and landscapes within the Canterbury region are identified and their values are specifically recognised and protected from inappropriate subdivision, use, and development.

12.3 POLICIES

12.3.1 Identification of outstanding natural features and landscapes

To identify the outstanding natural features and landscapes for the Canterbury region, while:

1. *recognising that the values set out in Appendix 4 indicate the outstanding natural features and landscapes for Canterbury, at a regional scale; and*
2. *enabling the specific boundaries of outstanding natural features and landscapes, for inclusion in plans, to be determined through detailed assessments which address the assessment matters set out in Policy 12.3.4(1).*

The Canterbury Regional Council:

Will:

1. *Make available any information about outstanding natural features and landscapes that it holds.*

Territorial authorities:

Will:

2. *Set out objectives, policies and methods, including maps, to identify outstanding natural features and landscapes in district plans:*
 - a. *at the time of a relevant district plan review, change or replacement; or*
 - b. *within 7 years of the CRPS becoming operative; whichever is sooner.*

Should:

2. *Request applicants for privately initiated plan changes or resource consents, where relevant, to provide appropriate assessments as to whether the site is located within, or near, an outstanding natural feature or landscape; its associated values; and any actual or potential effects on those areas.*

Local authorities:

Will:

4. *Work collaboratively to map outstanding natural features and landscapes, while:*

- a. *having particular regard to the values set out in Appendix 4, relevant district landscape studies, and the matters to be considered in such assessments as set out in Policy 12.3.4,*

- b. *considering the findings of the Canterbury Regional Landscape Study Review 2010,*

- c. *providing reasoning as to why areas are, or are not, considered to be outstanding natural features or landscapes in relation to the assessment matters under Policy 12.3.4 and the values in Appendix 4.*

- d. *having regard to any geopreservation sites when considering the location of outstanding natural features.*

5. *Engage with Ngāi Tahu as tāngata whenua to identify the values of cultural significance associated with outstanding natural features and landscapes as part of detailed assessments. This process will be assisted by iwi management plans.*

Should:

6. *Undertake changes to regional plans at the same time as changes to district plans where appropriate, following the detailed analysis of landscapes referred to in Method 12.3.1(4) above to ensure consistency of identification. Such plan changes should be heard jointly.*

12.3.2 Management methods for outstanding natural features and landscapes

To ensure management methods in relation to subdivision, use or development, seek to achieve protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

This policy implements the following objectives

Objective 12.2.1

Methods

The Canterbury Regional Council:

Will:

1. *Set out objectives, policies or methods in relevant regional plans and protect outstanding natural features and landscapes from inappropriate subdivision, use and development, and to manage use and development, and its potential effects on the values of outstanding natural features and landscapes.*

Territorial authorities:

Will:

2. Set out objectives, policies or methods in district plans to avoid, remedy or mitigate adverse effects of subdivision, use and development of land on the values of outstanding natural features and landscapes and protect them from inappropriate subdivision, use and development, and in particular;

a. will continue to enable activities that maintain the integrity of landforms and their associated landscape values; and

b. may achieve protection through methods such as zoning, overlays or land purchase; and

c. may include provisions that provide for covenanting, pest management, revegetation, or other mechanisms as appropriate to the values concerned.

Should:

2. *Engage with the public, landowners and resource users when undertaking detailed identification of outstanding natural features and landscapes.*

Local authorities:

May:

3. *Where it is appropriate, include provisions for areas located adjacent to or in near proximity to an outstanding natural feature or landscape in order to protect the values associated within that outstanding natural feature or landscape from inappropriate subdivision, use and development.*

12.3.3 Identification and management of other important landscapes

Identifying and managing other important landscapes that are not outstanding natural landscapes, for natural character, historic cultural, historic heritage and amenity purposes.

Local authorities:

May:

1. Set out, objectives, policies or methods that provide for the appropriate management of other important landscapes, including for their natural character, historic cultural or historic heritage values, and amenity values. Where these landscapes warrant such management, this may include the protection of such landscapes from inappropriate subdivision, use and development.

12.3.4 Consistency of identification and management of outstanding natural features and outstanding natural landscapes

Seek to achieve regional consistency in the identification of outstanding natural features and landscape areas and values by

1. considering the following assessment matters which address biophysical, sensory and associative values when assessing landscapes in the Canterbury region:

- a. Natural science values
- b. Legibility values
- c. Aesthetic values
- d. Transient values
- e. Tāngata whenua values
- f. Shared and recognised values
- g. Historic values

2. requiring methods for landscape management to be developed and considered, having regard to the management methods in adjoining districts or regions, and the extent to which these may, in combination, protect outstanding natural features and landscapes.

12.4 ANTICIPATED ENVIRONMENTAL RESULTS

1. The community generally agrees to a shared set of areas and values for outstanding natural features and landscapes.

2. The values of the outstanding natural features and landscapes are identified in district and regional planning documents and are protected from inappropriate development.

3. Only appropriate development is allowed to occur within outstanding natural landscapes.

4. Landscapes that are not considered to be outstanding, but still have other values, are identified in district and regional planning documents and are protected from inappropriate development.

APPENDIX 2

From: Te Tangi te Manu (NZILA Landscape Guidelines 1922)

Be cautious with rating (scoring) individual attributes to evaluate landscapes for the following reasons:

- *Conceptually, landscape is the interplay of dimensions—not the sum of their parts.*
- *Value is embodied in specific character and attributes, not the generic criteria/factors that typically make up a scoring framework.^c*
- *The relative significance of any criterion/factor depends on context.*
- *While in practice a high score for one dimension is often mirrored by high scores in the other dimensions (given that the physical, associative, and perceptual dimensions typically resonate with each other), such self-reinforcing tendencies do not always hold true and should not be misconstrued. It is possible for a landscape to have a single over-riding reason for its value.*
- *Some criteria/factors, particularly in more detailed schema, may be in opposition (for example, rarity vs representativeness, historic heritage vs naturalness). It is more credible to treat landscape criteria as pointers than part of a mathematical formula. Ultimately, reasons and explanation in support of professional judgement are more important than prescribed criteria.*

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Interpret landscape character. The essential step, following analysis, is to interpret each landscape's character—how the parts come together as character. This step will synthesise the dimensions and explain how they interact. It requires both insight and clarity to see the landscape as an entity and the role the relevant attributes play. It cannot be done mechanistically [ie, ranking]⁴ but requires intelligent, creative, and critical interpretation. It is essential that the physical, associative, and perceptual dimensions are integrated (synthesised). While teased apart for the sake of analysis, it is only when bound together that the dimensions make sense as landscape—that the landscape comes to life.

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⁴ Author's insert

