

**SUBMISSION ON  
SELWYN DISTRICT PROPOSED PLAN  
CHANGE 6.**

**LOWER PORT HILLS AND SUMMIT ROAD  
PROTECTION AREA.**

**Prepared by H J & J R Macartney.  
On behalf of H J Macartney and K H Macartney Trust.**

**23<sup>rd</sup> July 2009.**

**Copy for Commissioner Dean Michael Chrystal.**

## SUBMISSION TO THE SELWYN DISTRICT PLAN CHANGE 6.

July 2009

This Submission is prepared by HJ & JR Macartney on behalf of H J Macartney and the K H Macartney Trust. H J Macartney owns approximately 8 ½ hectares and K H Macartney Trust approximately 30 hectares of hill country in the Plan Change 6 area. (See Appendix map 1).

The property in H J Macartney's name has been in the Macartney family since 1880 with H J Macartney being the fourth generation to farm the property. The K H Macartney Trust property was purchased in 1963 by H J Macartney's father and is now farmed by Rosevilla Ltd which is owned by HJ Macartney and his son T J Macartney (fifth generation).

*Below are points to consider against Plan Change 6*

*We believe the plan Change is flawed for a number of reasons.*

### CONSULTATION

1. When Plan Change 6 was first proposed by the Selwyn Council I contacted Councillors to find out what the reason was for the change. The 60 metre contour as part of the Inner Plans was well discussed and canvassed at the time of the last District Plan. Eighteen months of monthly consultation by a committee elected from interested groups under the guidance of the Selwyn District Council lead to the adoption of this policy. Are we here because of an administrative bungle because the 60metre contour wasn't correctly marked on a map?

The responses were:

- |        |   |
|--------|---|
| First  | No one knew about it  |
| Second | It was a formality because a line on a map was in the wrong place i.e. (not on the 60 metre contour).   |
| Third  | Ask the Consultant Andrew Craig because the council planning department did not know anything about it. |
| Next   | We were told it was a process.  |

All we wanted, was to know whose idea it was and what was the aim. We have since discovered it appears to be Consultants and Landscapers pushing their employment opportunities and principles.

Some light on the subject came in *The Selwyn Times* dated 22.01.08 when the Selwyn District Council Policy leader Julia Forsyth was quoted "***Nobody really expected this high growth and huge interest in rural residential subdivision. You don't really know if your rules are going to work until you have used them quite a lot***". (See Appendix *The Selwyn Times* photocopied clip 22.01.08)

There was no mention of ONL just landowners doing what was allowed. Having announced this Plan Change 6, the Council actually stimulated more subdivision by Landowners wishing to beat the system, hence why we have so many properties falling into the Grandfather Clause provisions.

2. To say all the Port Hills are an Outstanding Natural Landscape (ONL) detracts from those areas that are ONL, such as Coopers Knob and the prominent volcanic dykes and the volcanic peaked skyline. The hill blocks we farm have been farmed for over a 100 years. They have been ploughed, fenced, fertilised and sown; there is even a quarry where rock was taken out to build the Main Akaroa Highway. Vodafone have erected a cell tower that stands on the 65 metre contour. Somewhat stretching the imagination to be called a landscape of natural significance. (See Appendix, photo 1 and 2).
3. There is already a significant amount of development in the area from Early Valley Road to Motukarara above the 20 metre contour and a large amount with Grandfather Clause up to the 60 metre contour. Best estimates worked out by J J Ryan Farm Consultant and Valuer are that **two thirds of the area in question is already in 4 hectare blocks or covered by the Grandfather Clause.** Those that are most affected by this blanket change are the long standing families in the area that have not been in the property development business of which there are about five. This seems like a big effort to disenfranchise these farmers who have this land as their *working and living environment*.
4. It is a matter of opinion what a visually attractive landscape is. Houses can be built on a hillside and not adversely distract from the landscape, simultaneously achieving their desire to live in an elevated pristine landscape as well as harmoniously blending in with the environment. (See Appendix Photo 3). This photo shows a home already built and landscaped on our boundary blending in with the hillside landscape. I do not think Mr Commissioner you would find this intrusive as a neighbour as we do not. In fact we think how fortunate they are to look out over the Canterbury Plains and to the snow capped Southern Alps.
5. The Council Plan Change 6 is taking a sledgehammer to crack a peanut. The block we own would only be able to get 2-3 four hectare blocks under the 60 metre contour. This is hardly high density development/housing. There are still hundreds of hectares of the Port Hills to view beyond the 60 metre contour and even some below. Under Plan Change 6 there would be very little housing and development because there are only a handful of landowners with 40 hectares or more.

This Plan change does not consider the economic and social well being of those that live and work in the area. Our family has farmed in the Tai Tapu area for more than 100 years and our children, two daughters and a son wish it to continue to do so. The majority of our flat land falls into the INNER PLAINS and are highly productive soils but can consequently be subdivided into 4 hectare blocks. With one 4 hectare subdivision on one boundary and Rocklands on another we are one of the three long standing working farms of any size in this small area that face the challenge of continuing to arable farm. The hill blocks have been seen by the family as a means of sharing assets amongst the family and still have a viable farming operation.

However, if Plan Change 6 is passed, then the family is left with 40 hectares that is of very low asset value if pastoral grazing only is allowed on the lower 60 metres. There was no economic report on this class of country under the Plan Change 6

regime. Other, perhaps more efficient land uses can already be seen with vineyards, cafes, olives, asparagus and fruit growing in the area at present.

It makes no sense as the world needs more food and New Zealand is reliant on food exports for prosperity. Why not let some building and development on the hills that are of low production value. No other countries in the world build on their best productive land and look at the low producing land. The R M A requires us to take account of social and economic well being; it doesn't ask us to be dumb!!!!

6. The Andrew Craig Report on page 8, photo 6, shows part of our hill property. He suggests the Port Hills from 20-60 metres should be left in its present state so motorists travelling along State Highway 75 and other public places can gaze at the Port Hills is not founded. People look more out to the horizon or hilltops. As subdivision progresses on the subdivided flats along this route land owners plant shelter belts to block out road noise and wind obscure these views of the lower slopes. *(See Appendix photos 3,4&5) These photos taken between one paddock and less than one kilometre from the Highway.*

The telecom Cell Tower on the Westoby property in the Tai Tapu village was erected without a public modifiable consent from the Selwyn District Council. I note that NO RESIDENTS from Michael's Road that view this intrusive eyesore have submitted for this change 6, but they wished they were given a chance regarding the Cell Tower. (See Appendix, photos 7&8).

7. The Landscapers and Planning Consultants all seem to struggle to differentiate between the top and bottom of the Port Hills. Our working environment has always been with a view of the Port Hills. When I look for a view I look to the summit and the slopes below covered in tussock and some forestry, fairly clear of development by man. When I look to the toe of the hills I see the majority of the tussocks gone and pastures planted. I see a working /living environment, sheep, cattle, vineyards, forestry and asparagus activities. While the consultants can not see that difference below the 60 metre contour I think Mr Commissioner you will when you see the photos below. There is a difference, for the consultants to argue that it is the same landscape is beyond belief. That is why we argue against this Plan Change 6. **The lower slopes are a working-living environment, catering for the social and economic needs of the landowner and the community.** (See Appendix photos 9, 10 &11).
8. Mr Commissioner I am no a qualified landscaper but I appreciate the environment I have lived in for 60 years. I struggle to understand how the expert opinion quoted by *(Boffa Miskell)* arrives at claiming ONL status for all of the Port Hills. The Selwyn District Council District Plan says on Page 79 (Boffa Miskell) **THE PORT HILLS AREA ARE NOT A PRISTINE NATURAL LANDSCAPE BECAUSE THEY HAVE BEEN DEVELOPED.**) In the PETER ROUGH REPORT (Page 9) Andrew Craig, then goes on to ask the question, "Are the Port Hills below 60 metres outstanding?" The answer noted was, **"NO"**.

# APPENDIX

Appendix ( following pages )

Selwyn Times 22-1-08

# Zoning rules under review

By Annabelle Latz

**T**HE zoning rules for a section of the Port Hills may not be robust enough to both maintain the green landscape and keep up with the large number of properties that are being established there.

The development of 4ha blocks around Tai Tapu and Motukarara, below the 60m contour line, have taken off at a much higher rate than Selwyn District Council predicted when it set the zoning rules for the area in the 2004 District Plan.

Currently, the permitted minimum section size in this area is 4ha.

Policy team leader Julia Forsyth said the rules are being reviewed, to ensure the landscape is protected from over-development.

Last August and September the council sent out letters and held information evenings, so residents in the area could be



Land development may soon be restricted on certain parts of the Port Hills, to maintain the valued green landscape.

PHOTO: ANNABELLE LATZ.

informed about the potential zone change, limiting development.

The council received 57 feedback forms, most replies showing people were either unsure or did not want further subdivision.

Out of those who did want further subdivision, most want-

ed it four hectares or greater.

"We were surprised there was such a clear differentiation. There wasn't much in the middle," said Ms Forsyth.

Ms Forsyth said the growth rate was not anticipated to be so high when the District Plan rules were set in 2004.

"Nobody really expected this high growth and huge interest in rural residential subdivisions. You don't really know if your rules are going to work until you have used them quite a lot," she said.

Next month a proposal will be finalised with the council, outlining whether there should be changes to the District Plan, and if so, what they should be.

If the council decides to set changes, a final zone change should be made by the middle of this year.





AMENDMENTS		
ISSUE	DATE	REVISION

## ROSEVILLA FARM TAI TAPU

PREPARED FOR  
H.G. & J.R. MACARTNEY



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FIELDWORK	
DESIGNED	
DRAWN	D Finlay
APPROVED	June 2009

H:\2009\309041 Rosevilla\acad\1\C09041 AA-01.dwg

SCALE 1:2500 @ A1 1:5000 @ A3

PROJECT (A1 original)	DRAWING No.	REVISION
C09041	AA-01	



Appendix.



Property of H J Macartney with cellphone tower and quarry.

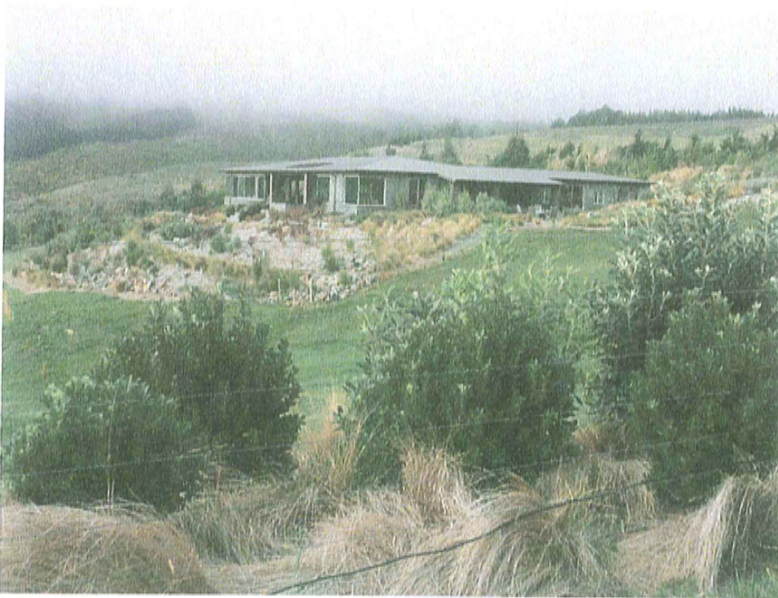


(Photo1) Outstanding Natural Landscape! !!





(Photo No 2) Cellphone tower on owner's property.



(Photo No 3) House on boundary built blending in with the environment.



(Photo No 4) Shelter belts that obscure the lower 60metres of the Port Hills



(Photo 5 )Taken a little further back obscuring the lower 60 metres.



(Photo 6) Shelter belts obscuring up to 60 metres on the hill area in question.





(Photo 7 & 8) Other features that prohibit the public view. The residents given no opportunity to object on. Outstanding feature in the background protected by the Summit Road Protection Order.



(Below Photos 9, 10 & 11) The difference between below and above 60 metres. The lower slopes no longer Natural landscapes but working /living environments on neighbouring properties and as seen from Highway 75.





Taken from State Highway 75 ,a working landscape .



Taken from Highway 75, a living landscape.