

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 13  
– Queenstown  
Mapping Annotations  
and Rezoning  
Requests

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**REBUTTAL EVIDENCE OF HELEN JULIET MELLSOP  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**LANDSCAPE**

**7 July 2017**

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**Attachment A:** Map of ONL boundary (notified and recommended) on true left of Kawarau River adjacent to Remarkables Park Zone

## 1. INTRODUCTION

- 1.1 My full name is Helen Juliet Mellsop. I am a registered landscape architect and have been self-employed as a consultant since 2010.
- 1.2 My qualifications and experience are set out in my statement of evidence in chief dated 24 May 2017.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise except where I state that I am relying on the evidence of another person.
- 1.4 Within my evidence in chief and this rebuttal evidence the magnitude of landscape and visual effects, based on my professional judgement, is rated as very high, high, moderate to high, moderate, low to moderate, low or very low.

## 2. SCOPE

- 2.1 My rebuttal evidence is provided in response to the following evidence filed on behalf of Queenstown Park Limited (**QPL**) and Remarkables Park Limited (**RPL**) (806 and 807):<sup>1</sup>
- (a) Rebecca Skidmore; and
  - (b) Stephen Kenneth Brown.
- 2.2 I have read the evidence of the following witnesses on behalf of QPL and RPL, and consider that no response is needed:
- (a) Timothy William Johnson;
  - (b) David Frederick Serjeant;
  - (c) Rick Spear; and
  - (d) Robert James Greenaway.

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<sup>1</sup> Submissions 806 and 807 are considered in the section 42A report of Mr Robert Buxton for Group 2 - Rural dated 24 May 2017.

### **3. MEMORANDUM OF COUNSEL DATED 31 JUNE 2017**

**3.1** I refer to the Memorandum of Counsel filed on behalf of QLDC regarding the Panel's Minute concerning annotations on maps, dated 30 June 2017. I understand this memorandum confirms the approach the Council will take in this hearing, in light of the views of the Panel relating to its jurisdiction, as expressed in its Minute dated 12 June 2017.

**3.2** For the purposes of this hearing, the following paragraphs of my evidence in chief relate to submissions filed on either 'Stages 2-4' or Volume B land:

(a) Paragraphs 7.1 to 7.4 where I outline my views on the change to the Outstanding Natural Landscape (ONL) boundary within the Remarkables Park Special Zone sought by Remarkables Park Limited (807).

**3.3** I have been instructed by counsel not to rebut the evidence filed by Mr Stephen Brown for RPL. However, I do wish to record for the record, that I consider mine and Mr Brown's views on the appropriate location of the ONL line are aligned.

**3.4** Mr Brown considers the line should be located at the crest of the river bank above the riverside cycleway/walkway. This is the same location indicated in paragraph 7.2 of my evidence in chief, where I stated that the appropriate boundary of the Kawarau River on the true left bank is the crest of the lowest enclosing escarpment. This was reference to where I consider the ONL boundary should be located, if the Panel has jurisdiction to consider this submission point.

**3.5** I wish to note that the ONL boundary shown in Annexure A of Mr Young's submissions dated 9 June 2017 is not a correct interpretation of either the notified PDP ONL line or of my recommendations in my evidence in chief.

**3.6** The ONL boundary shown in the notified PDP maps does not closely follow the crest of the escarpment in a few locations. I have therefore provided a more detailed and accurate map of the notified and recommended ONL boundary as **Attachment A**. This is provided, in case the Council decides to re-notify an ONL over this land, in the future, and I accept that the Panel has decided that it has no jurisdiction over the line, at this point in time.

**4. MS REBECCA SKIDMORE AND MR STEPHEN BROWN FOR QPL (806) AND RPL (807)**

**4.1** Ms Rebecca Skidmore and Mr Stephen Brown have provided landscape evidence in relation to the request by QPL to rezone approximately 2000 hectares of land from notified Rural zone to a new Queenstown Park Special Zone (**QPSZ**). QPL had originally sought that the boundary of the Remarkables/Hector Mountains Outstanding Natural Landscape (**ONL**) be relocated in the vicinity of their property. On the advice of Ms Skidmore and Mr Brown, this change to the ONL boundary is no longer sought by QPL. The nature of the QPSZ sought by QPL has also changed since I prepared my evidence in chief.

**4.2** Having read the evidence of Mr David Serjeant for QPL (and in particular Appendix A) I understand that the main changes to the QPSZ since filing my evidence in chief include the following:

- (a) Rural Visitor Activity Areas (**RVAA**) 1 and 2 and Rural Residential Activity Areas (**RRAA**) 1 and 7 are no longer sought;
- (b) an objective relating to the landscape values of the ONL has been added to the zone provisions (Objective 44.2.1B);
- (c) the objective and a suite of policies relating to subdivision have been deleted from the zone provisions. Subdivision

within the zone is instead covered by Chapter 27 of the PDP (with the addition of a minimum lot area of 4000m<sup>2</sup> for the QPSZ RRAAs);

- (d) comprehensive development plans are required for the RVAAAs and RRAA Area 3 only, rather than for all development pods;
- (e) there is a defined limit on the total number of residential units within the QPSZ (90) and within particular activity areas;
- (f) a reduction in the building coverage for different activity areas (from 50% to 30%, 20% or 15%, depending on the activity area);
- (g) farm buildings above 400 metres above sea level (**masl**) are to be discretionary activities (previously controlled);
- (h) glamping in up to six unspecified locations outside the activity areas to be a controlled activity (activity nor status not previously specified); and
- (i) provisions to ensure that a cycle/ walking trail is constructed between Boyd Road and RVAA 3 if a gondola is operational or if six residential units are completed. A trail between RVAA 3 and 4 is also required if more than six residential units are sought to be constructed in RRAAs 3, 4, 5 and 6 combined.

**4.3** I note that the structure plan for the QPSZ shows the first part of the public trail crossing private land outside the QPSZ boundaries. I am unsure whether any mechanism for securing this connection has been provided, but acknowledge that an alternative alignment on an unformed legal road in the vicinity could be feasible.

**Ms Rebecca Skidmore**

**4.4** In paragraph 4.4 of her evidence, Ms Skidmore states that the lower areas of the site have limited visibility from surrounding public places. I disagree with this statement, as the Rastus Burn and Owens Creek fans are highly visible from the Twin Rivers trail on the northern side of the Kawarau River and from the southern part of Lake Hayes Estate, while the Rastus Burn fan is highly visible from other parts of

Lake Hayes Estate and visible from State Highway 6 on Ladies Mile, the Eastern Access Road, elevated urban residential areas on Frankton Road and popular lookout spots on Crown Range Road. My view of the extent of visibility is confirmed in Mr Brown's evidence and in my evidence in chief. Ms Skidmore has relied on Mr Brown in her assessment of visibility (refer paragraph 5.10 of her evidence) and I will comment further on visibility and visual effects in relation to his evidence.

**4.5** In paragraph 4.5, Ms Skidmore states that the proposed development on the lower parts of the farm would support ongoing management of the balance land, including maintaining ecological values. I note that there do not appear to be any provisions for maintenance and enhancement of the balance land other than restrictions on stocking rates above 600 masl and cattle grazing of Significant Natural Areas (**SNA**). Policy 44.2.3.1 mentions encouraging pest management, but there do not appear to be any methods to ensure that this policy is implemented.

**4.6** Ms Skidmore considers that the updated QPSZ provisions will ensure that a rural settlement pattern is created (refer her paragraphs 5.1 and 5.10). I agree that there is potential, under the Comprehensive Development Plan process, to ensure that RVAA 3 could appear as a large 'rural visitor village' within the rural environment rather than as an urban area. The updated building coverage rules for the activity area are 30% for the lower terrace and 20% for the upper terrace. I have calculated the approximate area of each development pod by scaling the structure plan appended to Mr Serjeant's evidence within a computer-aided design programme (the calculation does not take into account landform slope) and the results are shown in **Table 1** below.

Activity Area	Approximate land area (m <sup>2</sup> )
RVAA 3 – lower terrace	136,000
RVAA 4 – upper terrace	114,000
RRAA 2	80,150
RRAA 3	106,800
RRAA 4	31,000
RRAA 5	129,000
RRAA 6	62,500
RVAA 4	16,000

**Table 1:** approximate land areas of proposed activity areas in the QPSZ structure plan

- 4.7** Given approximate areas for the lower and upper terraces of 136,000m<sup>2</sup> and 114,000m<sup>2</sup>, respectively, the potential maximum restricted discretionary building areas would be about 41,000m<sup>2</sup> and 23,000m<sup>2</sup> for lower and upper areas. I consider that very careful design and significant planting would be required to ensure that these building coverages and potential heights (8m to 16m) did not appear as a node of urban development.
- 4.8** With regard to the rural residential activity areas, the minimum lot size is 4000m<sup>2</sup> if the land is subdivided. With a total approximate rural residential area of 40.95 hectares this could translate to 102 residential lots and dwellings. However, the total number of residential units within the zone (prior to the gondola becoming operational) is limited to 90. So assuming that there were no residential units in the rural visitor activity areas, the maximum gross residential density (not accounting for roads and infrastructure) could be 1 per 6675m<sup>2</sup> in RRAA3 (only 16 units possible) and about 1 per 4000m<sup>2</sup> in the other rural residential activity areas. Visitor accommodation buildings of up to 400m<sup>2</sup> are also envisaged in the rural residential areas and it is unclear whether these would be in addition to the residential units. If so, the building coverage of 15% would come into play and density could be up to about 1 per 3000m<sup>2</sup>.
- 4.9** In either scenario I can confirm that the developed rural residential areas would appear as an intense rural living pattern, as stated in paragraph 6.20 of my evidence in chief. It appears that no comprehensive development plans would be required for rural



residential areas other than RRAA 3, so the subdivision design would only be influenced by the matters for discretion in Part 27.5.7 of the PDP. While these matters do include ecological and natural values, effects on landscape and visual amenity values would be outside Council's discretion. In my view there would be no surety that the landscape outcomes sought in the objectives and policies of the QPSZ, particularly Objective 44.2.1.1 and Policies 44.2.1.1 to 44.2.1.6 would be achieved.

**4.10** I agree with Ms Skidmore's opinion in her paragraph 5.10 that development on the lower fans and terraces has the potential to be '*subservient to the bold mountainous landscape patterns*'. This is because of the large scale and visual dominance of the mountain slopes, when compared with the fans and terraces. However, I do not agree with her statement in the same paragraph that the development pattern would not adversely affect the visual integrity of the landscape. The fans in particular are perceived as integral and legible components of the mountainous landscape. The legibility of these features would be compromised and the visual integrity of the landscape adversely affected to a moderate to high degree. In my view the extent of domestication would be such that little rural character or rural amenity would remain within each activity area. In the case of RRAAs 3 to 6 their close proximity to each other means that they are likely to be perceived as a sprawl of domestication on the Owens Creek fan and along the river, rather than as discrete pods.

**4.11** Ms Skidmore has assessed the proposed QPSZ against the relevant landscape-related objectives and policies in Chapters 3 and 6 of the PDP and considers that the zone would be consistent with these. I hold a different view. I consider that the scale and nature of proposed development within a sensitive and highly valued ONL and adjacent to the Outstanding Natural Feature (**ONF**) of the Kowarau River would unacceptably degrade the quality and character of the landscape. In my assessment, the relatively remote rural landscape on the southern side of the Kowarau does not have the capacity to absorb development of the type enabled without degradation of important aspects of the landscape's character and amenity. These

include the visual integrity of the legible geological sequence from mountain top to river valley, the high level of naturalness, the rural character, and the wild and scenic values of the landscape.

### **Mr Stephen Brown**

**4.12** In his landscape evidence for QPL, Mr Stephen Brown has focused on the visibility of a future gondola, and of tourism and residential development and the effects of this visibility on the key landscape characteristics and qualities of The Remarkables. I will respond to his assessment of the gondola corridor visibility first.

**4.13** Mr Brown has relied to some extent on the visual simulations appended to the evidence of Mr Tim Johnson in assessing potential visibility (paragraph 6.3(a) of Mr Brown's evidence). The visual simulations are helpful in understanding potential visibility, but I consider that they should be used with caution, for a number of reasons:

- (a) to my knowledge no details have been provided about the size or capacity of the gondola cabins shown in the simulations, or the reasons for using cabins of the size modelled. Section 14 of Mr Johnson's evidence shows a small cabin that appears to be of sufficient size to hold two people, although this is difficult to tell from the image;<sup>2</sup>
- (b) as stated in Mr Johnson's evidence, the reflectivity of glass in cabins and gondola stations has not been modelled;
- (c) moving cabins would attract attention and be more visible than the stationary cabins modelled in the simulations; and
- (d) the simulations show the structures and pylons in matt colours. Steel structures painted in recessive colours have greater reflectivity in certain atmospheric conditions and are likely to be more prominent than shown in the simulations at certain times. This is recognised by Mr Brown in paragraph 6.7 of his evidence where he states that the Armaco barrier on the ski field road (a steel structure painted in a dark

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<sup>2</sup> I note that the evidence of Mr Penny for QPL and RPL states at paragraph 28 that the gondola will have a capacity of 2,000 passengers per hour.

recessive colour) captures attention when the sun reflects from it.

- 4.14** I note that the single photos simulated at 50mm lens and viewed at A3 size at a viewing distance of 350mm provide the easiest approximation of what would be seen with the naked eye.
- 4.15** I generally concur with the description of visibility in Table 1 of Mr Brown's evidence with the exception of Morven Hill, where visibility of the gondola would be high from the Twin Rivers trail closer to the site on Morven Hill. Mr Brown has also not considered visibility from the Crown Range Road, although VP10 in Mr Johnson's visual simulations shows the view from the Crown Range zig-zag lookout. The pylons are unlikely to be visible from this distance but the Queenstown Park upper station building would be clearly visible from this vantage point and from other distant viewpoints where this structure is visible (eg. Lake Hayes), as it would contrast with the surrounding tussock grassland.
- 4.16** I agree with Mr Brown that the gondola structures would be more easily absorbed, in a visual sense, in the Kawarau 'valley' section of the route. Existing human modification in this area, including the high voltage transmission lines, the Queenstown Park access track and associated power line and the presence of built development overlooking the river on the northern bank mean the proposed structures would have moderate to low adverse visual effects when viewed from outside the river corridor. I doubt however whether the gondola structures would ever 'float' above the terrain (as stated in paragraph 6.11 of Mr Brown's evidence), in either a physical or perceptual sense. Above the confluence with the Shotover River I consider the gondola would have a high level of adverse effect on the visual amenities and recreational experience of people within the river corridor, including users of the river trail and the river itself. These observers would view the structures at close proximity and are relatively isolated from the other modifications discussed above. I note that Mr Robert Greenaway states in his evidence at paragraph 5.3 that tens of thousands of people use the trails on the true left bank of the Kawarau for walking and cycling.

- 4.17** I agree with Mr Brown's statement in his paragraph 6.12 that the gondola would have cumulative adverse effects on the naturalness and coherence of the Kawarau River corridor. In my opinion, the magnitude of these cumulative adverse effects would be moderate to high.
- 4.18** Mr Brown acknowledges in his paragraph 6.18 that the higher part of the gondola, where it ascends the mountain, would be more visible than shown in the Build Media simulations. I concur with his opinion that the complex vegetation patterns on the slopes would aid in visual absorption of the structures and that the majority of the upper gondola is likely to be difficult to see from distant viewpoints. Where the corridor enters the upper tussock lands, there would be greater contrast with the background vegetation and I consider that the upper station and gondola path are likely to be clearly perceived, even from more distant vantage points (for example the Crown Range Road and Lake Hayes).
- 4.19** Mr Brown acknowledges that the upper part of the gondola would be clearly visible from Lake Hayes Estate, parts of the Twin Rivers trail and from SH6 on Ladies Mile, but does not go on to discuss the effects of this visibility in full. He also passes directly from a discussion of the visibility of the gondola to conclusions about the intrinsic naturalness and landscape values of The Remarkables, without considering landscape effects other than the visual. In my view Mr Brown is discussing *perceived* rather than *intrinsic* naturalness in his paragraph 6.21 and the level of effect on visual amenity rather than on landscape values.
- 4.20** Having considered the simulations provided by Build Media I now consider that there is potential for a gondola within the corridor to have a low to moderate level of adverse effect on the amenity of distant views towards The Remarkables, if cabins were as small and recessive as shown in the simulations. From closer viewpoints in Lake Hayes Estate and along the Kawarau River I remain of the opinion that the gondola access corridor would significantly detract

from the perceived naturalness and aesthetic coherence of the landscape. The magnitude of adverse effect would be high.

**4.21** I am also still of the view (expressed in paragraph 6.28 of my evidence in chief) that the introduction of multiple gondola structures along the Kawarau River and on the north face of The Remarkables would reduce natural character and landscape quality to a moderate to high degree. These are effects related to physical modifications of the landscape and changes to the landscape elements and attributes that make up its character. They are not dependent on whether or not the changes are visible. Knowledge of the gondola's presence, even when not highly visible, would also adversely affect people's appreciation of the wild and scenic values of the ONL. I note that alternative gondola routes on the western face of The Remarkables were abandoned partly because of potential adverse visual effects. While the northern face is perhaps less 'iconic' than the much photographed western face, it is still recognised as a part of the ONL with high ecological and scenic values and a high level of natural character.

**4.22** In Section 8 of his evidence Mr Brown goes on to discuss the tourism and residential development enabled by the QPSZ. In paragraphs 8.3 to 8.6 he makes recommendations for measures to mitigate the landscape effects of development. Some of these appear to have been included in the updated zone provisions, but others have not. As one example, he has recommended the promotion of native planting on the escarpment banks, rivers banks and stream corridors around and between all development areas, but this is only included as a matter of discretion for RVAA 3, and to a lesser extent for RVAA 4. There is no mechanism for ensuring this type of planting occurs in any other activity areas or between activity areas. In paragraph 8.11 of his evidence Mr Brown appears to assume that Comprehensive Development Plans would provide for future planting and protection of ecological values in the whole of the zone and this may have influenced his assessment of the visual and landscape effects of the rezoning proposal. In my opinion methods to ensure appropriate indigenous planting in all activity areas and between activity areas would enhance the natural character of the landscape and assist in

integrating development within the QPSZ. However, I do not consider that such planting would adequately mitigate the adverse landscape and visual effects of the zone.

**4.23** The reduced areas of RRAA 2 and RRAA 3 recommended by Mr Brown do not appear to have been included in the updated structure plan, although the number of residential units in RRAA 3 is limited and a Comprehensive Development Plan is required, which may achieve the outcome Mr Brown seeks for this area. In relation to RRAA 2, I support Mr Brown's view that a reduction in the extent of this area would visually separate it from RVAA 3 and help to reduce the visual impacts of development from Lake Hayes Estate.

**4.24** In his assessment of the visibility of tourism and residential development enabled by the proposed zone, Mr Brown has missed several potential viewing audiences and, in my view, minimised the extent of visual effect on others. In addition to the areas Mr Brown has outlined in his paragraph 8.13, parts of RVAA 3 would be visible from the Eastern Access Road around the eastern end of the airport runway, from elevated dwellings on Frankton Road (refer **Photograph 1** below), from the Council reserves directly to the north across the river, from the upper part of the Crown Range Road and from SH6 at Ladies Mile. Views from this last area may be fleeting for drivers, as stated in Mr Brown's paragraph 8.17, but would be more sustained for passengers in vehicles and for cyclists and pedestrians, particularly those using the trail connection to Lake Hayes on the northern side of the highway.



**Photograph 1:** View from lower terrace of RVAA3 towards Queenstown showing elevated development above Frankton Road and line of the Eastern Access Road at the end of the airport runway (photograph taken at 50mm lens equivalent at 10.54am on 15/03/17)

- 4.25** The rural residential activity areas would also be visible from parts of the Crown Range Road, particularly from the highly frequented lookouts at the top of the zig zag and higher on the road (refer **Photographs 5 and 6** in my evidence in chief).
- 4.26** I am unsure of the basis on which Mr Brown has assessed the level of visibility in his paragraph 8.20; whether this relates to the number of people likely to see development, the geographical area over which it would be visible, or the dominance of the development in the view. I consider that RVAA 3 would be highly visible and prominent when viewed from Lake Hayes Estate, the river, the reserve land opposite the site and the Twin Rivers trail, and would be clearly visible from the

other vantage points discussed. The other activity areas would be highly visible and prominent from the trail and from places on Morven Hill and clearly visible as nodes of intensive rural living from the lookouts on Crown Range Road. The sizes of the viewing audiences in these areas is likely to be high for SH6, the Eastern Access Road and Crown Range Road, moderate for Lake Hayes Estate and low to moderate for the reserves, river and trail.

- 4.27** Mr Brown has included indicative 'Sketch-up' montages of RVAA 3 as Annexures to his evidence and has used these to assist in his assessment of visual effects. He has not provided any information about the parameters used to produce the model, in terms of building coverage, building heights, road access and age or type of vegetation shown. In my opinion they should be viewed with considerable caution. I note that revegetation of the river banks is shown in the montages although this area is outside RVAA 3 and there do not appear to be any zone provisions requiring indigenous planting outside the activity area.
- 4.28** In Mr Brown's paragraph 8.21(e), he states that views of RRVA 3 development from Lake Hayes Estate are contextualised by the suburban location of the viewer. In my opinion this approach to assessing visual effects is not appropriate. It could be extrapolated to mean that intense rural living or visitor accommodation development on ONLs visible from urban Queenstown would be acceptable because it is viewed from within an urban environment. The context of the viewer could be relevant in assessing effects on perceptual landscape attributes such as the sense of remoteness or wildness, but not in assessing the visual effects of development in prominent ONLs.
- 4.29** Mr Brown and I are in agreement that the QPSZ would result in a significant change to the Kawarau valley landscape (his paragraph 8.26) and would extend urban and peri-urban type development to the southern side of the Kawarau River (his paragraph 8.22). We differ however in our evaluation of the effects of this change on the core values of The Remarkables ONL and the Kawarau River ONF. In my view the development would have a high level of adverse effect



on people's perceptions of the landscape and on their appreciation of this sensitive and highly valued area.

**4.30** Mr Brown has referred to the positive landscape effects of the QPSZ in his summary in paragraph 2.7. I agree that the proposed increased public access to the ONL would be a positive effect of the proposal, as it would allow a greater number of people to move through and experience the landscape at close quarters. People's experience of the landscape would be affected by the presence of the gondola, which follows the proposed public trail route, and the tourism and residential development enabled by the QPSZ.

**4.31** There are a number of aspects of potential development within the QPSZ that I consider have not been fully addressed by either Ms Skidmore or Mr Brown. These include the landscape and visual effects of:

- (a) road widening;
- (b) increased traffic movements along the access road;
- (c) parking areas within the zone and increased use of parking areas within the ONL on the northern side of the river;
- (d) up to six glamping sites accommodating up to 20 people each outside the activity areas;
- (e) jetties and bridges;
- (f) mountain bike trails, particularly a trail connecting the upper Queenstown park gondola station and RVAA 3; and
- (g) lighting of the gondola and lights in activity areas.

**4.32** With the possible exception of the glamping sites, all these aspects of anticipated development have the potential to be visible outside the site and to contribute cumulatively to a perceived reduction in the naturalness of the landscape. An inappropriately located and designed downhill mountain bike track has the potential to be highly visible on the open exposed mountain flanks and lighting of the upper gondola section at night during winter months (if proposed) could render the route visually prominent even from distant viewpoints. All the aspects of development listed above would also contribute to an increased level of human modification within the ONL (which is now

not challenged by the submitter) and a corresponding reduction in its natural character and aesthetic coherence. In my view the cumulative adverse effects of development enabled by the zone, when combined with the existing skifield and skifield access road and modifications along the river, would exceed the capacity of the landscape to absorb change. In my opinion, this would result in a high and significant level of cumulative adverse effect on the values that make the landscape outstanding.

A handwritten signature in cursive script, appearing to read 'H. Mellsop', written in a light grey or blue ink.

**Helen Juliet Mellsop**

**7 July 2017**

**Attachment A:** Map of ONL boundary on the true left of the Kawarau River adjacent to Remarkables Park Zone, as notified in the PDP and as recommended by myself and Mr Stephen Brown (not to scale, north oriented upwards on the page, base aerial source Google Earth)

