

STAGE 3 - SECTION 32

CHAPTER 9

NATURAL AND CULTURAL HERITAGE

APPENDIX 3.2 - BANKS PENINSULA LANDSCAPE REVIEW
ADDENDUM

Te Pātaka o Rākaihautū/ Banks Peninsula Landscape Review

Addendum Report for Notification

Prepared for Christchurch City Council

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Boffa Miskell

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Introduction and Background

The following brief report describes the landscape and natural character values of areas that are recommended for inclusion in the Outstanding Natural Landscapes and Coastal Natural Character Landscapes (ONLs/CNCLs) identified in the Proposed Christchurch Replacement District Plan. Due to proceedings in 2007 a number of areas fell out of the scope of the appeal¹ to the Environment Court on Variation 2 to the Rural Zones of the Banks Peninsula District Plan (*EC Decision C 45 / 2008*).

An amalgamation of the following areas represented the maximum expansion of the ONL and CNCL areas that could occur within the scope of the appeals:

- The 2005 Interim Coastal and Landscape Protection Areas and Prominent Ridgelines (as determined by the Council's decision on Variation 2);
- The 1997 Landscape and Coastal Protection Areas (as sought in the appeals by Ms Briggs and the Summit Road Society);
- The Coastal Protection Areas extended to include all of Kaitorete Spit and all land within 300m of Mean High Water Springs ("MHWS") or up to the first obvious ridgeline, which ever is closest. Given the difficulty in determining the first obvious ridgeline, the areas that lie within 300m from MHWS were identified.

Areas extending beyond these outlines were therefore excluded from the Banks Peninsula District Plan before the mediation in September 2007, while they were identified as ONL and/or CNCL in the Banks Peninsula Landscape Study, prepared by Boffa Miskell Ltd (BML) in 2007 (referred to as Landscape Study in this report). The removal of these areas resulted in some arbitrary boundaries that did not relate to any characteristics or qualities of the landscape. By excluding these areas, the ONLs and CNCLs confirmed by the EC decision did not fully reflect the findings of the Landscape Study, which is acknowledged in the Operative District Plan (Chapter 19, Method 7).

Throughout the report reference is made to findings from property refinements, also referred to as 'groundtruthing'. As part of the mediation agreements in 2007 an assessment of remaining areas of dispute where landowners, or others, have questioned categories, boundaries and/or rules, was carried out by BML through on-site investigations on 21 properties. The purpose of the groundtruthing following mediation was to confirm or amend, as necessary, the outlines of the mapped CNCL and ONL areas and to adjust boundaries where necessary to better follow landform and land use patterns and to make them more meaningful to landowners than could be achieved when mapping at a district-wide scale.

The ONL/ CNCL boundary review was primarily carried out as a desktop analysis, where changes to the ONL/ CNCL areas (based on the reduction of scope as described above) were considered first. As part of this assessment the study team referred back to the values and characteristics outlined in the Landscape Study (BML, 2007) and assessed whether the values and characteristics were reflected correctly through the current boundary outlines.

For this review available GIS² data and aerial imagery, which was used extensively for the preparation of the Landscape Study, was re-evaluated. For the preparation of the Landscape Study and subsequently for this Addendum Report, an analysis of values in GIS was used to inform the ONL

¹ Appeal to the Environment Court on Variation 2 to the Rural Zones of the Banks Peninsula District Plan - Decision C 45/2008

² Geographic Information Systems

and CNCL identification (see Landscape Study Phase 2 Landscape Evaluation p 46-60). This analysis of spatial information for the identification of landscape values, as described in the Landscape Study is still considered a valid approach to determine the location of landscape values on a district-wide scale.

Subsequently for this review, up-to-date information was collected from Council's ecologists (where necessary and available) to review the current state of natural science values for ONLs and natural character for CNCLs. On-site assessments of selected areas were carried out by BML and CCC staff where site access was granted, or alternatively from publicly accessible vantage points. This process helped to ensure that the ONL/CNCL mapped areas reflected the values found on the ground and that boundaries followed land form and topography as much as possible. For some areas, in particular where sites could not be seen from public vantage points, the desk top information was relied on.

The majority of areas that were added as ONLs through this review were excluded through the EC appeal scope definition as described above, while two areas in particular (Te Waihora/ Lake Ellesmere and Wairewa/ Lake Forsyth) were added following feedback from Ngāi Tahu, who are partners in this district plan review. Due to a lack of detailed information on associative values for these two coastal lakes they were not identified as ONLs in the Landscape Study in 2007, which is regarded an omission in the light of information provided for this review (see Te Pātaka o Rākaihautū Cultural Values Addendum).

This review of ONL and CNCL areas involved a number of site visits by BML and CCC staff to consult with land owners and to confirm the appropriateness of boundary amendments of areas on site between mid 2014 and early 2015. Where possible an assessment of the natural character of coastal areas was carried out as well through site investigations as described above. CCC retains an extensive register of communications with land owners and consultation outcomes.

Structure of Addendum Report

The review in this report is structured around the 31 landscape character areas that were outlined and described in detail in the Landscape Study. The landscape character areas are considered to be a useful way to cluster landscapes with similar attributes. This report can, therefore, be used as an addendum to the existing study to outline the rationale for identification of additional areas and/or in some cases, removal. In addition to the areas that were beyond the scope of appeal, some minor amendments have been made to some of the previously identified Outstanding Natural Landscape areas reflecting changes which have occurred to the landscape since 2007.

Furthermore, CNCL areas were assessed in detail in terms of their natural character to identify whether they qualify as areas of high, very high or outstanding natural character. This is one of the requirements under the New Zealand Coastal Policy Statement 2010 (NZCPS) which was released in December 2010. The NZCPS tasked local authorities under Policy 13 to map or otherwise identify (at least) areas of high natural character in the coastal environment. The CNCL areas from the current plan were reviewed, and were required CCC ecologists were involved in defining the degree of natural character of these areas, to fulfil the NZCPS requirement (see also methodology).

Note: This Addendum Report should be read together with the Banks Peninsula Landscape Study (BML, 2007) and the Technical Landscape Overview Report for the District.

See Appendix Two for maps showing ONL (Map1) and CNCL (Map2) Evaluation

Te Pātaka o Rākaihautū/Banks Peninsula Landscape Study Ngāi Tahu Values Addendum

The Te Pātaka o Rākaihautū/Banks Peninsula Landscape Study Ngāi Tahu Values Addendum was used to confirm and elaborate on the Ngai Tahu cultural values within each of the ONLs previously identified in the Banks Peninsula Landscape Study 2007. While the Banks Peninsula Landscape Study had previously acknowledged many of these values at a high level and their importance contributed to the overall ONL evaluations, the detail of the Ngai Tahu cultural values was not always included. The Te Pātaka o Rākaihautū/Banks Peninsula Landscape Study Ngāi Tahu values Addendum sets out these values for each ONL within the existing boundaries of the ONL.

Methodology

The review contained within this document covered Outstanding Natural Landscapes (ONLs) and Coastal Natural Character Landscapes (CNCLs). The methodology applied for the identification of these areas has been outlined in the Banks Peninsula Landscape Study 2007 (Boffa Miskell Ltd). The relevant parts of the Study Methodology are summarised below and comments are made on the integration of current best practice methods under the New Zealand Coastal Policy Statement (NZCPS 2010).

Outstanding Natural Landscapes and Features

As described on page 47 of the Banks Peninsula Landscape Study (2007. BML), case law has determined a number of factors that are to be considered as part of an assessment of landscape values in accordance with section 6(b) of the Resource Management Act 1991 (RMA).

There are various different ways in which landscapes may be appreciated and thresholds for quality determined. The range of criteria that the Environment Court has reinforced for landscape practitioners to consider when valuing landscapes is referred to as the Amended Pigeon Bay criteria or factors³. There is now a level of acceptance in the use of these criteria as an assessment framework.

The Amended Pigeon Bay criteria include (but are not limited to):

- *natural science factors - the geological, topographical, ecological dynamic components of the landscape;*
- *aesthetic values including memorability and naturalness;*
- *expressiveness (legibility): how obviously the landscape demonstrates the formative processes leading to it;*
- *transient values: occasional presence of wildlife; or its values at certain times of the day or of the year;*
- *whether the values are shared and recognised;*
- *value to tangata whenua;*
- *historical associations.*

³ *Pigeon Bay Aquaculture Ltd v Christchurch Regional Council [1999] NZRMA 209; Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2000] NZRMA 59 at paragraph 72.*

Clearly all these values are interrelated. For example, a particular concentration of wildlife may have natural science value, it may be memorable and add to aesthetic quality, it may have a transient value, and may also contribute to an area's natural character and amenity values. The nature of many landscape features and attributes is that they contribute to multiple values. The values are described in further detail in the Landscape Study (see pages 48-60).

A recent review by the New Zealand Institute of Landscape Architects (NZILA) has reordered the Amended Pigeon Bay criteria into three categories, focusing on the landscapes' broad Biophysical, Sensory and Associative values. However, in order to maintain consistency with the Landscape Study, the Amended Pigeon Bay criteria have been applied for the assessment in this addendum report. The values have been used as a basis for assessment in this current review of areas to determine whether they should be included in the currently identified ONLs on Te Pātaka o Rākahautū/Banks Peninsula.

Coastal Environment and Natural Character Assessment

In 2007, during the preparation of the Landscape Study the current NZCPS was not brought into effect yet. In order to ensure that the identified Coastal Natural Character Landscape areas in the current Plan are in line with the intent of the NZCPS, this review was undertaken to determine whether the Council meets its obligations under the NZCPS (in particular for the natural character/landscape relevant Policies 1, 13 and 15).

The Inland Extent of the Coastal Environment

The methodology of identification of CNCLs is described in detail on pages 60-62 of the Banks Peninsula Landscape Study 2007. The definition of the coastal environment was a difficult task. A very large part of the Peninsula would be included within the coastal environment if the nearest ridgeline is used as the criterion. The only area not within the coastal environment would be the Lake Forsyth, Kaituna and Prices Valley catchments. At the time the study team considered that this approach would dilute the importance attached to areas closer to the sea/land interface. A careful analysis of local topography provided no clear solution although in many instances, due to the scale and nature of landforms; and a distance of about 500 metres from MHWS seemed to equate to the limit at which the dominance of the coast is no longer so apparent.

The study team recognised that the selection of an arbitrary distance will not pick up on landform subtleties. To define these for the whole Peninsula would be a major technical exercise. This is because the evenness of slopes that extend from the summit ridge to the outermost parts of the coast gives little topographical justification for boundary definitions. Consequently, the study team adjusted the line only where there was an obvious logic to do so, but in all other locations retained the 500 metres from Mean High Water Spring as a notional boundary.

Further refinement occurred during the mediation process⁴ where detailed on-site investigations to 21 individual properties was carried out, as agreed with several parties of the mediation process. These more site specific investigations of CNCLs and ONLs are referred to as "groundtruthing" throughout this report (to be consistent with the terminology used at the time).

⁴ See Heads of Agreement attached as Appendix One

The Coastal Environment Overlay for Te Pātaka o Rākaihautū / Banks Peninsula

The Coastal Environment Overlay for Ōtautahi/Christchurch City and Te Pātaka o Rākaihautū/Banks Peninsula has been developed where the Council used multi-criteria analysis to determine the landward extent of the coastal environment. A series of workshops were held with technical experts in the fields of ecology, coastal hazards and coastal geology, landscape planning, parks and recreation, heritage and planning at which the following criteria were applied and ranked:

- a. natural coastal character;
- b. coastal landscape and ecology;
- c. coastal natural hazards;
- d. interaction with coastal marine area;
- e. public access and recreation;
- f. heritage values; and
- g. practical and reasonable approach.

The landward extent of the Coastal Environment is shown as an overlay on the District Plan maps. Community submissions are likely to result in further refinements to the overlay.

The key finding of the review from a Coastal Natural Character perspective was that the existing CNCLs in the Operative Plan fall within the Coastal Environment and are considered appropriate in the inland extent when assessed under the NZCPS 2010. It is also noted that the inland extent of the Te Pātaka o Rākaihautū/Banks Peninsula CNCLs is consistent with other parts of the district (Ōtautahi/Christchurch City) and Canterbury Region.

The Degree of Natural Character along the Banks Peninsula Coast

The 2007 Banks Peninsula Landscape Study acknowledged that not all areas of the coastal environment retain the same level of natural character (see p62). Some areas are substantially more modified than others. In general, the less the human modification of the environment, the higher the level of natural character. On the Peninsula, housing and other built structures, roading, forestry plantations, intensive farming and beyond the study area, wharfs and marine farms, are the main reasons for reduced natural character. Where very largely unmodified coastal landscapes occur, these are particularly valuable due to their increasing rarity.

Areas of high coastal natural character have previously been identified in the Landscape Study (see discussion within the Landscape Study on Page 61). The assessment was partially based on the ECan 1991 coastal natural character study prepared by Boffa Miskell as a starting point, but refined through character area descriptions and aerial and other photography. Of critical importance has been the extent of modifications particularly vegetation changes, buildings and other structures. Where predominately natural landscapes occur within the coastal environment then these have been identified as Coastal Natural Character Landscapes (CNCL) in the 2007 study.

The importance of coastal natural character was addressed separately for:

- 1) the Peninsula's outer coastal environment; and
- 2) the harbours (Whakaraupō/Lyttelton and Akaroa Harbour).

This contextual differentiation was justified by a shift of emphasis from natural processes in the wilder coastal environments (the actual dominance of nature) to natural patterns within the harbours (where the appearance of natural character provides a balance to more heavily developed

areas). Natural character is a dynamic quality. For example the introduction, or removal, of a marine farm or a forestry plantation may have a significant effect on the natural appearance of an area (see further explanation on natural character at the bottom of this page).

In 2007 a high natural character map was prepared based on the principles set out above. Much of the southern and eastern coastline of Te Pātaka o Rākaihautū/Banks Peninsula was then identified as having high natural character. Within the harbours and along the north coast less continuous areas of the coast were identified, but due to the greater pressures of urbanisation on these areas their importance may be elevated in the public's perception. Several areas of high natural character were also identified as Outstanding Natural Features or Landscapes. In these cases they were mapped as both ONL and as Coastal Natural Character areas (CNCL) and then subsequently adopted into the Operative Plan.

It is also worth noting that the assessment of CNCLs in 2007 was carried out within the context of Te Pātaka o Rākaihautū/Banks Peninsula as a separate district. The review took Ōtautahi/Christchurch City as part of the current district outlines into account for determining the assessment context.

When the New Zealand Coastal Policy Statement 2010 (NZCPS) was released in December 2010, local authorities were tasked under Policy 13 to map or otherwise identify (at least) areas of high natural character in the coastal environment. Subsequently, the CNCLs from the 2007 Study were reviewed to ensure that they meet the threshold for "high natural character" under the NZCPS. A desktop analysis of these areas was also carried out as part of the review to determine where areas of "very high" and "outstanding" natural character are located within the CNCLs subsequent to the requirements of the NZCPS. The desktop review included the Protected Natural Areas Programme Survey Report (Wilson, 1992) for the Banks Ecological Region, as well as review of aerial photos and GIS data (Land Cover Database III). In addition, on-site investigations were carried out as required to confirm coastal natural character values on site. Not all sites were accessible due to access restrictions on private land. Where necessary the Council's ecologists were consulted to receive an update on the ecological naturalness of particular coastal areas and recent photographic records were reviewed.

Natural Character under the NZCPS

Natural character is not defined in the RMA or in the NZCPS 2010. Assessing natural character is not new and the methodology developed draws on the considerable experience gained from evaluating coastal landscapes over the past 20 years and on case law. The NZCPS under Policy 13 confirms that natural character is not the same as natural features and landscapes or amenity values. The policy also lists a number of matters that may be included in natural character. The methodology developed for this review incorporates these matters in line with best practice. These matters (under Policy 13) include (but are not limited to):

- "(a) natural elements, processes and patterns;*
- (b) biophysical, ecological, geological and geomorphological aspects;*
- (c) natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;*
- (d) the natural movement of water and sediment;*
- (e) the natural darkness of the night sky;*
- (f) places or areas that are wild or scenic;*
- (g) a range of natural character from pristine to modified;*
- (h) experiential attributes, including the sounds and smell of the sea; and their context or setting."*

The natural character can be assessed on a continuum of modification that describes the expression of natural elements, patterns and processes (or the 'naturalness') in a coastal landscape/ ecosystem where the degree of 'naturalness' depends on:

- The extent to which natural elements, patterns and processes occur and are legible;
- The nature and extent of human modifications to the landscape, seascape and ecosystems;
- The fact that the highest degree of natural character (greatest naturalness) occurs where there is least modification/ uncluttered by obvious or disruptive human influence; and
- Recognition that the degree of natural character is context-dependent and can change over time.

A number of key attributes need to be considered when assessing the natural character of the coastal environment. Through BML's experience, including the interpretation of the NZCPS 2010, the list of attributes outlined in the following table has been identified as a systematic way to consider the different aspects of the natural patterns, processes and elements of the coastal environment and the degree of modification present. An overall value judgement as to the degree of natural character is made for areas within the Coastal Environment, based on a methodology that has been successfully applied in the Marlborough Region and Hurunui District by BML over the past years. The Coastal Context is also considered, as elements within this zone can affect, or be affected by, the natural character of the coastal environment (see figure below).

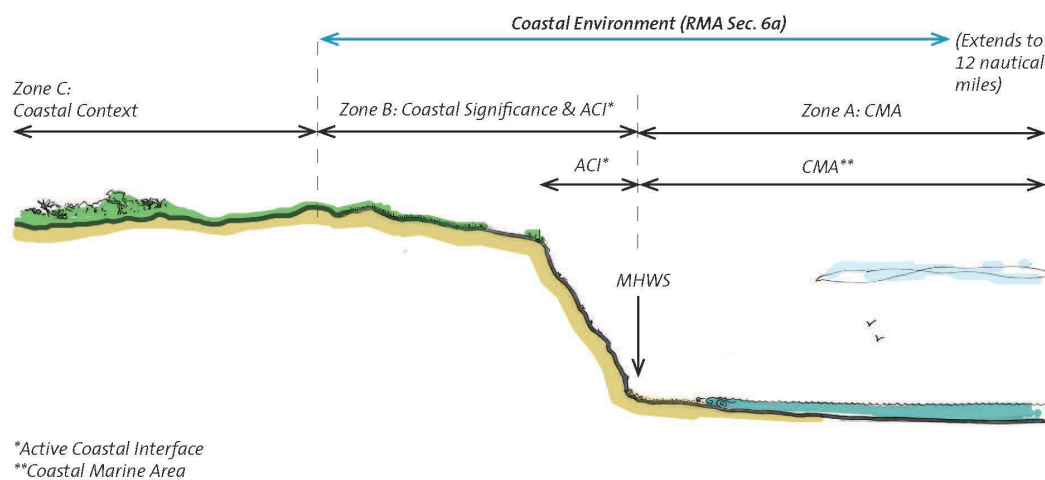


Figure 1: The figure above illustrates the extent of the zones and the Coastal Environment at a local scale representative for the Te Pātaka o Rākaihautū/Banks Peninsula coastline with steep coastal cliffs. The diagram illustrate that the character and extent of the coastal environment is determined by a range of landform, land type, topography and other influencing factors. It is in a constant state of change.

A Supreme Court decision in April 2014 on an appeal in relation to salmon farms in the Marlborough Sounds focussed the attention on the underlying policies (in this case the NZCPS), particularly in relation to policies that state avoidance of effects⁵. The essence of the decision clearly provides strong direction to avoid adverse effects on Outstanding Natural Character and Outstanding Natural Landscapes in the Coastal Environment. The decision states that where policy direction states 'avoid', essentially this is what should occur. The implications of this decision have yet to be fully determined and further guidance on this will develop over time.

To meet the requirement outlined within Policy 13 (1)(c) of the NZCPS 2010 that 'at least areas of high natural character' are mapped, areas containing high, very high or outstanding⁶ levels of natural character have been outlined within the CNCLs. Policy 13 (1)(a) requires avoidance of adverse effects of activities on natural character in the coastal environment with outstanding natural character. For all other areas in the coastal environment Policy 13 (1) (b) requires that significant adverse effects are avoided, remedied or mitigated. Areas identified on the map are more likely to have particular policy mechanisms applied to them.

The matters included within Policy 13 of the NZCPS have been simplified and reordered into three broader attributes, namely abiotic, biotic and experiential aspects (see table below).

While the areas of high, very high and outstanding natural character have been mapped for Te Pātaka o Rākaihautū/Banks Peninsula, some of the ecological information that has informed the biotic factors may be out of date, as it is based on an ecological survey report prepared in 1992 (H Wilson, see references).

While the cliffs along the Te Pātaka o Rākaihautū/Banks Peninsula coast are likely to hold Outstanding Natural Character values, it is difficult to map them, as the area represents only a very narrow strip when viewed in plan view. Protection of the existing natural character of the coastal cliffs, in particular along the southern and eastern bays, is however considered important.

⁵ Environmental Defence Society Inc v New Zealand King Salmon Company Ltd [2014] NZSC 38.

⁶ 'Outstanding' is a comparative evaluative term meaning 'to stand out, exceptional, pre-eminent'. Under the methodology, an area of outstanding natural character must exhibit a combination of natural elements, patterns and processes that are exceptional in their extent, intactness, integrity and lack of built structures (the 'clutter' factor) and other modifications compared to other areas in the Ōtautahi/Christchurch City.

Table 1 outlines the characteristics covered under each of the attributes used for natural character assessment

Coastal Character Areas		
Attributes	Descriptors	Spectrum of naturalness*
Abiotic Systems	<ul style="list-style-type: none"> - Climatic influences (wind, rain, exposure); - Geomorphology and identification of different types of landforms (i.e. peninsulas, cliffs, dunes, wetlands); - Terrestrial coastal processes, including erosion, river mouth processes including sedimentation (within the terrestrial zone); - Freshwater processes. 	<ul style="list-style-type: none"> - The evident intactness of the abiotic systems. The degree (very high to very low) to which physical modifications such as built structures, road cuts, earthworks and reclamation works affect this abiotic attribute.
Terrestrial Biotic systems	<ul style="list-style-type: none"> - The margins of estuaries, wetlands and terrestrial areas in Zone B including the intactness of their natural ecological processes, patterns and elements; - Extent of freshwater communities; - Land cover and associated land use, including the composition, distribution, and condition of land cover, and the presence of indigenous/exotic species; - Presence of indigenous fauna. 	<ul style="list-style-type: none"> - The degree (very high to very low) to which modifications affect this biotic attribute. Influences include the presence of exotic species on native communities, physical structures such as infrastructure, housing, roading, tracking, reclaimed land, stop banks, as well as commercial forestry and agricultural land use that reduce the naturalness of the biota; - This attribute also includes modifications to freshwater systems, including channelizing watercourses, stop banks, culverts, etc. which affect freshwater biota.
Experiential	<ul style="list-style-type: none"> - The experience in seeing, feeling and perceiving the Coastal Significance and Active Coastal Interface; - Aromas, visual and scenic, auditory, sense of wildness, remoteness, isolation, natural darkness of the night sky; - Ephemeral biotic activity (i.e. seasonality of flora, presence of birds); - Ephemeral human activity affecting the naturalness (such as recreation, commercial activities); - Note, this attribute does not include heritage elements. 	<ul style="list-style-type: none"> - The degree (very high to very low) to which physical and biotic modifications affect the naturalness experienced. Influences reducing naturalness include the presence of physical structures including ports, reclaimed land, infrastructure, roading, lighting, industrial noises and non-natural aromas; - Presence of exotic species; - Presence of humans, including recreational activities (driving, walking, camping, settlements); - Note, different people experience naturalness differently,

** Each Coastal Character Area is measured on the spectrum of naturalness (degree of human modifications) to each attribute from Very High to Very Low, then an overall judgement is made. The degree of physical and experiential naturalness is related to the location's context.*

ONL/CNCL Amendments by Character Area

As mentioned above, the review below is structured around the 31 landscape character areas that were outlined and described in detail in the Landscape Study. Note that this report, as an addendum to the Banks Peninsula Landscape Study 2007, only notes where **amendments have been made** to Outstanding Natural Landscapes or Coastal Natural Character areas – which are otherwise as per the Operative Banks Peninsula District Plan. The introductory sections of this report provide background information on the methodology applied in the original assessment in 2007 and the review of areas in 2014/15. See Appendix Two for Maps (Map 1: Landscape Evaluation Outstanding Natural Features and Landscapes; Map 2: Coastal Natural Character- Evaluation of CNCL areas)

1 Ōhinehou/Lyttelton

(Proposed Replacement District Plan Schedule Number ONL1.0)

Outstanding Natural Landscapes:

Additional ONL area 1a: West of Evans Pass: It is recommended to include part of the DOC managed conservation land (Tauhinukorokio Scenic Reserve and Buckleys Bay Scenic Reserve) which extends across the band of bluffs above Lyttelton and Sumner Road, as the bluffs are highly legible geological features and contain gullies with native vegetation. This area has not been identified in the 2006 study and would represent a new addition.

Removal of ONL area 1b: Lyttelton Selwyn Road: A residential subdivision has been developed along Selwyn Road on the north eastern side of Lyttelton that extends into the currently identified ONL. This area should be removed from the ONL due to the relatively high level of modification.

2 Rāpaki Ōhinetahi/Governors Bay

(Proposed Replacement District Plan Schedule Numbers ONL2.0 & HNC2.0)

Outstanding Natural Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of ONL at Allandale has occurred based on findings when assessed as part of on-site investigations (groundtruthing the Columbus property). This exclusion, which now forms part of the ONL in the Operative District Plan, is still considered appropriate and, therefore, no further amendments have been made.

Coastal Natural Character Landscapes:

Very minor amendments: Very minor amendments to exclude parts of dwelling. Following the on-site investigations for the DPR review, a small area which included buildings and gardens next to Governors Bay road have been removed from the "High Natural Character Area". While the vegetation on the lower coastal slopes contains numerous weeds mixed with native shrubs, the natural character that relates to the rocky shoreline and the vegetated lower coastal slopes is considered high due to the absence of man-made structures.

3 Whakaraupō/Upper Lyttelton Harbour - Teddington

(Proposed Replacement District Plan Schedule Numbers ONL3.1, ONL3.2, ONL3.3 & HNC3.0)

Outstanding Natural Landscapes:

Exclusion ONL 3a: An area of commercial forestry on the western side of the Remarkable Dukes does not provide the same landscape values as the upper part of the ridgeline descending from Mt Bradley to Kaituna Pass. This small area on the edge of the currently identified ONL should be excluded.

The extensive Teddington Mudflats, at the Head of the Bay in Lyttelton Harbour, has been identified as an area of High Natural Character area due to the high ecological value of the intertidal mudflat communities (below MHWS) and saltmarsh vegetation on the adjacent pastures. Further inland the saltmarsh areas have been more severely modified through the introduction of pastoral grass species.

4 Waipapa/Diamond Harbour

(Proposed Replacement District Plan Schedule Numbers ONL4.1, ONL4.2 & HNC4.0)

Outstanding Natural Landscapes:

Additional ONL area 4a: Several large scope exclusions have occurred around the tops of Mt Herbert. This includes an area on the northwestern side of Mt Herbert at the head of Te Wharau Stream above Orton Bradley Park, where amendments are recommended to include the tops of vegetated gullies which were out of scope of the Te Pātaka o Rākahautū/Banks Peninsula Environment Court appeal.

Additional ONL area 4b: On the west facing slopes between Lions Head (Purau Port Levy Road) and Mt Evans a large area was excluded from the original ONL identification, as they fell out of the scope of the Environment Court appeal. On the Purau (western) side of the ridge a band of impressive rock bluffs extends along the 200-300m contour line and form an important ridgeline that confines the visual catchment of Lyttelton Harbour. These should be included as an additional ONL.

5 Adderley Head

(Proposed Replacement District Plan Schedule Numbers ONL5.1, ONL5.2 & HNC5.0)

Outstanding Natural Landscapes:

Additional ONL area 5a: The northern end of the ridgeline that connects Mt Evans to Camp Bay Road contains rock bluffs which continue past the current ONL identification. An extension of the ONL for approximately 300m to the north along the main ridgeline would lead to a more comprehensive identification of the impressive ridgelines and bluffs. This area has not been identified in the Banks Peninsula Landscape Study 2007 and would represent a new addition.

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of CNCL has occurred at Camp Bay and to the east at Little Port Cooper based on findings when assessed as part of on-site investigations (groundtruthing Stapylton-Smyth). This exclusion, which now forms part of the ONL in the Operative District Plan, is still considered appropriate and, therefore, no further amendments have been made.

6 Koukourārata/ Port Levy

(Proposed Replacement District Plan Schedule Numbers ONL6.1, ONL6.2, ONL6.3, ONL6.4 & HNC6.0)

Outstanding Natural Landscapes:

Additional ONL area 6a: On the east facing slopes between Mt Evans and Adderley Head a high-lying area above Kaitara was excluded from the original ONL identification, as it fell out of scope. The side spur descends from the main ridgelines on the Koukourārata /Port Levy side, where the top of the spur contains impressive rock bluffs along the upper part and a vegetated gully system on its northern side.

Additional ONL area 6b: Amendments to the ONL are proposed to follow the ridgeline more consistently around The Temple (The Monument) north of the Purau Port Levy Road. These amendments lead to some exclusions and inclusions of other areas, but the overall change is small.

Additional ONL area 6c: Around Te Ahu Pātiki/Mt Herbert several large scope exclusions have occurred, in particular on some of the side spurs and gully systems, which form an integral part of the landform. Within the Koukourārata/ Port Levy catchment an area above Western Valley road located on a spur to the south of the Monument is recommended for inclusion as it contains a steep sided gully with native vegetation. The lower slopes below the rock bluffs contain forestry and are therefore not included in the proposed ONL identification.

Additional ONL area 6d: The bands of rock bluffs above Koukourārata/ Port Levy settlement form part of the Wild Cattle Hill landform. A large area on the western side of the peak is recommended for inclusion as the ONL was reduced to the ridgelines based on a scope exclusion. The ONL mapping has been extended by approximately 300 m to the north to include a spur above Purari to ensure a more comprehensive mapping of the rocky outcrops on the landform.

7 Big Bay - Te Ruahine ki Wakarua

(Proposed Replacement District Plan Schedule Number HNC7.0)

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of CNCL has occurred at the eastern headland of Port Levy Baleine Point- Beacon Rock – Blind Bay based on findings when assessed as part of on-site investigations (groundtruthing at Chamberlain property). This exclusion, which now forms part of the ONL in the Operative District Plan, is still considered appropriate and, therefore, no further amendments have been made.

8 Wakarua/Pigeon Bay

(Proposed Replacement District Plan Schedule Numbers ONL8.1, ONL8.2, ONL8.3, ONL8.4)

Outstanding Natural Landscapes:

Additional ONL area 8a: This additional area includes the lower lying part of the rocky ridgeline between Wakarua/Pigeon Bay Peak and Pearce Peak that was excluded from the ONL following the Environment Court scope definition. This truncation of ONL areas meant that the landform with its rocky outcrops has not been followed in a meaningful way. The boundary of the additional areas will more or less follow the 500m contour line to include these areas.

Additional ONL area 8b: A small area on the eastern upper slopes of Mt Fitzgerald containing native vegetation has been added to the ONL. The inclusion of the area, which fell out of scope

of the Environment Court appeal, ensures that the landform of the high-lying knoll is followed more accurately than the truncated ONL currently shown in the DP.

9 Kirikiriwarea/Menzies Bay/Otohuao Head

(Proposed Replacement District Plan Schedule Numbers ONL9.1, ONL9.2 & HNC9.1, HNC9.2)

No change required

10 Whakaroa /Little Akaloa

(Proposed Replacement District Plan Schedule Numbers ONL10.0 & HNC10.0)

Outstanding Natural Landscapes:

Additional ONL area 10a: To the east of Pearce at head of the Whakaroa /Little Akaloa valley a small scope exclusion has occurred on the upper slopes of the catchment. Inclusion of a small area is recommended to maintain the integrity of the landform while excluding exotic tree plantings.

Additional ONL area 10a: The prominent trachyte outcrop of View Hill has been identified as an ONL in the Banks Peninsula Landscape Study, but the lower part of the dome was excluded as it was outside the scope of the Environment Court appeal. The upper west flank and distinctive top forms the visual catchment of Whakaroa /Little Akaloa Valley and is important not only from a biophysical perspective, but also for its aesthetic value.

Coastal Natural Character Landscapes:

Additional CNCL area 10a: On the northern side of Whakaroa /Little Akaloa Bay important regenerating vegetation occurs amongst a band of wetter south-facing, steep cliffs. The area is rich in interesting species of tree, shrub, climber, herb and fern, with pasture interspersed. The majority of the area (RAP 42) consists of a mosaic of regenerating native coastal/lowland hardwood forest and shrubland. This part of the coastal environment on the slopes of the headland are of high natural character despite the presence of the Decanter Bay Road. The settlement located within the bay perceptually detracts somewhat from the experiential values in this confined bay.

11 Pānau/ Long Lookout Point - Raupō Bay - Stony Beach - North West Bay Coastal slopes

(Proposed Replacement District Plan Schedule Numbers ONL11.1, ONL11.2 & HNC11.1, ONC11.2)

Coastal Natural Character Landscapes:

Additional CNCL area 11a: An addition to the CNCL in Raupō Bay has been identified which extends along the tidal estuary of Raupō Stream entering the bay. The low dune vegetation is dominated by the introduced marram grass, but there are some natives (*Calystegia soldanella* and *Carex pumila*). This additional area also includes the true left banks, which contain stands of native vegetation. Karaka is common around the bay, which has also been identified as a RAP (41). The karaka trees are scattered in groves and some trees are mature and of substantial size.

The North West Bay, with its densely vegetated coastal slopes on the southern side of West Head, has been identified as an Outstanding Natural Character area. The coastal bush-covered gully opens on to a bush-backed cove, which is sheltered from the open sea through the headland of West Head. A wild grove of karaka and podocarp forest species occurs within the

regenerating forest in this area. The ONC excludes the grazed top of the headland, which has been more extensively modified.

12 Ōpara/Okains Bay

(Proposed Replacement District Plan Schedule Numbers ONL12.1, ONL12.2, ONL12.3 & HNC12.0)

Coastal Natural Character Landscapes:

Additional CNCL area 11a: The addition of a new CNCL is recommended on the northern side of Okains Bay. This area would include the densely vegetated gullies on the steep slopes between Spyglass Point and Chorlton Road, as well as the tidal estuary of Opara Stream. The saltmarsh contains important plant communities and the estuary shows the formative processes that have filled in Ōpara/Okains Bay in the past.

13 Te Puke ki Waitaha/Pa Island - Whakarari/Lavericks Bay

(Proposed Replacement District Plan Schedule Numbers ONL13.1, ONL13.2 & HNC13.0)

No change required

14 Ōtauwao/Le Bons Bay

(Proposed Replacement District Plan Schedule Numbers ONL14.1, ONL14.2 & HNC14.0)

Outstanding Natural Landscapes:

Additional ONL area 14a: On the south facing flanks of Whakarari/Lavericks Ridge a scope exclusion has occurred on the rock bank below the ridge. This ridge between Le Bons Peak and Whakarari/Lavericks contains a number of important geological features, such as Panama Rock trachyte dome and an obvious feeder dike. The ONL outline is to be amended to include the rock bluffs and gullies with native vegetation as a sequence below top of the ridge.

Additional ONL area 14b: At the head of Ōtauwao/Le Bons Bay a small amendment to the ONL outline below Point 699m should be undertaken to include the top of the small spur protruding from the ridgeline to the east which is a locally prominent feature.

15 Ōtutahuao/Hickory - Ōkaruru/Goughs Bay

(Proposed Replacement District Plan Schedule Numbers ONL15.1, ONL15.2, ONL15.3 & HNC15.1, ONC15.2)

Outstanding Natural Landscapes:

Additional ONL area 15a: North of Hickory Bay Road is the Ellangown trachyte dome, which is a significant geological feature. A relatively large area which was based on a scope exclusion is to be included in the currently identified ONL. This area contains parts of the DOC managed land within Ellangowan Scenic Reserve. The regenerating gullies above Ellangowan Stream are particularly coherent in their appearance and of high biophysical value and parts are identified as RAPs or protected through QE2 covenants.

Additional ONL area 15b: North of Goughs Road an area that has been based on an Environment Court scope exclusion is to be partly included in the existing ONL. The mid slopes contain predominantly native vegetation, while the lower slopes are made up of a mix of exotic trees and regenerating scrubland. It is recommended to confine the ONL to the mid and upper slopes, including the ridgeline and slopes to around the 300m contour and the wide gully east of Kendale to the 220m contour.

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of CNCL has occurred along the headland between Steep Head and East Head located south of Ōtauwao/Le Bons Bay. The changes to the CNCL outlines were based on findings when assessed as part of on-site investigations (groundtruthing at the Dalglish property).

The gully containing native vegetation on the southern side of Steep Head has been identified as an Outstanding Natural Character area, as it contains some of the most intact cliff vegetation and coastal forest on Te Pātaka o Rākaihautū/Banks Peninsula. The narrow bushy gully contains scrubby coastal forest, which consists of species that favour a drier coastal climate.

Additional CNCL area 15a: A very small area to the north of Ōtutahuao/Hickory Bay has been excluded based on the scope of the Environment Court appeal. It is recommended to extend the CNCL by 120m to the north to follow the tops of the bluffs.

Additional CNCL area 15b: A small area to the west of Ōkaruru/Goughs Bay has been excluded based on the scope of the EC appeal. It is recommended to extend the CNCL by 350-400m to the west along the base of a narrow vegetated gully to include the native vegetation and more accurately follow the landform boundary.

16 Hinewai - South – Akaroa Head to Ōunuhau/Haylocks Bay

(Proposed Replacement District Plan Schedule Numbers ONL16.1, ONL16.2, ONL16.3 & HNC16.1, ONC16.2, ONC16.3, ONC16.4, ONC16.5)

Outstanding Natural Landscapes:

Additional ONL area 16a: A vegetated gully below the ONL that descends from the crater rim across Fishermans Bay Road has been excluded as it was out of scope of the Environment Court appeal. The gully is to be included into the ONL to link up with the CNCL in Shell Bay which extends into the vegetated gully near the coast. This is a good example of a sequence of native vegetation connecting the tops of the Akaroa crater rim and the outer coast. A narrow area along the top of the ridge has been excluded from the ONL due to the higher level of modification.

Additional ONL area 16b-d: Hinewai between Pānau/Long Bay and Flea Bay Roads three disjointed areas have been excluded as they were out of the scope of the Environment Court appeal. Inclusion of these areas is considered important to ensure the protection of this ecologically valuable area as a whole, rather than through disconnected sections.

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of CNCL has occurred around Fishermans Bay/ Shell Bay based on ground-truthing (Simpson property). This exclusion, which now forms part of the ONL in the Operative District Plan, is still considered appropriate and, therefore, no further amendments have been made.

Coastal Natural Character Landscapes:

The steep coastal slopes between Fishermans Bay and Red Bluff, including the prominent headland of Clay Point as well as Shell/Red Bays, have been identified as Outstanding Natural Character areas. Native hardwood species occur in the gullies that extend from the higher-lying areas below Fishermans Road all the way into the head of the bays that are enclosed by steep

slopes and rock walls. Bright red rock gives Red Bay its name, while loess overlying volcanic rock clearly shows the formative processes that have formed the landform on Clay Point and Goat Point.

The headlands and bays between Sleepy Bay and Stony Bay, and the steep coastal slopes surrounding the bays, have been identified as one continuous Outstanding Natural Character area. Stony Bay is an important habitat for yellow-eyed and white-flipped penguins, which occur at the northern limit of their breeding range in this bay. Extensive coastal scrub covers the majority of the steep coastal slopes and hardwood forest can be found in some of the gully systems. Sleepy Bay contains diverse second-growth hardwoods as well as some sizeable remnant matai trees. While the headland of Pānau/Long Reef Point does not provide the same vegetation values, it is an impressive landscape feature with its prominent sea arch.

The Flea Bay cliffs, extending to Redcliffe Point in the north and across Dyke Head in the south have also been identified as an Outstanding Natural Character area, as they represent a very dramatic coastline up to 200 m high on either side of the entrance to Flea Bay. The cliffs display the cross section of lava flows of the Akaroa volcano, which have been eroded away by the sea. Apart from the very legible geomorphological processes that can be seen in this area, the vertical to overhanging cliffs with numerous seepages contain very important plant species and support extensive bird colonies. Flea Bay also contains yellow-eyed and white-flipped penguin colonies.

17 Akaroa Head/ Te Rauhinu Point

(Proposed Replacement District Plan Schedule Numbers ONL17.0 & HNC17.1, ONC17.2)

Coastal Natural Character Landscapes:

The south and west-facing steep coastal slopes on Akaroa Head, which confines the Akaroa Harbour entrance, have been identified as one continuous Outstanding Natural Character Area. The impressive native vegetation extends into Nikau Palm Gully, which is a DOC managed conservation area containing notable stands of nikau palms occurring at their southern limit in this location (amongst other species at their limit). The slopes and gully systems of Nikau Palm and Dan Rogers Gullies, as far as they fall within the coastal environment, have been identified as Outstanding Natural Character areas due to their very high ecological values, including the vegetation and bird life.

18 Akaroa

(Proposed Replacement District Plan Schedule Numbers ONL18.0 & HNC18.0)

Outstanding Natural Landscapes:

Additional ONL area 18a: Along the crater rim above Akaroa small amendments are proposed to the ONL which includes the upper slopes, ridgelines and high-lying spurs where scope exclusions have occurred to follow the landform more accurately.

19 Takamatua Bay/Robinsons Bay

(Proposed Replacement District Plan Schedule Numbers ONL19.0 & HNC19.0)

Outstanding Natural Landscapes:

Additional ONL area 19a: At the head of Takamatua Valley, where Old Le Bons track is situated, a reasonably large scope exclusion has occurred along a prominent gully and spur formation. This

excluded area contains native vegetation on the slopes and in the gully, which is to be included as it is a good example within Akaroa Harbour where vegetation connects with the ONL along the crater rim. This area could be extended to the east beyond the “out of scope areas” to include the entire gully system with native vegetation.

Additional ONL areas 19b-d: Along the crater rim above Takamatua small amendments are proposed to the ONL which includes the upper slopes, ridgelines and high-lying spurs where scope exclusions have occurred to follow the landform more accurately.

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 amendments to the CNCL on Takamatua Headland have occurred based on site-specific investigations (Zias property). The CNCL outlines on this headland have been confirmed in the Banks Peninsula Environment Court decision and a subsequent consent-specific hearing.

20 Duvauchelle Bay/Barrys Bay

(Proposed Replacement District Plan Schedule Numbers ONL20.1, ONL20.2, ONL20.3, ONL20.4)

Outstanding Natural Landscapes:

Additional ONL area 20a: Puha/French Hill is a distinctive landform that can be seen from many viewpoints in the inner harbour. Due to a scope exclusion the eastern slopes and upper spurs were excluded from the ONL. To maintain the integrity of the landform above the 500m contour line it is recommended to include the upper eastern spur and upper bluffs, which frame the view above SH75.

Additional ONL area 20b: A small amendment has been made on the southern upper slopes of Duvauchelle Peak to more consistently follow the landform around the 500m contour where rock outcrops and native vegetation occur.

21 French Farm Bay

(Proposed Replacement District Plan Schedule Numbers ONL21.0 & HNC21.0)

Outstanding Natural Landscapes:

Additional ONL area 21a: Around Pulpit Rock and reduction of the ONL has occurred, as part of it fell out of scope. It is recommended to include this rock feature in its entirety, as it is a geopreservation site and retains a particularly legible landform. It is also recommended to include the vegetated gullies to the west of the rock formation which links the feature to the wider crater rim ONL. This would represent a new ONL, which would include part of the RAP10 Akaroa (Pūwaitaha/Saddle Hill) area and QE2 covenant around Pulpit Rock. Around Pulpit Rock itself, there is a small patch of forest on the east side comprising mostly second-growth forest with a little kanuka. The vegetation of interest here would be the rock outcrops of Pulpit Rock itself. The gully immediately to the north has sparse shrub and low forest of recent secondary nature. The canopy has closed in only a few places, mostly near the hill crest. If allowed to continue to regenerate and grow, this patchy vegetation will eventually form forest and the remaining grassed areas that today form a major part will decline. As most of the shrubs and trees are within early stages of regrowth, this will take quite a long time to occur. It should, however, be noted that to the distant observer looking from below and some distance away, that even patchy forest can appear continuous.

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 two small exclusions to the CNCL have occurred based on site-specific investigations during the Environment Court mediation around French Farm and Ōpakia/Petit Carenage Bay (groundtruthing Shadbolt and Dimmock properties). These exclusions, which now form part of the ONL in the Operative District Plan, are still considered appropriate and, therefore, no further amendments have been made.

22 Wainui

(Proposed Replacement District Plan Schedule Numbers ONL22.1, ONL22.2, ONL22.3 & HNC22.0)

Outstanding Natural Landscapes:

Additional ONL area 22a: On the eastern side of Pūwaitaha/Saddle Hill the upper part of the ridgeline and vegetated gullies as well as east-facing slopes are recommended for inclusion in the ONL to maintain the integrity of the landform and native vegetation. The area falls into RAP10 Akaroa (Pūwaitaha/Saddle Hill) which is a very large area centred on the subalpine tussock grasslands of Pūwaitaha/Saddle Hill. This area was excluded as it fell out of scope of the Environment Court appeal.

Additional ONL areas 22b and 22c: On the eastern side of Carews Peak a scope exclusion has led to reduction of the ONL around a prominent gully system (22c) and along the main crater rim to the north of Carew Peak (22b). The eastern area (Carews Peak) is included in a site of ecological significance (HW Site 220 and in RAP 11 Akaroa), which was rated very highly by Hugh Wilson, mainly because of the snow tussock and subalpine areas high up on Carews Peak. The area covers the series of gullies that run down the slope and the ridges in between. The gullies have a mixture of second growth broadleaf forest and areas of kanuka, while the ridges are predominantly pasture (containing bracken or rushes). There are a few larger areas of kanuka where the streams converge and meet. The scope exclusion along the crater rim has led to the only gap within the ONL along the main ridgelines containing the visual catchment of Akaroa Harbour and should be included.

Coastal Natural Character Landscapes:

Exclusion CNCL 22a: An amendment of the CNCL is recommended around Cape Three Points to exclude existing buildings and forestry from the CNCL.

23 Timutimu Head

(Proposed Replacement District Plan Schedule Numbers ONL23.0 & HNC23.0)

Outstanding Natural Landscapes:

Additional ONL area 23a: A large scope exclusion needs to be amended around the triangular area between the Tuhiraki/Mt Bossu and Lands End Road intersection to include the high-lying slopes between the crater rim and Mat Wight Bay. This gully system with native vegetation forms an integral part of the bluffs, spurs and gullies that confine the harbour entrance to the south.

24 Peraki

(Proposed Replacement District Plan Schedule Numbers ONL24.1, ONL24.2 & HNC24.1, ONC24.2, ONC24.3)

Outstanding Natural Landscapes:

Additional ONL area 24a: At the head of Pānau/Long Bay a sequence of two vegetated gullies with broadleaf forest (DOC land – Carew Peak and Pānau/Long Bay Reserves) and kanuka is recommended for ONL identification. This area would be a new identification, as it is considered to be one of the more intact vegetated gullies containing broadleaf/podocarp species in the area. The proposed ONL would include a site of ecological significance (HW Site 316, refer to Wilson, 1992) plus Pānau/Long Bay Scenic Reserve and the lower part of Carews Peak Scenic Reserve. Site 316 was included in RAP13 Akaroa (Pānau/Long Bay) but the RAPs excluded the reserves. There are two distinct parts to this. Firstly, Pānau/Long Bay Scenic Reserve was described by Hugh Wilson as comprising lowland second-growth mixed hardwood forest with scattering surviving podocarps with smaller areas of kanuka and shrubland. Secondly, an area of private land in Site 316 occurs in the gully and on the slopes below Carews Peak Scenic Reserve and round into the side gully with Pānau/Long Bay Scenic Reserve. Below Reids Hill Road there are upper slopes of quite dense tussock grassland before the long line of bluffs below which there are mixed kanuka and broadleaf forest patches. The gully floor is dense broadleaf forest and connects the two reserves as a corridor.

Additional ONL area 24b: The DOC managed Peraki Saddle Reserve is recommended for inclusion into the wider ONL that extends along the Akaroa crater rim to the east of the area. This area contains relatively dense native vegetation extending into the gully to the north which is also recommended for inclusion in the ONL.

Additional ONL area 24c: On the eastern side of Devils Gap an exclusion from the ONL area was partly based on findings from on-site investigations (ground-truthing Te Oka Farms), but areas that were excluded as they fell out of scope should be included. The area to be included in the ONL would connect the ONL between the rocky outcrop of Devils Gap and the DOC managed Devils Gap Reserve. This system of vegetated gullies below the prominent landform which is also an identified geopreservation site (volcanic dome) is of very high biological and scenic value, as it shows an unusually close juxtaposition of lowland and montane species (e.g. kawakawa almost meets snow tussock and *Dracophyllum*).

Coastal Natural Character Landscapes:

No change required: During the Environment Court proceedings in 2007 a small exclusion of CNCL has occurred at the headland between Te Oka and Robin Hood Bays (Te Kaio) based on findings when assessed as part of on-site investigations (groundtruthing Te Oka Farms). This exclusion, which now forms part of the ONL in the Operative District Plan, is still considered appropriate and, therefore, no further amendments have been made.

Robin Hood Bay contains a small sandy beach at the head of the bay and a stream mouth and small wetland area on the flat valley floor and has, therefore, been identified as an Outstanding Natural Character area. The flat sedgeland contains notable coastal plant species.

The low-lying flats of Te Kaio/Tumbledown Bay have also been identified as an Outstanding Natural Character area. This small bay is confined by steep cliffs and headlands and a prominent sea stack at each headland. The ONC also contains the steep cliffs surrounding the bay, while

excluding the grazed tops. The bay itself contains a sandy beach backed by dunes, where a significant population of pingao occurs and a small stream.

25 Ōkute/Okuti Valley

(Proposed Replacement District Plan Schedule Numbers ONL25.1, ONL25.2)

Outstanding Natural Landscapes:

Additional ONL areas 25a: On the lower southern slopes above Wairewa/Lake Forsyth two small scope exclusions have occurred. These areas, adjacent to the outlet of the lake and along the lake shore, are to be included into the existing ONL to maintain the landform adjacent to the lake. The two major gullies to the east of the identified ONL contain large areas of native vegetation with regenerating shrublands, as well as mature broadleaf forest. These slopes and gullies, together with the impressive rock bands along the tops are a visually important backdrop to the lake and highly expressive of the volcanic Te Pātaka o Rākaihautū/Banks Peninsula landforms. These parts of the peninsula are of particularly high aesthetic value and memorable.

26 Little River

(Proposed Replacement District Plan Schedule Numbers ONL26.0)

Outstanding Natural Landscapes:

Additional ONL area 26a: The DOC managed area that falls within the lower part of Fitzgerald Reserve should be included in the ONL as it contains broadleaf forest in a steep, wet gully to the south of Mt Fitzgerald. This would be a small new addition to the ONL.

Additional ONL area 26b: A small area in the lower gully of a DOC managed area is densely vegetated and should be included in the ONL. This would be a small new addition to the ONL.

Additional ONL area 26c: This small gully below Western Valley Road to the south of Waipuna Saddle contains original and forest re-growth identified in RAP 9H (Waipuna). One last surviving adult cedar outlived the demise of all other known adult cedars on the peninsula during the 1950s and 60s. There is now also evidence of slow regeneration of young cedar trees in this area. This would be a small new addition to the ONL.

Additional ONL area 26d: Wairewa/ Lake Forsyth is proposed for inclusion as an ONL as a whole. This important landscape feature of the peninsula has particularly high perceptual and associative values due to its significance to tangata whenua. Despite the problems with nutrients in the lake, it still has notable biophysical values, in particular relating to the marsh species occurring along the brackish waters.

27 Prices Valley

Outstanding Natural Landscapes:

No change required

28 Kaituna Valley

(Proposed Replacement District Plan Schedule Numbers ONL28.1, ONL28.2)

Outstanding Natural Landscapes:

Additional ONL area 28a: Te Ahu Pātiki/Mt Herbert: Several scope exclusions around the tops on the southern side should be amended, while taking into account the on-site findings from the groundtruthing investigations carried out for Newport as part of the Environment Court meditation. Sites of ecological significance have been identified in this area (Herbert RAP6 - Upper Kaituna in Wilson, 1992). These sites are quite substantial and include a number of gully and ridge systems, as well as some mid slopes above Glenrowan, which have not been included in the ONL. The area comprises kanuka-kowhai forest, matai-totara forest, shrubland and silver tussock.

Additional ONL areas 28b and c: Remarkable Dykes: proposed addition of gullies with broadleaf forest (RAP) This area is on the mid slopes below the spectacular outcrop and dyke formations at the Sign of the Packhorse. It comprises a natural basin that is very clearly defined. Recent aerial photos show the typical narrow ribbons of remnant forest in a mosaic of a sparse silver tussock/pasture mix. There are strong signs of regeneration of shrubs and trees spreading on to the tussock ridges and the formerly sparse vegetation is gradually being filled in. The cover of woody vegetation over the area is now about 75%, but there are still holes in the expanding shrubs and forest. It should not be too long before the canopy closes and the forest becomes semi-continuous. This will leave the silver tussock at its most dense around the highest altitude outcrops at the top. The dendritic gully system of the upper slopes narrows suddenly to a deeply incised single forested gully with pasture on the ridges. This would be a small new addition to the ONL.

Additional ONL area 28d: A small area in Kaituna Valley, located above Parkinsons Rd, fell out of scope of the Environment Court appeal, but should be included in the ONL, as it contains gullies with broadleaf forest below the prominent vents/ dykes on the ridgeline and side spur.

29 McQueens Valley/Gebbies Valley

(Proposed Replacement District Plan Schedule Numbers ONL29.1, ONL29.2, ONL29.3)

No change required

30 Lake Ellesmere Riparian Margin

(Proposed Replacement District Plan Schedule Number ONC30.0)

Outstanding Natural Landscapes:

Additional ONF area 30: Te Waihora/ Lake Ellesmere is important in terms of its geological and coastal landform attributes with the lagoon representing a rare landscape feature. Te Waihora/ Lake Ellesmere provides important indigenous fish and bird habitat, and the brackish coastal lagoon, indigenous riparian marshland and wetland plant communities along the lake edge are of ecological significance. In addition to these high biophysical values, the cultural associations for Te Waihora/ Lake Ellesmere are also highly important in accordance with tikanga Māori and in respect of Ngāi Tahu history, mahinga kai and customary fisheries. While the lake itself lies outside the district boundaries, the open and distinctive lake margins have been identified as an additional ONF (see also Additional ONF area 31).

Coastal Natural Character Landscapes:

The existing CNCL boundary (and proposed ONC area) included short sections of the State highway and dwellings due to mapping errors in this area. The boundary in this area has been amended to exclude the dwellings and the state highway, where it forms the boundary outline of the Coastal Environment. Two prominent, eroding spurs that extend as far as the highway remain as part of the Coastal Environment with High Natural Character, since they form an integral part of the visual catchment of Lake Ellesmere / Te Waihora due to their elevated nature and close proximity to the lake shore.

The lake shore and mudflats extending inland, as well as the coastal side of Kaitorete Spit, have been identified as Outstanding Natural Character areas due to the obvious dominance of coastal and tidal processes and species, including plants and bird life.

31 Kaitorete Spit/Birdlings Flat

(Proposed Replacement District Plan Schedule Numbers ONF31.0 & HNC31.1, ONC31.2)

Outstanding Natural Landscapes:

Additional ONL area 31: This area forms an extension to the additional ONF area 30 above.

References

Reference for Ecological Information for assessment of Coastal Natural Character

Wilson H G (1992) Banks Ecological Region; Port Hills, Herbert and Akaroa Ecological Districts; Protected Natural Areas Programme Survey Report No 21

Appendix One: Copy of Signed Heads of Agreement

ZIAS INVESTMENTS LTD
(ENV C 204A, B/05)

Appellants

And

CHRISTCHURCH CITY COUNCIL (formerly BANKS
PENINSULA DISTRICT COUNCIL)

Respondent

HEADS OF AGREEMENT
Dated 14 September 2007



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HEADS OF AGREEMENT

1. Most parties to the Banks Peninsula Landscape appeals attended mediation on 14 September 2007.
2. The following parties were not represented at the mediation:
 - (a) AB Newport & ors;
 - (b) C Grimsdale;
 - (c) DW Collins;
 - (d) EJC Aitken;
 - (e) EM Briggs;
 - (f) HC Broughton;
 - (g) ID & AMS Campbell;
 - (h) Lyttelton Port Company Limited;
 - (i) NZ Institute of Forestry (Canterbury Branch) & ors
 - (j) Orion New Zealand;
 - (k) R Columbus;
 - (l) R Stowell;
 - (m) RE & RF Millar;
 - (n) Royal Forest & Bird Protections Society Inc;
 - (o) Telecom NZ Ltd & Telecom Mobile Ltd;
 - (p) Transit NZ.
3. The purpose of mediation was to discuss and agree upon appropriate relief in relation to the landscape topics under appeal.
4. As a result of mediation, the parties have reached agreement on how the appeals can be resolved in part. The agreement is set out below.

Earthworks -- ONL and CNCL

5. In the Heads of Agreement dated 13 September 2007, the parties were not in a position to agree on whether earthworks associated with the benching for



new fencelines in outstanding natural landscapes or coastal natural character landscapes can be a permitted activity or require a resource consent as a restricted discretionary activity.

6. The parties (except Robinsons Bay Trust and Pacific Investments Trust) have discussed this topic further and have now agreed that:
- (a) Earthworks for the benching for fencelines within ONL & CNCL areas can be a permitted activity provided that the maximum width is 3m, the maximum cut is 1m, and earthworks are revegetated within 3 months.
 - (b) Otherwise, earthworks for the benching for fencelines will require resource consent as a restricted discretionary activity.

Dwelling Density – RAL

7. The parties (except Robinsons Bay Trust and Pacific Investments Trust) agree that the rules in Chapter 19 of the Proposed Plan can be amended so that in the Rural Amenity Landscape ("RAL"):
- (a) Dwellings on 40ha below 160m and 100ha above 160m are permitted activities, provided that there are no more than 2 dwellings on any certificate of title. Allow "swapping" whereby land above 160m can be used to supplement the 40ha requirement for a dwelling to be located on contiguous land below 160m. Swapping does not apply the other way (i.e. land below 160m cannot be used to supplement the 100ha requirement for a dwelling to be located on contiguous land above 160m).
 - (b) Discretionary Activity for dwellings on 4 - 40ha below 160m and 4 - 100ha above 160m contour.
 - (c) Non-complying Activity for dwelling on less than 4ha.
 - (d) Contiguous ONL and CNCL land can be used to supplement the permitted and discretionary area requirements for a dwelling in the RAL.
 - (e) A dwelling can be established as a restricted discretionary activity on a title no smaller than 1ha provided that contiguous land of an area sufficient to meet the permitted density standard (paragraph 7) is covenanted so as to be kept free of dwellings. For example, a dwelling



can be erected on a 1ha site above 160m provided that land contiguous with that site above 160m of an area of 99ha is covenanted.

- (f) A dwelling can be established as a discretionary activity on a title no smaller than 1ha provided that contiguous land of an area sufficient to meet the discretionary density standard (paragraph 7(b)) is covenanted so as to be kept free of dwellings. For example, a dwelling can be erected on a 1ha site provided that land contiguous with that site of an area of 3ha is covenanted.

Subdivision – RAL

8. The parties (except Robinsons Bay Trust and Pacific Investments Trust) need to discuss further the details in resolving the subdivision standards. It is intended that the subdivision rules will reflect the dwelling density standards, but this needs further exploration. The Council will provide the parties with a proposal next week.

Chapter 19 – Rule 5.2(a)

9. The parties (except Robinsons Bay Trust and Pacific Investments Trust) agree to amend Rule 5.2(a) of Chapter 19 as in the Third Draft of amendments as circulated to all parties via email on 30 August 2007 by adding the words "Discretionary Activity or" before the words "Non-Complying Activity".

Position of Summit Road Society Inc

10. Summit Road Society Inc did not execute the Heads of Agreement dated 13 September 2007.
11. In addition to the matters contained in this Heads of Agreement, Summit Road Society Inc also agrees to the matters contained in the Heads of Agreement dated 13 September 2007.

Position of Director-General of Conservation

12. The Director-General of Conservation did not agree with paragraph 22 of the Heads of Agreement dated 13 September 2007.
13. In addition to the matters contained in this Heads of Agreement, the Director-General of Conservation now also agrees with paragraph 22 of the Heads of Agreement dated 13 September 2007.



Position of Zias Investments Ltd

14. Zias Investments Ltd reserves the ability to challenge at the Environment Court whether dwellings can occur in the CNCL as a restricted discretionary activity subject to compliance with the minimum dwelling density standards.

Process from here

15. It is agreed that:
- (a) Robinsons Bay Trust and Pacific Investments Trust will confirm by Tuesday 18 September 2007 whether or not they will oppose a request for the adjournment of appeals.
 - (b) The other parties will seek to adjourn the appeals in order to enable the Council to "ground-truth" the ONL & CNCL lines in accordance with the Heads of Agreement dated 24 August 2007. This may be supported by Robinsons Bay Trust and Pacific Investments Trust depending on the answer to paragraph 15(a).

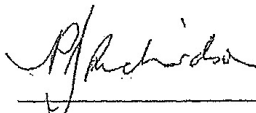
Environment Court hearing

16. The parties agree that:
- (a) They will support the matters agreed to in this Heads of Agreement; and
 - (b) They will not present a case inconsistent with the matters agreed to in this Heads of Agreement.

Christchurch City Council position

17. The Council's agreement to this Heads of Agreement is subject to the final approval of the District Plan Appeals Subcommittee.

DATED at Christchurch this 14th day of September 2007

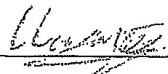


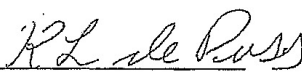
P Richardson
for A Craw, Banks Peninsula Community Task Force Farmers, Banks Peninsula Conservation Trust, CJ & JM Chamberlain, DC Carter, GPJ De Latour, Federated Farmers of New Zealand Inc, PD & JC Helps, AR Dalglish, ID & PJ Richardson, PG & HM Heddell, and P Thelning

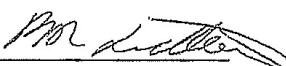


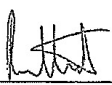
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C O Carranceja
Counsel for Christchurch City Council

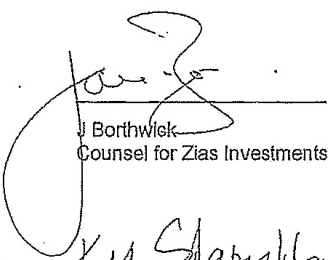

DP De Pass

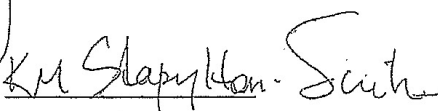

R Littlewood
for Canterbury Regional Council


P N Rutledge
Counsel for Director General of Conservation


J Cook
for Friends of Banks Peninsula Inc


M Yoder
Counsel Royal Forest & Bird Protection Society Inc

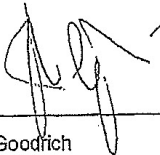

J Borthwick
Counsel for Zias Investments Ltd


M Stapylton-Smith



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J Goodrich
for Summit Road Society Inc



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Appendix Two: Maps Proposed Amendments

Map 1: Landscape Evaluation Outstanding Natural Features and Landscapes

Map 2: Coastal Natural Character- Evaluation of CNCL areas

Legend

- 12** Landscape Character Areas (2007)
Outstanding Natural Landscape (ONL)
Recommendation
- ONL EC decision
 - 4a Potential ONL addition
 - 3a ONL to be excluded



0 6 km
1:150,000 @ A3

Sources:
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Projection:
NZGD 2000 New Zealand Transverse Mercator

FOR NOTIFICATION

MAP 2
BANKS PENINSULA
LANDSCAPE STUDY REVIEW

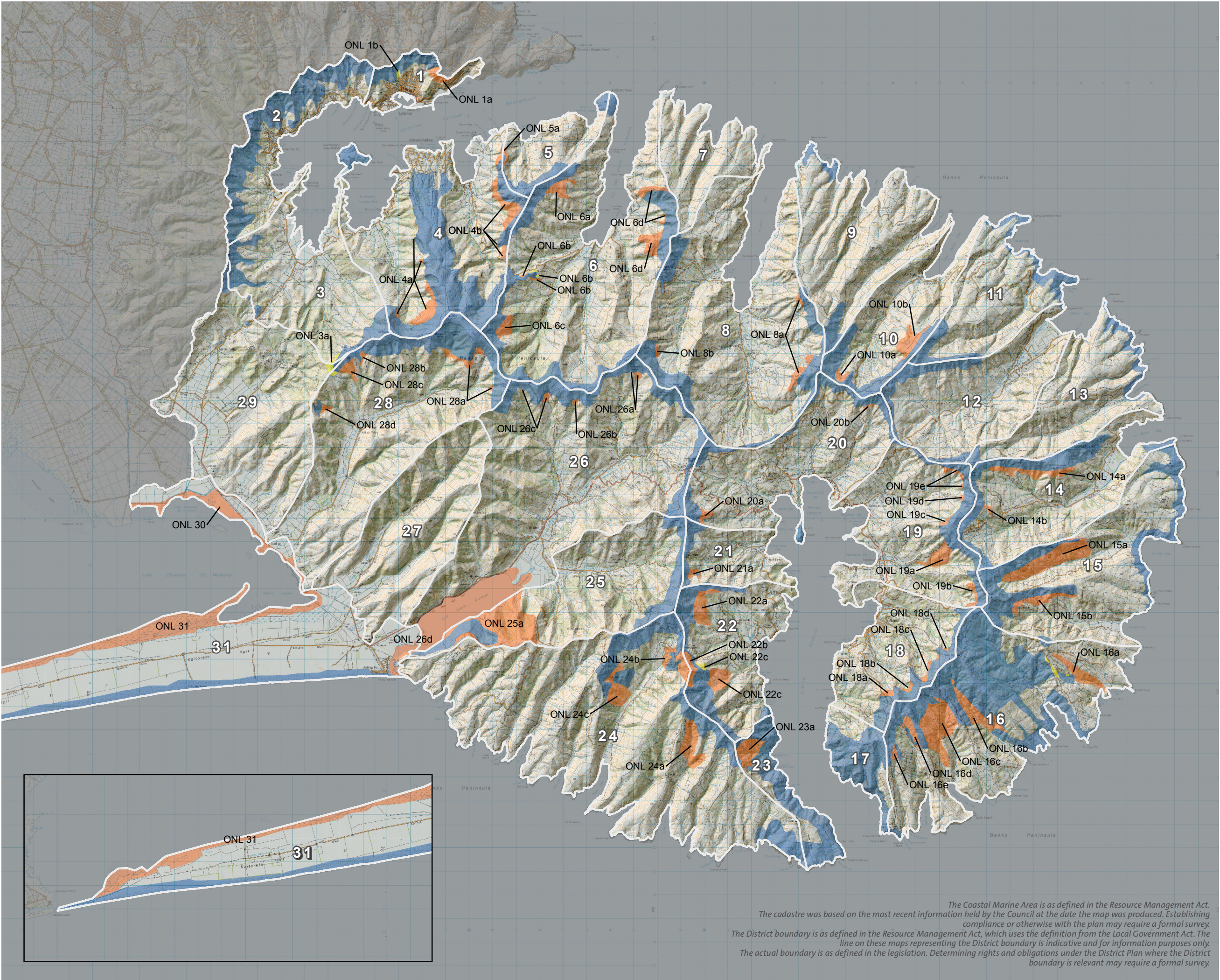
Landscape Evaluation
– Outstanding Natural
Features/ Landscapes

Date: 12 March 2015
Revision: 2

Plan Prepared for CCC
by Boffa Miskell Limited

Project Manager: Yvonne Pfluger
Drawn: BMc | Checked: YP

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The Coastal Marine Area is as defined in the Resource Management Act.
The cadastre was based on the most recent information held by the Council at the date the map was produced. Establishing compliance or otherwise with the plan may require a formal survey.
The District boundary is as defined in the Resource Management Act, which uses the definition from the Local Government Act. The line on these maps representing the District boundary is indicative and for information purposes only.
The actual boundary is as defined in the legislation. Determining rights and obligations under the District Plan where the District boundary is relevant may require a formal survey.

Legend

- 12** Landscape Character Areas (2007)
- Coastal Natural Character (NC)**
- Outstanding NC
 - Very high NC
 - High NC
 - 12a Additional NC area
 - 22a Removal of NC area
 - District Plan Coastal Environment



0 6 km
1:150,000 @ A3

Sources:
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Projection:
NZGD 2000 New Zealand Transverse Mercator

FOR NOTIFICATION

**MAP 2
BANKS PENINSULA
LANDSCAPE STUDY REVIEW**

**Coastal Natural Character
- Evaluation of CNCL areas**

**Date: 23 June 2015
Revision: 4**

Plan Prepared for CCC
by Boffa Miskell Limited

Project Manager: Yvonne Pfluger
Drawn: BMC | Checked: YP

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