

**BEFORE THE INDEPENDENT HEARING PANEL FOR THE PROPOSED
QUEENSTOWN LAKES DISTRICT PLAN**

UNDER the Resource Management Act 1991 (RMA)

IN THE MATTER of a variation to Chapter 21 Rural Zone of the Proposed
Queenstown Lakes District Plan, to introduce Priority Area
Landscape Schedules 21.22 and 21.23. PA Morven Hill
ONF 21.22.4

**STATEMENT OF EVIDENCE OF STEPHEN RUSSELL SKELTON
11 SEPTEMBER 2023**

Introduction

- 1 My name is Stephen Russell Skelton. I am the Director of Patch Limited (Patch), a landscape architecture and landscape planning consultancy based in Queenstown.
- 2 I have been asked to provide evidence by SYZ Investments Limited in relation to the submission to vary the Queenstown Lakes Proposed District Plan Landscape Schedules 21.22 & 21.23 with particular regard to what the Scheduled has defined as the 'Morven Hill' ONF 21.22.4.

Qualifications and Experience

- 3 I hold the qualifications of a Bachelor of Arts in Communication from Northern Arizona University and a Master of Landscape Architecture (First Class Hons) from Lincoln University. I am a registered member of the New Zealand Institute of Landscape Architects.
- 4 I have been involved in landscape consultancy work for ten years, working in both the public and private sector. I held the position of landscape planner with Lakes Environmental before it was absorbed by the Queenstown Lakes District Council. I then held the position of Landscape Architect at another landscape architecture practice in Queenstown for approximately 4 years before founding Patch Limited.
- 5 I founded Patch in 2016 and our work includes all facets of landscape architecture and landscape planning through the range of small and large-scale projects. My work involves master planning, residential and commercial landscape design, preparation of native restoration planting plans, preparation of landscape management plans and preparation of landscape assessments for resource consent applications and plan changes.
- 6 Of relevance to the Proposed District Plan (PDP) I have been engaged by several land owners and interested parties over the years to provide landscape advice and evidence on various matters in associated council hearings and Environment Court appeals. Those matters include Topic 2 - Rural Landscapes, Topic 30 and Topic 31 Whakatipu Basin and Topic 3B - Rural Visitor Zone.

- 7 With respect to the Morven Hill ONF Priority Area (PA) I have observed and experienced the landscape's values and attributes in many ways over the 12 years I have lived in the District. In a professional capacity, I have worked at a high level with the submitter to assess the site and landscape's ability to absorb change and I have provided some advice as to what form that change may take.

Code of Conduct

- 8 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. Accordingly, I have complied with the Code in the preparation of this evidence, and will follow it when presenting evidence at the hearing. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

- 9 My evidence addresses the following:
- a) How will plan users utilise the Landscape Schedules?
 - b) Schedule Methods and Capacity Ratings
 - c) Proposed Amendments to Schedule 21.22.4 PA Morven Hill:
Schedule of Landscape Values

How will plan users utilise the Landscape Schedules?

- 10 The SYZ Submission states that:

'It is not clear how the Schedules will be incorporated into the Proposed District Plan or how they will be used by Council'

- 11 I agree. Since the release of the NZEnvC 58 Decision on Topic 18, which was concerned with changes to the Rural zone provisions in Chapter 21 of the PDP, Patch has undertaken several landscape assessments for resource consent applications in the Rural zone. As part of our assessment under 21.21.1.1 (a), we have developed a table

which we populate with the text from the notified landscape schedules on one side, and on the other side, we provide an assessment of the proposal with regard to the notified values and attributes. This is similar to our approach when assessing proposals in the Whakatipu Basin where Schedule 24.8 applies.

- 12 While it is useful to have landscape descriptors at the forefront of assessment, we find that much of the descriptors in the Schedules are not applicable to site specific attributes and values. The use of the schedule in this way results in a significant amount of work and expense which is often not relevant to the subject application or site and as such, is not useful to the assessment of effects on a site-specific basis. While we have utilised the Schedules in this manner, this is our approach, and is not stipulated by the Proposed District Plan (Plan). I am unaware how other landscape practitioners have utilised the Schedules and to what level of usefulness the Schedules provide in assessing site-specific proposals.
- 13 I recommend 'how plan user apply the Schedules' be further explored and explained to ensure a consistent application across uses.

Schedule Methods and Capacity Ratings

Methodology

- 14 It is my understanding from reading the *Methodology Statement*¹ that, while deriving much of their methods from the *Te Tangi a Te Manu*, or Aotearoa Landscape Assessment Guidelines (TTatM), the authors of the Landscape Schedules (the Authors) have created a unique method in preparing the Landscape Schedules. It is worth noting the TTatM does not specify a method for undertaking such studies. If the landscape architects had undertaken a Landscape *Sensitivity Study*, they would have had the benefit of adopting established methodologies for undertaking such a study.²

¹ ONF, ONL and RCL Priority Area Landscape Schedules, Methodology Statement, Final, May 2022

² Including : "An approach to landscape sensitivity assessment – to inform spatial planning and land management." June 2019 Christine Tudor, Natural England and 'Landscape Sensitivity Studies' NatureScot

- 15 The methodology in preparing the Landscape Schedules was, in my opinion, correct in its approach to identify the scope and location of the PAs and identify and rate landscape attributes and values. However, I note that one cannot 'estimate' how much of an unknown future activity could be accommodated when there are potentially activities, including scale, location, form and external appearance, which we have not yet imagined.

Capacity

- 16 I agree with the submitter that the landscape absorption capacity ratings are unreasonably directive and absolute. Assessing capacity is imprecise³ and accepts that there is an unknown future of landscape where creative land uses may be conceived and applied for in a resource consent application.
- 17 In creating their own landscape capacity rating (of an unknown future), the Authors developed a scale consisting of the word 'some' (at the highest end of the scale) and the word 'no' (at the lowest). This, in my opinion, sets the pretext that, as a starting point, the PAs have a low capacity. There is no capacity rating higher than some, such as 'high or 'lots'. Similarly, the use of the word 'no' is determinative for an 'imprecise' study in the face of an unknown future.
- 18 The scale employed in the Schedules is also inconsistent with that used in Schedule 24.8 of the PDP for the Whakatipu Basin. This is confusing to plan users and unnecessarily alters assessment terms between landscapes which are often adjacent to each other.
- 19 Also, a four-point scale (as notified and now amended to a five-point scale) does not have a middle pivot point. I understand the authors have now added a fifth rating scale of 'very limited to no'. This provides for a middle pivot point but does not address the aforementioned pretext of the word 'some' and determinative nature of the word 'no'. I consider

³ TTYatM Part 5.49 "*Generic attributes such as sensitivity and capacity are necessarily imprecise because they estimate a future. They can be useful and necessary in policy-based assessments, or in comparing alternative routes/localities, but they become redundant once the actual effects of a specific proposal can be assessed directly.*"

a five-point rating is more appropriate in this context as it is not overly complex, can be easily interpreted, employs a middle pivot point and can better assist plan users and the community as to anticipated activities and consequent change to landscapes.

20 The above discussion is a preamble to the part of the SYZ Investments Limited submission that a rating of 'No Capacity' rating may effectively prohibit any further development within the landscape. I agree with this submission point and, as discussed above I consider that the word 'no' is too determinative, especially with the understanding that landscape capacity/sensitivity is imprecise and can change over time.

21 I consider it most appropriate to rely on a five-point scale. The five-point scale below is often used by landscape practitioners when describing a landscape's capacity for, or sensitivity to change:

1. Very High 2. High 3. Medium 4. Low 5. Very Low⁴

22 I provide a description of these ratings below based on a modified version of what Landscape Architect Bridget Gilbert sets out in part 9.26 of her evidence. Any changes I suggest are highlighted in red.

Very high ~~Some~~ landscape capacity: typically this corresponds to a situation in which ~~a careful or measured amount of~~ sensitively located and designed development of this type is unlikely to materially compromise the identified landscape values.

High ~~Limited~~ landscape capacity: typically this corresponds to a situation in which the landscape ~~is nearing its~~ **has limited** capacity to accommodate development of this type without material compromise of its identified landscape values and where ~~only~~ a modest amount of sensitively located and designed development is unlikely to materially compromise the identified landscape values.

Medium ~~Very Limited~~ landscape capacity: typically this corresponds to a situation in which the landscape ~~is very close to its~~ **has some**

⁴ As recommended by:
Scotland's Nature Agency, Landscape Sensitivity Assessment Guidance. Part 2.21
and
"An approach to landscape sensitivity assessment – to inform spatial planning and land management." Part 2.4, June 2019 Christine Tudor, Natural England

capacity to accommodate development of this type without material compromise of its identified landscape values, and where only a ~~very~~ small amount of sensitively located and designed development is likely to be appropriate.

Low ~~Very Limited to No~~ landscape capacity: typically this corresponds to a situation in which the landscape is ~~extremely very~~ close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only ~~an extremely very~~ small amount of ~~very~~ sensitively located and designed development is likely to be appropriate.

Very Low ~~No~~ landscape capacity: typically this corresponds to a situation where development of this type is likely to materially compromise the identified landscape values.

Preamble to Schedule 21.22 and Schedule 21.23

- 23 I have considered Ms Gilbert's proposed Preamble to Schedule 21.22 and Schedule 21.23.⁵ I consider the text she has proposed is appropriate. However, if the capacity rating of 'no' is incorporated in the Schedules, I do not consider the preamble is enough to ensure Plan users, particularly Council staff, will understand that 'no capacity' is 'not a fixed concept'.
- 24 As discussed above, capacity ratings are imprecise, and I consider the clear language contained within part 5.49 of the TTatM and reproduced above (footnote # 3) should be included in the preamble.
- 25 It is my experience that Plan users, particularly Council staff, take a hard stance when strong language, such as the word 'no' is used. If the intention of the capacity ratings is relatively 'high level', 'is not a fixed concept' 'may change over time' and is not intended to prescribe 'the capacity of specific sites within the PA'⁶ then I consider the capacity ratings should be changed to those terms suggested above in my evidence, or alternative suitably flexible / open-textured language.

⁵ Bridget Gilbert's Evidence 11 August 2023, Part 9.26

⁶ Bridget Gilbert's Evidence 11 August 2023, Part 9.26

Proposed Amendments to Schedule 21.22.4 PA Morven Hill: Schedule of Landscape Values

26 I was not party to the original submission but have been asked to review the submission, the adoptions by Ms. Gilbert / Mr Jeremy Head and to provide landscape advice with respect to appropriate wording, terminology and my assessment of those landscape values and attributes to which the submitter has addressed. I attach to my evidence a track-changes version of the Landscape Schedules as proposed (**Attachment A**).

27 The following portion of my evidence will address the two small, proposed changes to the landscape schedules. I structure my evidence in accordance with the paragraph numbers as set out in the Landscape Schedules.

Important land use patterns and features - 11

28 I consider, with regard to the ‘wedge’ or rural living development described in the schedule that the presence of SH6 and the adjacently of the rural living areas to that corridor and important attributes to be included in the Schedule. The interplay of SH6 and rural living type development is part of what expresses the character of that northwestern edge of the PA and I consider SH6 should form part of this descriptor, as it is in part 9 of the Schedule.

Landscape Capacity (xii) – Rural Living

29 As discussed above I do not consider the word ‘no’ to be an appropriate word in a ratings scale. Regardless of the wording, if a five-point scale is used, I consider the PA has capacity to absorb some form of Rural Living type development. I consider that capacity is limited to the areas of land adjacent to SH6 within the vicinity of the existing wedge or rural living type development on the Northwestern slopes of Morven Hill. This area is shown in **Attachment B** of my evidence.

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Stephen Russell Skelton

11 September 2023

ATTACHMENT A

Proposed amendments to 21.22.4 PA Morven Hill ONF
Schedule of Landscape Values

21.22.4 PA ONF Morven Hill: Schedule of Landscape Values

General Description of the Area

Morven Hill PA ONF comprises the summits and slopes of the large roche moutonnée between Te Whaka-ata (Lake Hayes) and the Kawarau River in the Whakatipu Basin. The PA excludes the semi-circular area of the north-western slopes, which has been developed for rural living, and the ice-eroded plateau extending from the eastern slopes.

Physical Attributes and Values

Geology and Geomorphology • Topography and Landforms • Climate and Soils • Hydrology • Vegetation • Ecology • Settlement • Development and Land Use • Archaeology and Heritage • Mana whenua

Important landforms and land types:

1. Prominent large roche moutonnée landform that is the highest and most extensive of the roches moutonnées protruding from the Whakatipu Basin floor (Morven Hill, Slope Hill, Ferry Hill and Feehlys Hill). The landform extends south-west to north-east, with the lower western summit (559 m) separated from the main eastern summit (750 m) by a shallow saddle. This landform is recognised in the NZ Geopreservation Inventory having national importance. The underlying schist bedrock is exposed in places on the hill slopes, particularly on the north-eastern and eastern faces.

Important ecological features and vegetation types:

2. Predominantly rough pasture with scattered matagouri, sweet briar, hawthorn, elderberry and other exotic weeds in places. Dense cover of weeds (the previously mentioned species as well as buddleia, gorse and broom), with some matagouri and mānuka, on the shadier southern slopes leading down to the river. Conifer shelterbelts and woodlots in the saddle area and one larger radiata pine plantation adjacent to the river.
3. Natural spring on the southern side of the saddle, with associated farm ponds and an ephemeral watercourse running down to the Kawarau River.
4. The denser patches of matagouri towards the river provide suitable habitat for grey warbler, fantail and silvereye. The rocky terrain on the higher sunnier faces in combination with the rough pasture and pockets of matagouri provides suitable habitat for skinks and geckos.
5. Potential for enhancement of ecological values on the southern faces through weed control and indigenous regeneration. Some indigenous plantings have been established along the cycle trail.
6. Animal pest species include rabbits, possums, stoats, rats, and mice.

Important land use patterns and features:

7. Predominantly used for extensive pastoral farming (sheep or deer), baleage or hobby farming. Limited farming infrastructure, including farm tracks, fencing, stock yards, water tanks and four farm sheds.
8. A farm quarry on the upper southern slopes of the main hill.
9. Several dwellings are located on Morven Hill including consented, unbuilt platforms concentrated largely on the lower part of the ONF accessed off Alec Robins Road / SH6~~Two dwellings on the toe slopes adjacent to the Alec Robins Road and SH6, respectively,~~ with associated gardens and domestic curtilage.

Commented [JH1]: OS 70.14 Transpower NZ Ltd

Commented [JH2]: OS 76.11 McLintock Topp Family Trust.
OS 76.12 McLintock Topp Family Trust
OS 78.12 TPI 1 Limited

10. Radio and telecommunications infrastructure on the summit and the Cromwell - Frankton A 110kV overhead transmission line that forms part of the National Grid Transpower high-voltage Transpower high-voltage transmission corridor on the toe of the southern slopes.

Commented [JH3]: OS 70.15 Transpower NZ Ltd

11. Neighbouring land uses which have an influence on the landscape character of the area due to their scale, nature and proximity include: the wedge of rural residential and lifestyle living development adjacent to SH6 extending up the north-western northern slopes of Morven Hill and Little Morven Hill respectively and the hill; the working farmland including the occasional rural dwelling and farm building on the ice-eroded plateau extending from the eastern slopes, which provides a relatively unmodified rural buffer and foreground to the ONF.

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OS 78.13 TPI 1 Limited

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OS 78.14 TPI 1 Limited

Important archaeological and heritage features and their locations:

12. Stone chimney breast and house site belonging to 19th century orchardist Henry Steele at the south-western side of the PA, close to Hayes Creek.

13. Mature trees (walnut, chestnut and other species) associated with early European settlement and farming.

Mana whenua features and their locations:

14. The entire area is ancestral land to Kāi Tahu whānui and, as such, all landscape is significant, given that whakapapa, whenua and wai are all intertwined in te ao Māori.

15. At its southern extent, the ONF overlaps the mapped wāhi tūpuna Kawarau River.

Associative Attributes and Values

Mana whenua creation and origin traditions • Mana whenua associations and experience • Mana whenua metaphysical aspects such as mauri and wairua • Historic values • Shared and recognised values • Recreation and scenic values

Mana whenua associations and experience:

16. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas.

17. The Kawarau River was a traditional travel route that provided direct access between Whakatipu-Waimāori Whakatipu wai māori (Lake Whakatipu) and Mata-au (the Clutha River).

Commented [JH8]: OS 77.37 Kai Tahu ki Otago
OS 188.37 Te Rūnunga o Ngāi Tahu

18. The Kawarau is a significant kāika mahika kai where weka, kākāpō, kea and tuna (eel) were gathered.

19. The mana whenua values associated with the ONF include, but may not be limited to, ara tawhito, mahika kai and nohoaka.

Important historic attributes and values:

20. Historical significance of early primary industry around Morven Hill (pastoral farming, fruit growing, fishing at Te Whaka-ata (Lake Hayes).

21. Contextual significance as a landscape feature that has defined communication routes in the Whakatipu Basin, with early tracks and roading around its base.

Important shared and recognised values:

22. Important values as a widely visible and relatively open landmark that contributes strongly to the identity and sense of place of the Whakatipu Basin.

Important recreation attributes and values:

- 23. No public access to the PA, but the popular Twin Rivers cycle and walking trail is adjacent to the southern toe of the hill and allows users to view and experience the ONF.

Perceptual (Sensory) Attributes and Values

Legibility and Expressiveness • Coherence • Views to the area • Views from the area • Naturalness • Memorability • Transient values • Remoteness / Wildness • Aesthetic qualities and values

Legibility and expressiveness attributes and values:

- 24. Very prominent distinctive landform. The pastoral openness means that undulating ice-eroded slopes and rocky outcrops are displayed and the formative glacial processes are clearly legible.

Particularly important views to and from the area include:

- 25. A prominent and distinctive component of views from surrounding areas of the Whakatipu Basin and in particular from SH6 to the east, from Lake Hayes and surrounds, from Lake Hayes Estate, from the Crown Escarpment zig-zag and lookout and from the Remarkables skifield road. The bulky muscular and barren form of the hill dominates views from SH6 as it skirts the hill and from the Twin Rivers Trail. From the basin to the north, the hill forms a significant foreground feature in views towards the Remarkables.
- 26. Expansive and spectacular views from the slopes and summit of the hill (no public access) across the Whakatipu Basin floor to the enclosing mountains and lakes, enhanced by transient changes in light conditions, vegetation colours and seasonal snow and ice patterns.

Naturalness attributes and values:

- 27. Moderate-high level of naturalness due to the distinctive largely unmodified landform (within the PA), including a mosaic of pasture and native scrub cover and the low level of built modification and domestication. Rural living development outside the PA on the north-western hill slopes has degraded the naturalness and coherence of the landform to some extent but this area of modification is subservient to the overall scale, bulk and visual integrity of the hill.

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OS 78.7 TPI 1 Limited
OS 78.16 TPI 1 Limited

Memorability attributes and values:

- 28. Highly memorable landform due to its height and bulk, isolation within the basin, open barrenness and elongated form.

Transient attributes and values:

- 29. Varying colours of pasture across the seasons and effects of light and shade on the open hummocky or craggy topography.

Aesthetic attributes and values:

- 30. High aesthetic attributes due to the visual prominence, openness and legibility of the landform, its memorability and visual coherence, and its role as the largest of the roches moutonnées within the Whakatipu Basin floor.

Summary of Landscape Values

Physical • Associative • Perceptual (Sensory)

Rating scale: seven-point scale ranging from **Very Low** to **Very High**.

very low	low	low-mod	moderate	mod-high	high	very high
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The physical, associative and perceptual attributes and values described above for the PA ONF Morven Hill can be summarised as follows:

- (a) **High** physical values relating to the prominent and largely unmodified roche moutonnée landform and the mana whenua features associated with the area.
- (b) **Moderate** associative values relating to the mana whenua associations of the area, the historical associations with early European settlement and strong shared and recognised values as part of the local sense of place and identity.
- (c) **High** perceptual values relating to the visual prominence, coherence and memorability of the hill, its openness, legibility and naturalness, and its role as the largest of the roches moutonnées within the Whakatipu Basin floor.

Landscape Capacity

The landscape capacity of the PA ONF Morven Hill for a range of activities is set out below.

- i. **Commercial recreational activities – limited** landscape capacity to absorb small scale and low key activities that are: located to optimise the screening and/or camouflaging benefit of natural landscape elements; designed to be of a sympathetic scale, appearance and character; integrate appreciable landscape restoration and enhancement and enhance public access (where appropriate); and protect the area's ONF values.
- ii. **Visitor accommodation and tourism related activities - very limited** landscape capacity to absorb visitor accommodation within existing buildings or building platforms **No** landscape capacity for tourism-related activities.
- iii. **Urban expansions – no** landscape capacity.
- iv. **Intensive agriculture – no** landscape capacity.
- v. **Earthworks – very limited** landscape capacity for earthworks associated with additional trails or access tracks that protect naturalness and expressiveness attributes and values and are sympathetically designed to integrate with existing natural landform patterns.
- vi. **Farm buildings – very limited** landscape capacity for modestly scaled buildings that are integrated by landform and/or existing vegetation and are reasonably difficult to see from external viewpoints.
- vii. **Mineral extraction – very limited** landscape capacity to absorb additional quarrying within the area of historic quarry activity, with remediation to enhance the naturalness of the landform.
- viii. **Transport infrastructure – no** landscape capacity.
- ix. **Utilities and regionally significant infrastructure – limited** landscape capacity for infrastructure that is buried or located such that they are screened from external view. In the case of the National Grid and utilities such as overhead lines, cell phone towers, navigational aids and meteorological instruments where there is a functional or operational need for its location, structures are to be designed and located to limit their visual prominence, including associated earthworks, co-located with existing utilities and is designed and located so that it is not visually prominent. In the case of the National Grid there is limited landscape capacity for the upgrade of existing infrastructure within the same corridor.

Commented [JH10]: OS 77.5 Kai Tahu ki Otago

Commented [JH11]: OS 74.2 John May and Longview Environmental Trust.

Commented [JH12]: OS 70.16 Transpower New Zealand Limited

Commented [JH13]: OS 86.8 Queenstown Airport Corporation

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- x. **Renewable energy generation** – no landscape capacity for commercial-scale renewable energy generation. **Very limited** landscape capacity for discreetly located and small scale renewable energy generation that is barely discernible from public places.
- xi. **Production Forestry** – no landscape capacity.
- xii. **Rural living** – ~~no~~ **Very Limited** landscape capacity, ~~except within existing approved residential building platforms~~ and where development can be reasonably difficult to see and/or reads as a natural extension of the wedge of rural living on the north facing slopes of Morven Hill.

Commented [JH15]: Typographical correction.

Commented [SS16]: Or below the middle 'pivot point' of any five point scale.

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ATTACHMENT B

Activity Map: Morven Hill ONF

Key:



Priority area boundary



Rural Lifestyle capacity area

