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**BEFORE THE QUEENSTOWN-LAKES DISTRICT COUNCIL**

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**UNDER THE**

**RESOURCE MANAGEMENT ACT 1991**

**IN THE MATTER OF**

**Priority Area Landscape Schedules Proposed  
Variation to the Proposed Queenstown-  
Lakes District Plan**

**OFFICE FOR MĀORI CROWN RELATIONS - TE  
ARAWHITI**

**Submitter**

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**SUMMARY STATEMENT OF NIKKI JANE SMETHAM ON BEHALF FOR OFFICE OF  
MĀORI CROWN RELATIONS – TE ARAWHITI**

**1 November 2023**

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## **Introduction**

1. My name is Nikki Jane Smetham. I am a Senior Landscape Architect with Rough Milne Mitchell Landscape Architects Limited (**Rough Milne Mitchell**).
2. My qualifications and experience are set out in paragraphs 2 – 3 of my statement of evidence. I confirm that I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2023. I have complied with the Code of Conduct in preparing this evidence and will continue to comply with it while giving oral evidence.
3. My evidence addresses the landscape values for Schedule 21.22.22 Dublin Bay ONL Priority Area (**PA**).
4. I attended the Expert Conferencing during the first week of October 2023 and signed:
  - 4.1 The Landscape Architects Joint Witness Statement dated 2 October 2023
  - 4.2 The Landscape Architect and Planning Experts Joint Witness Statement dated 3 October 2023
  - 4.3 And the Joint Witness Statement of Landscape Experts relating to 21.22. 22 Dublin Bay PA.
5. I note that this process was very beneficial and I generally agree that the changes made during conferencing addressed the concerns I raised in my evidence, except with regard to the following points.

## **PA Schedules following expert conferencing**

6. I accept the structure and comprehensive nature of the Schedules as a baseline description but, I remain of the opinion that there is opportunity to clarify wording to assist interpretation and avoid undue emphasis.
7. Firstly, I understand that the PA Schedules are high level so ideally should avoid determinative / influential text and be written in plain english without the potential for misinterpretation. I still consider this to be an

issue because some of the headings i.e. '**Important ecological features and vegetation types**' and **Important land use patterns and features** imply a value to be protected.

8. Subsequent changes during conferencing have clarified the relative importance of other characteristic vegetation types, specifically by adding further text recording that plantation forestry is present / or apparent within the PA and does not contribute to naturalness attributes or outstanding natural values.
9. While I acknowledge that amendments to the Schedule now records the mountain bike trails on Sticky Forest as an existing informal land use, it remains under the heading of **Important land use patterns and features**. I am still concerned that this may lead to a public expectation that the trails are a key landscape value requiring protection. I consider the schedule as proposed by the Council elevates the mountain bike trails on Sticky Forest as an important land use pattern and feature to an extent that is inappropriate given the context in which they exist at present.
10. If all attributes are listed as important then I am concerned that the tendency will be to preserve the status quo rather than protect the key values. I consider that these issues may be easily remedied by the removal of the word '**Important**' in those relevant headings.
11. In my evidence I suggested that as an overarching recommendation, the landscape schedules require re-structuring so that the attributes and key values of each ONL are listed separately. My concern was that these aspects were blurred together in the proposed schedules in a way that is creating confusion and does not clearly distinguish between attributes (characteristics and qualities of the landscape) and values (the important aspects of the landscape which are to be protected).
12. As a consequence of this I remain unconvinced that the PA fulfils the Strategic Direction, noting that the Strategic Direction requires at 3.3.38 to achieve SP3.3.37 for each PA :

*a. identify the key physical, sensory and associative attributes that*

*contribute to the values of the Feature or Landscape that are to be protected.*

13. I still consider that at least the **key** physical attributes underpinning the landscape values should be identified in the Summary of Landscape Values for all PA Schedules, for the reason that not ALL attributes contribute to values. I also understand that it is the relationship between attributes that **may** lead to landscape values. For clarification I refer to TTatM at 5.06 which states *Importantly values depend on certain physical attributes. Values are not attributes but are embodied in attributes. At 5.29 The purpose of identifying landscape values is to maintain and improve such values. But landscape values are managed through the physical attributes that embody the values. It is important that the values are explained in terms of the physical attributes on which they depend.*
14. Not all ONLs are the same. The question is what key attributes make any particular landscape an ONL? The starting point is generally the physical attributes, and this was tested by Mr Espie and me during the landscape conferencing. The outcome determined that it was possible to separate the key physical landscape attributes that contribute to landscape values but the associative and perceptual attributes and values were inextricably linked and cannot be readily separated.
15. In my opinion this is consistent with the TTatM guideline approach, bearing in mind that the purpose of the PA Schedules is to ensure the protection of ONLs from **inappropriate** subdivision, use and development<sup>1</sup>, but not all development. At 8.12 TTatM states that *whether a subdivision, use of development is 'inappropriate' will be answered with reference to the landscape values that make the ONF or ONL outstanding. An essential task, therefore, is to precisely identify such values and the attributes that embody those values.*
16. For example, Weka Pass, where the key physical attributes contributing to the Weka Pass ONL values is the geomorphology of the limestone

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<sup>1</sup> RMA 1991, Section 6(b)

outcrops (limestone pavement / karst landscape), the pastoral landcover, rolling topography, and presence of rock art. The associative and perceptual values of mana whenua ancestral land, anthropomorphism / zoomorphism, aesthetic cohesion etc flow from those.

17. The key physical attributes contributing to the landscape values of Dublin Bay would be the geology and geomorphology of the glacial landforms being the glacial lake, moraine, and Mt Brown roche moutonnée, the lake outlet at Mata-au / Clutha River, proximity to urban settlement.
18. As a further point of clarification, I note that the Landscape JWS Version 5 October 2023 Final refers to xi Forestry as having No capacity for exotic forestry. I understand that this has been amended in the version attached to the Council's opening legal submissions to the agreed Landscape Capacity rating as 'Extremely limited or no landscape capacity'.
19. I note that on day 1 of the hearing, the Council proposed that the Preamble should be amended for the 'Extremely limited or no landscape capacity' description to include the wording 'rare exceptions'. I find this to be determinative and unnecessary given the high level of the PA Schedules, the acknowledgement that values vary within a PA and the necessity for a landscape assessment to accompany a resource consent application for proposed developments.
20. I generally agree with the contents of the proposed schedule 21.22.22 as amended by Mr Head, which now accurately describes the nature of the plantation forestry and that the schedule recognises that the presence of plantation forestry does not contribute to the landscape values in the ONL;
21. However, Schedule 21.22.22 does not recognise that the existing plantation forestry in the Dublin Bay ONL will require harvesting, thinning and other forest management works typical of a plantation forest that will inevitably adversely affect landscape values at least in the short term. There is concern that the extremely low to no capacity for exotic forestry may be interpreted as a barrier to ongoing management and / or

harvesting of the existing forest. I do not agree with Mr Head that the schedule adequately addresses this issue as it is currently drafted. I recommend further content is added to the schedule, to record that there is some capacity for the landscape to absorb activity associated with existing plantation forestry.

**Nikki Smetham**  
7 November 2023