

## Full Submission Topics

**The following topics may be useful in preparing your submission. If you use these in your submission, please use your own words. You may wish to edit the topics so that they say what you wish to tell the Council about Plan Change 19.**

**Plan Change 19 will provide the mechanisms for achieving Rural Objective 3A - Landscape Values for waterbodies.** Under Objective 3A, the MDC has a responsibility to ensure the District Plan policies and rules: protect the economic value of the landscape and visual amenity for the overall well-being of its constituents; enable spiritual and cultural well-being of people; protect the natural scenic and aesthetic values for people to enjoy in a sustainable way; enables the Council to place controls on these amenities; protect the outstanding landscapes such as Lake Pukaki.

*Objective 3A justifies the need for the proposed PC 19 rules and policies and particularly the need to protect natural scenic values, aesthetic values, recognised values, takata whenua values and the well being of people within the District.*

Lake Pukaki provides significant tourism and wilderness recreation opportunities. The shores of Lake Pukaki (and also Lake Tekapo) are highly valued and accessible to people of all abilities and increasing numbers of people are coming to this area to experience and participate in nature and wilderness. Their experiences should not be compromised by noisy crafts which are also moving and creating a visual disturbance on the tranquility of the lake. Motorised craft have the potential to emit high levels of noise meaning that although an experience may not be visually impaired, high, irritating or consistent noise can cause potential adverse effects on other users within the wider area. This has the potential to significantly impact people's enjoyment of the area and their experience of this increasingly rare landscape.

Motorised craft on Lake Pukaki will impact on recreational settings and experiences including those which are highly valued because of their remoteness and/or high natural character. Noise, dust and visual distraction from boats and vehicles servicing operations on the water can compromise the solitude of remote areas. The increase in tourist numbers over the years has resulted in more recreational activities which has put more pressure on the use of land, water and air as well as on the provision of infrastructure.

**Plan Change 19 will protect the special character of Lake Pukaki which has many designations recognizing the special character of the Lake and surrounding landscapes.** The proposed policies 8A, 8, 8C and rule change 7A.2 will protect Lake Pukaki from inappropriate use and give the highest level of protection under the District Plan. The new rules will ensure the tranquility, scenic views, ecology and 'wilderness' features of the Lake are preserved. Lake Pukaki has special character that needs protection and this has been recognised by many designations and aspirations under the RMA, The District Plan and the Mackenzie Agreement.

**Lake Pukaki sits within an Outstanding Natural Landscape (ONL) under section 6(b) of the Resource Management Act 1991 (RMA).** This means that Council needs to sustainably manage the *use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and avoiding, remedying, or mitigating any adverse effects of activities on the environment.*'

The RMA considers an ONL to be the highest form of protection outside of public conservation land. The views, ancient moraine, wildlife and natural landscape surrounding Lake Pukaki are some of the reasons Lake Pukaki was found to be part of the ONL. The Lake's protection from inappropriate use and development is a matter of

national importance Rural Policies 8A, 8, 8C and Rule Change 7A.2 which prohibits motorised craft on Lake Pukaki will meet the requirements of the RMA designation.

**Lake Pukaki is identified as a Site of Natural Significance (SONS)** in the Mackenzie District Plan with the following description: *Large deep glacial moraine dammed lake with numerous wildlife habitats. Drawdown for hydroelectric power generation during winter exposes Tasman River delta at north end and lake margins which provide overwintering areas for black stilt. Feeding and breeding area for black stilt and other waterfowl and waders. Habitat for three endemic moth species. (Description for Lake Pukaki (H37 22828 56832 RAP T-3; SSWI).* Motorised craft on the lake are noisy and visually distracting and have the potential to disturb wildlife and fish, create dust and disturbance of the lake edges. Plan Change 19 will fulfil Council's obligation to make sure they have rules to protect Lake Pukaki and surrounding area and prevent development which reduces the values of these sites or features.

**The edges of Lake Pukaki are designated Lakeside Protection Area (LPA) – Policy 3B6.** This recognises *the significance of the lakes of Te Manahuna/the Mackenzie Basin, their margins and settings to Ngāi Tahu and to recognise the special importance of the Mackenzie Basin's lakes, their margins, and their settings in achieving Objective 3B.* The whole of the perimeter of Lake Pukaki is designated as LPA in the Mackenzie District Plan reflecting the visual sensitivity of the landscapes and major lakes in the Mackenzie. Where an LPA is present around a waterbody in the Mackenzie the rules applying to the LPA should at least be the minimum required for that waterbody. For Lake Pukaki, the special designation of 'prohibited' is appropriate as the views incorporate significant landscape values created by Aoraki Mt Cook at the end of the lake, views towards Te Wahipounamu, rare but visible ancient moraines on either side of the lake, and it is a large reflective waterbody beneath the Aoraki Mackenzie International Dark Sky Reserve.

**Lake Pukaki and the surrounding landscape is protected by Scenic Viewing Corridors** which overlook Lake Pukaki. (*Policy 3B7 – Protects views from State Highways and Tourist Roads and Site 11a Pukaki Canal Provides views to Aoraki/Mount Cook area.*) Gaining a resource consent for land-based activity in these areas requires the applicant to prove that the development will not intrude on or be seen from scenic viewing corridors specified in Policy 3B7 and Site 11a. The same rules should apply to water-based activities which have just as much potential to interrupt views. In fact, as motorised craft are noisy and moving they have more potential to disrupt the views.

**The Mackenzie District Council seeks to further protect the Mackenzie Basin Sub Zone through Plan Change 13** which specifies sustainable management of *"the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while: (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and; (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and; (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment."* Lake Pukaki is regarded as the 'jewel in the crown' by visitors and New Zealanders and people flock to the Mackenzie based on images of serenity, unspoiled landscapes, and natural wilderness. Motorised craft will have a significant adverse effect on the special character of the Lake, particularly commercial craft which operate regularly several times per day. The rules proposed under Plan Change 19 will meet the objectives of Plan Change 13 by protecting the special character of the Lake for future generations and supporting the well-being of New Zealanders through a sustainable tourism economy.

Similarly, the **Mackenzie Agreement was agreed in 2013** with a vision and strategy that recognises the tourism and recreational values of the Mackenzie Basin. *“Part of the tourism and recreational value of the Mackenzie Country lies in its character as a place for peace and solitude in a busy world”. “While solitude is a subjective concept, there is a need to manage destinations in a manner that protects the perception of solitude... Tourism development will need to be carefully managed to maintain the character of the area.”* (THE MACKENZIE AGREEMENT: A Shared Vision and Strategy, and a Proposal for a Mackenzie Country Trust Upper Waitaki Shared Vision Forum. Page 8

<http://www.forestandbird.org.nz/files/file/The%20Mackenzie%20Agreement%20%20Final%202013.pdf>

**Plan Change 19 will provide greater protection of ecological values** by prohibiting motorised craft on Lake Pukaki. Commercial or non-commercial recreation activities where they produce noise, have the potential to release contaminants, change water quality (turbidity, oxygen etc), introduce invasive pests or disturb ecologically sensitive areas. Endangered and threatened fish species such as Longfin eel, Koaro, Galaxias generally spawn in smaller streams, however, their habitat also includes lakes and river systems. Motorised craft present a danger to these species present in our lakes and Plan Change 19 is an essential mechanism for controlling the use of Waterbodies in the Mackenzie.

All the lakes in the Mackenzie district currently have fairly low levels of aquatic weeds so they are especially sensitive/susceptible to invasion. Motorised craft tend to be used in a number of locations as people holiday around New Zealand and can transfer algae such as Didymo and Lake Snot to lakes and rivers in the Mackenzie. Lake Snot was found in nearby lakes, Lake Whakatipu and Lake Wanaka, in 2016. Plan Change 19 provides a way for control and protection of Lake Pukaki, and other waterbodies in the Mackenzie, from invasive aquatic weeds and algae.

The northern end of Lake Pukaki is home to the Kaki/ Black Stilt which is critically threatened.

We can learn from the experience of other countries who are struggling to protect their water. An example: Invasive species Montana Glacier Park. <http://flatheadbeacon.com/2017/03/17/hand-propelled-boats-ok-motorized-watercraft-prohibited-glacier-park-2017/>

**Rural Policy 8B – Lake Pukaki and Rule Change 7A.2 Activities on or within Lake Pukaki will protect the tourism and film economy of the Mackenzie District.** *Rural Objective 3A states that ‘It is appropriate that development, particularly in the high country and Mackenzie Basin has an overriding regard to the wider visual and landscape considerations which are important to the well-being of the District and its inhabitants.’*

Under Objective 3A, the MDC has a responsibility to ensure that development, including economic development, has an overriding regard for visual and landscape considerations. With tourism becoming the major economy of the Mackenzie there is pressure to ensure that tourism activity is sustainable under the RMA and meets Rural Objective 3A.

The special character of Lake Pukaki has been acknowledged by ONL and SONS designations and the Lake view towards Aoraki Mt Cook is a cornerstone of our tourism economy. We submit that the commercial motorised activities on Lake Pukaki will directly impact on highly valuable visitor experience and tourism economy in the Mackenzie and New Zealand and should not be permitted under Plan Change 19.

The special character of Lake Pukaki is shared with 1,000,000+ visitors to the Mackenzie each year. Allowing motorised activity on Lake Pukaki would be the same ruinous effect as allowing a nightly light show beamed into the Aoraki Mackenzie International Dark Sky Reserve.

The Mackenzie has strong 4 legs to its tourism offering: The Aoraki Mackenzie International Dark Sky Reserve, Lake Pukaki/Aoraki landscape and Mackenzie Lakes, the Church of the Good Shepherd and the DOC estate (Aoraki Mt Cook National Park). We submit that to maintain the economic value of tourism, the District Plan

needs to have rules to protect and preserve the tourism assets under its governance. Plan Change 19 will give effect to protection of these tourism assets and the economic well-being of the District.

Pristine images of Lake Pukaki with and without Aoraki Mt Cook are used extensively by New Zealand Tourism, and local businesses such as Alps to Ocean and these are possibly the most extensively used images for marketing New Zealand. A simple google search on 'Lake Pukaki' will demonstrate this.

Evidence shows that this special character of the Mackenzie landscape, lakes and rivers is why many visitors come to the Mackenzie. 'Natural landscapes and scenery' is a leading reason why visitors consider coming to New Zealand with 98% of visitors selecting this as the main reason for their visit'. (Data provided by Tourism New Zealand) Tourism New Zealand International Visitor Survey (to June 2017) identifies the following performance for the district: International Visitor experience: 98% of visitors rated the NZ environment as meeting or exceeding expectations; Top factors influencing consideration of NZ: Spectacular Landscapes/Natural Scenery – 46% ; Environmentally Friendly Image – 21%; Satisfaction of Visitor Experience: NZ's natural and built environment – 9.2 (average score /10). In the Mackenzie, tourism is fast becoming our lead economy. Tourism New Zealand data tells us that more than one in ten jobs is directly or indirectly generated by tourism. SOURCE: Tourism New Zealand 100% Pure - Link to the full report: <http://www.tourismnewzealand.com/media/3071/visitor-experience-infographic-2017.pdf>

We need to protect the tourism assets that are driving our both our New Zealand economy and more locally our Mackenzie economy. There are many examples of the level of interest in our natural landscapes and scenery including: an article by UK Metro magazine included one image of Lake Pukaki / Aoraki Mt Cook and one image of Lake Tekapo (both presenting a pure pristine wilderness landscape). This article attracted 33,000,000 unique website hits showing the attractiveness of natural landscape and scenery value. Links to this and other articles:

- o <http://metro.co.uk/2017/04/30/21-pictures-that-will-make-you-want-to-head-to-new-zealand-right-now-6519199/>
- o [http://www.nzherald.co.nz/travel/news/article.cfm?c\\_id=7&objectid=11667249](http://www.nzherald.co.nz/travel/news/article.cfm?c_id=7&objectid=11667249)
- o <https://www.stuff.co.nz/travel/news/96507725/new-zealand-named-third-most-beautiful-country-in-the-world>

A range of commercial tourism operations are necessary to ensure a vibrant tourism offering in the Mackenzie but tourism activities need to sustain the core tourism offering that the Mackenzie has, that is, beautiful landscapes, the feeling of wilderness and untouched mountains and lakes, the dark sky reserve, the Church of the Good Shepherd, the viewing corridor up Lake Pukaki to Aoraki Mt Cook and Te Wahipounamu World Heritage area, passive recreation on our lakes and rivers, the ecology and wildlife and the DOC estate.

To attract tourists to our area, there are many many sustainable tourism activities that don't include noisy and visually disturbing recreation on Lake Pukaki.

Tourism without boundaries devastates areas. There are international examples of the attractiveness of passive recreation in protected areas. E.g. Icefields Parkway, Banff National Park, Canada has no motorised craft on glacial lakes. Over time, park management policies have increasingly emphasized environmental protection over development.

The Mackenzie is also sought after as a film location because of its landscapes and scenery. Several movies have been filmed here including Lord of the Rings; Walking with Dinosaurs; Pete's Dragon, Slow West, The Hobbit (filmed at Lake Pukaki) and the yet to be released Disney movie 'Wrinkle in Time' (also shot at Lake Pukaki).

Tourism New Zealand advises that 'Research shows us that film can influence travel choices. It is an industry that is growing rapidly in New Zealand, with revenue from film production of \$3.155 billion in 2014, up \$7 million from 2013. <http://www.tourismnewzealand.com/markets-stats/sectors/film-tourism/>

This is the tip of the iceberg with pristine wilderness landscapes and scenery being highly sought after as backdrop for catalogue and magazine shoots.

It makes sense to maintain the attractiveness of pristine sought-after filming landscapes, like Lake Pukaki and Lake Tekapo, by keeping them pristine and free of motorised noisy commercial craft.

***In summary, Plan Change 19 policies and rules will enable the Mackenzie District Council to exercise appropriate control over waterbodies to meet the requirements of the RMA and District Plan designations relating to Lake Pukaki; the landscape objectives stated in Plan Change 13 and Rural Objective 3A; and the Mackenzie Agreement. The MDC does not currently have rules relating to the special character of Lake Pukaki that can give them an appropriate level of control over activities on the Lake (or other waterbodies within the District). To achieve good ecological, landscape amenity and cultural outcomes, Plan Change 19 is needed to enable control and protection of the significant amenity values of Lake Pukaki.***

Rule change 7A.2 proposes that motorised activity should be prohibited **on the whole** of Lake Pukaki. This will afford the protection required. It will protect the viewing corridors from Hayman Road and State Highway 8, and the Outstanding Natural Landscape on the western cliffs, and birds nesting along the lake, particularly the Black Stilt at the north end of the Lake.

Whilst Lake Pukaki does not have any District Cross Boundary issues, there is potentially an issue with drawing a line on the lake where commercial motorised activity (which is by its nature is frequent, noisy and intrusive) is permitted in some parts of the but not in others. There are viewing, swimming and fly fishing sites all around the lake edge that are well frequented e.g. Pukaki Dam, the swimming beach in front of Lakestone Lodge, the Penstocks, Peters Point and other stop off points along State Highway 80, the Boulders, Hayman Road where the Alps to Ocean trail runs and State Highway 8. The Lake is in a natural amphitheater which means sound is amplified and carries long distances. Sound does not respect virtual boundaries, noise will travel across arbitrary boundaries. It will be difficult to administer and control a demarcation line on the lake where commercial motorised boats can go and can't go. Given the widespread use of the Lake and the frequency and potential noise levels of commercial motorised craft on the Lake, I submit that the proposed rule Change 7A.2 be adopted.

Lake Pukaki is currently rarely used for boating and motorised craft and recreating on the lake has historically been limited to infrequent use by local landowners. However, given the rare use of the lake by landowners around the lake, there may be potential to allow some limited recreation on the Lake for recreational craft.

Motorised boating is not allowed above the confluence of the Opihi and Opuha rivers and there are other examples in New Zealand where there is differential zoning applying to motorised transport on different waterbodies within an area. E.g. motorised transport is prohibited on a number of lakes and rivers in the Hawea / Wanaka rural zones. <https://www.tpk.govt.nz/documents/silna/hawea-wanaka-zoning-restrictions.pdf> Areas of New Zealand such as Lake Hayes and more locally the Hooker Track and the Hooker Valley are designated Quiet Zones, free from motorised transport, boats and aircraft, so people can experience the serenity of these special areas. Giving Lake Pukaki similar special protection under *Rural Policy 8B – Lake Pukaki* and *7A.2 Activities on or within Lake Pukaki* is justified as it is not only a national treasure protected by several designations under the RMA and current District Plan, but it is internationally renowned and treasured for its distinctive turquoise blue colour and views up the lake to Mt Cook. It is at the core of our tourism and film economies and it is unlike any other lake in the Mackenzie Basin and in New Zealand.

Currently, there is only a limited set of rules for commercial activities on waterbodies in the Mackenzie. Under the current rules, commercial motorised operations wishing to operate on Lake Pukaki require a permit from LINZ and a resource consent from MDC to launch from the lakeside. The limitations of current rules for commercial use of the Lake will be resolved by Plan Change 19. At the time of writing there are no commercial operators with the required licences and resource consents operating on Lake Pukaki. Plan Change 19 will provide appropriate rules to control activity on waterbodies and protect Lake Pukaki from visual, noise and ecological pollution.

The tranquil and extensive landscape is what draws people to the lake. As it is rarely used by motorised craft, it will not be a huge leap to prohibit motorised craft on the lake as proposed by Rule 7A.2

**Matters not addressed by Plan Change 19 - Protecting recreational amenity, people, birds and fish from Noise Pollution.** PC 19 should include or refer to appropriate direction and rules for noise levels on waterbodies for both recreational and commercial craft.

*District Plan Section 14 Clause 2.3.4 Watercraft Noise* currently sets the following limits for watercraft noise:

- *Powered watercraft shall be fitted with effective mufflers during all movement on water and shall not exceed the following noise limits at any point within the notional boundary of any residential dwelling:*
  - *On any day 7.00am to 9.00pm Sound Exposure Level (SEL) 85 dBA*
  - *9.00pm to 7.00am the following day Sound Exposure Level (SEL) 78 dBA*
  - *Provided no moving craft shall emit noise in excess of Sound Exposure Level of 90 dBA in any single driveby measured at any notional point more than 25m from the line of travel of the craft.*

The noise level for waterbodies in the Mackenzie is too high especially as noise is amplified by the water and landscape. See chart <http://www.industrialnoisecontrol.com/comparative-noise-examples.htm>

Noise pollution can be a serious issue for human health, and aquatic / shore based wild life. Intrusive noise can cause animals to move elsewhere, impacting their chances of surviving and reproducing.

Both commercial and recreational craft have the potential to create consistent noise pollution.

Queenstown Lakes have a maximum noise level of 75dbL which needs to be the absolute maximum on the Mackenzie Lakes which area mostly surrounded by quiet rural areas.

Lake Pukaki is located in an 'amphitheatre' where sound travels across the lake and bounces around the mountain magnifying noise levels. Given this special character of Lake Pukaki the noise levels should be at most the same as 'Quiet Rural Noise' which is 30 dBA. Maximum noise level should apply to all craft, including recreational craft, operating in waterbodies including Lake Pukaki.