

**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 14:
Wakatipu Basin
hearing and
transferred Stage 1
submissions related to
Arrowtown and Lake
Hayes

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

LANDSCAPE

27 June 2018

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1. INTRODUCTION

- 1.1** My full name is Helen Juliet Mellsop. I am a landscape architect and have been self-employed as an independent consultant since 2010.
- 1.2** My qualifications and experience are set out in my statement of evidence in chief dated 28 May 2018.
- 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.

2. SCOPE

- 2.1** My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:
- (a) Mr Benjamin Espie for T McQuilkin (459);
 - (b) Mr Patrick Baxter for Michaela Meehan (526);
 - (c) Mr Stephen Skelton for Bridesdale Farm Developments Limited (655);
 - (d) Mr Patrick Baxter for Hogans Gully Farm (2313);
 - (e) Mr John Kyle for A Feeley, E Borrie & LP Trustees Ltd (2397);
 - (f) Mr Benjamin Espie for Morven Ferry Limited (2449) & Barnhill Corporate Trustee Limited, D.E and M.E Bunn and LA Green (2509); and
 - (g) Mr Nicholas Geddes for Ladies Mile Consortium (2489) and Felzar Properties (229).
- 2.2** I have read the evidence of the following experts, and consider that no response is needed:
- (a) Mr Carey Vivian for Richard and Jane Bamford (492);

- (b) Mr John Duthie for Bridesdale Farm Developments Limited (655);
- (c) Mr Jeffrey Brown for Hogans Gully Farm (2313)
- (d) Mr Glenn Davis for Hogans Gully Farm (2313);
- (e) Mr Scott Freeman for Morven Ferry Limited (2449) & Barnhill Corporate Trustee Limited, D.E and M.E Bunn and LA Green (2509);
- (f) Mr Daniel Thorne for D Boyd (838); and
- (g) Mr Christopher Ferguson for Glencoe Station Limited (2379).

2.3 The contents page of my evidence in chief did not include references to specific submissions, making it difficult for the Panel and submitters to quickly refer to particular sections of my evidence (although a search of names/submission numbers enabled identification of responses). I have attached an updated contents page for my evidence in chief as **Appendix A** to this rebuttal evidence.

LCU 10 LADIES MILE

3. MR NICHOLAS GEDDES FOR LADIES MILE CONSORTIUM (2489)

3.1 Mr Nicholas Geddes has filed planning evidence in relation to the notified Stage 2 provisions and the zoning of the Ladies Mile flats, excepting the Queenstown Country Club site. In paragraph 5.12 of his evidence, Mr Geddes notes that I did not consider the late (accepted) submission #2489, which seeks firstly Rural Lifestyle zoning with a 4000m² minimum lot size (or one hectare on the Threepwood land) and a 25-metre building restriction area along State Highway 6 (**SH6**), or alternatively Wakatipu Basin Lifestyle Precinct (**Precinct**) with modifications to the notified rules and standards. Submission #2489 amended two Stage 1 submissions (#535 and #532), which I addressed in paragraphs 7.11 to 7.15 of my evidence in chief.

3.2 While I did not specifically consider the amended relief sought in submission #2489 in my evidence in chief, I did discuss the landscape implications of Rural Residential (**RR**) zoning (which has a 4000m² minimum lot size) on the land in question in paragraph 7.14. I concluded that this density of development is likely to result in a loss of

the remaining rural character and rural amenity north of the highway, and would be inappropriate from a landscape perspective.

3.3 The relief sought by Submitter #2489 in relation to the Threepwood land is modified in Mr Geddes' evidence from an average lot size of 4000m² to a minimum lot size of one hectare (dark green in **Figure 1** below). I discussed the landscape implications of rezoning the Threepwood land to Rural Lifestyle Zone (with a minimum lot size of one hectare) in paragraphs 6.9 to 6.13 of my evidence in chief. This was in relation to the submission of Justin Crane and Kirsty Mactaggart (submitter #688). I concluded that Rural Lifestyle zoning (with a minimum lot size of one hectare and an average of two hectares) of the flat western part of this land would be appropriate as long as appropriate setbacks were maintained from the highway. I did not support Rural Lifestyle zoning for the eastern part of the site that slopes down to Lake Hayes, as it would compromise the natural character and scenic values of the lake.

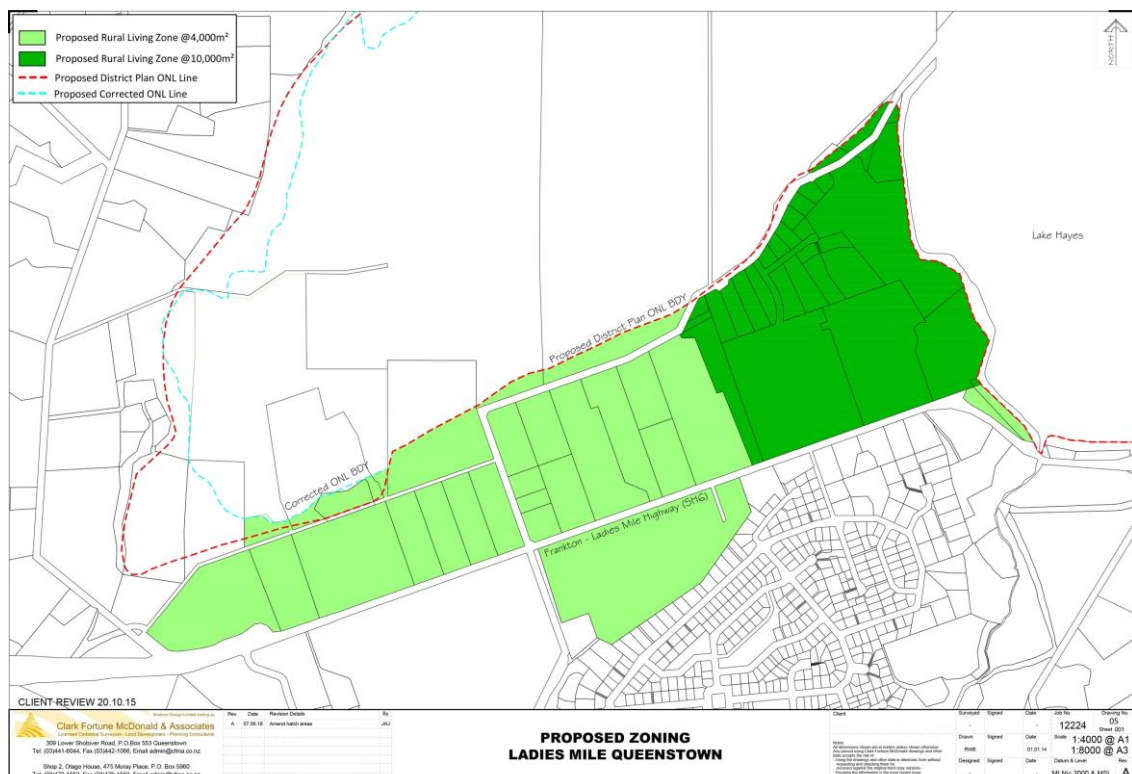


Figure 1: Map of rezoning relief sought in Appendix 3 to Mr Geddes' evidence.

3.4 The 25-metre SH6 setback in the late Stage 1 submission is substantially less than the 100m originally sought by Submitters #535 and #532, and in my view would not retain any element of spaciousness or rural amenity along the highway. It would also not maintain views towards the surrounding mountains and Slope Hill.

3.5 I understand from legal counsel that the Panel has determined that the sections of submission #2489, relating to a new policy in Chapter 3, amending Objective 3.2.5.5, Policies 6.3.1.5 and 6.3.2 (reply version), inserting a new policy in Chapter 6 and amending assessment matter 21.7.2.3 (reply version), are out of scope as a Stage 1 submission.¹ I therefore have not responded to his evidence on these points.

LCU 15 HOGANS GULLY

4. MR PATRICK BAXTER FOR HOGANS GULLY FARM LIMITED (2313)

4.1 Mr Patrick Baxter has filed evidence in support of the submitter's proposed Hogans Gully Special Zone within LCU 15. In his evidence, and in the planning evidence of Mr Jeffrey Brown, a number of changes to the special zone are outlined. These changes seek to ensure that the landscape outcomes set out in the Special Zone objective and policies are actually achieved. The amendments to the proposed Special Zone provisions include the following:

- (a) a new policy to encourage provision for public walkway and cycleway linkages;
- (b) removal of any zone-specific standard for road or zone setbacks;
- (c) an increase in the total number of residential/visitor accommodation units from 90 to 96;
- (d) a reduction in the building height for residential buildings from 5m to 3.75m, with only flat roofs permitted, infringement of this standard is a discretionary activity;

¹ The parts of the submission out of scope are those that sought amendments to its Stage 1 submissions (532 and 535) related to inserting a new policy in Chapter 3, amending Objective 3.2.5.5 (reply version), Policies 6.3.1.5 and 6.3.2, inserting a new policy in Chapter 6 and amending assessment matter 21.7.2.3 (reply version). These were heard and decided on in Stage 1. See Panel's Decision on Application for Waiver of Time to amend submissions dated 13 March 2018.

- (e) a new standard (45.5.10) to provide for ecological restoration prior to development in residential activity areas, but staged in relation to each activity area;
- (f) a new standard (45.5.11) for landscaping associated with residential and clubhouse to be at least 70% indigenous vegetation;
- (g) a new earthworks standard (45.5.12) for works within 20m of a water body to be a restricted discretionary activity; and
- (h) a change to the location of the Maintenance activity area on the structure plan, with this area now split into two.

4.2 I note that Mr Baxter refers to a 'Landscape Assessment and Design Report – Baxter Design 4 April 2018' in his paragraphs 7 (last bullet point) and 11, but that this report did not form part of Submission #2313 and is not appended to his evidence (except the cross sections in his Attachment A). I understand this report is part of a current application for resource consent for a golf course-based resort on the land (RM180497).

4.3 I have carefully considered the amendments to the proposed Special Zone and am of the opinion that they provide significantly greater certainty that an indigenous revegetation programme would be implemented within the Special Zone. However there are still uncertainties regarding the overall extent of indigenous planting and the extent of revegetation required to be completed prior to building in each residential activity area.

4.4 Mr Simon Beales (for Hogans Gully) has provided examples of successful large scale revegetation projects in his evidence. I accept his evidence that well managed large scale revegetation projects can be effective, but I note that only one of his examples is within the Wakatipu Basin, which has a harsh dry and cold climate, and that the proposed Hogans Gully revegetation is likely to be of substantially greater scale than this example.

4.5 The amended provisions provide greater certainty that proposed Policy 45.2.1.7 would be effectively implemented, as at least 70% of landscaping associated with buildings would need to be indigenous

species. However, the remaining 30% could be exotic trees and plants that may detract from the character and legibility of the landscape.

- 4.6** The revised height limit of 3.75m for residential buildings would potentially minimise the scale and bulk of dwellings and lead to a consistent built form with flat roofs only. However this design control is very restrictive. In my experience it is likely to lead to multiple discretionary consent applications to infringe the height limit when future individual owners seek to develop their lots. The outcomes envisaged by the proposed Special Zone, in terms of consistency of residential dwelling height and form, may not therefore be achieved.
- 4.7** Despite greater certainty about the potential for positive effects on the natural character of the site as a result of revegetation, I am of the opinion that the extent of proposed residential and golf course development would outweigh the positive effects. The amendments to the Special Zone provisions have not altered the assessment and conclusions in my evidence in chief, except in relation to the achievement of ecological enhancement.
- 4.8** In paragraphs 19 to 22 of his evidence, Mr Baxter discusses the differences between the established Millbrook Resort Zone development and the proposed Hogans Gully Special Zone. While I agree that the anticipated landscape character and type of built form differs considerably between these two zones, I consider his map in Attachment C to his evidence clearly shows that the patterns of dense built development and open space in the Hogans Gully LCU 15 and in the original Millbrook resort (the eastern section) are very similar.

LCU 18 MORVEN EASTERN 'FOOTHILLS'

- 5. MR BENJAMIN ESPIE FOR MORVEN FERRY LIMITED (2449) & BARNHILL CORPORATE TRUSTEE LIMITED, D.E AND M.E BUNN AND LA GREEN (2509)**
- 5.1** Mr Benjamin Espie has filed evidence in relation to the rezoning of land at Morven Ferry Road. The relief sought by Submitters #2449 and #2509 has been amended since I completed my evidence in chief.

These amendments are set out in in detail in the evidence of Mr Scott Freeman and include the following:

Wakatipu Basin Lifestyle Precinct

- (a) Minimum lot size of 4000m² rather than an average density of 4000m² for the Morven Ferry Precinct, with infringement being non-complying;

Morven Ferry Rural Visitor Zone

- (b) A proposed Morven Ferry Road Rural Visitor Zone (**RVZ**);
- (c) Construction of buildings to be a restricted discretionary activity rather than a controlled activity;
- (d) A maximum building footprint of 300m² with the exception of one viticulture building with a 500m² in Area B;
- (e) A restriction on residential activities, with exception of one on-site manager's residence and workers accommodation (for staff who work within the Morven Ferry Road RVZ);
- (f) A maximum 8m height limit for buildings, with the exception of one viticulture building with a maximum building height of 10m in Area B;
- (g) A maximum building coverage for Area A of 1500m² and for Area B of 3000m²; and
- (h) A minimum building setback from Morven Ferry Road of 35m.

Morven Ferry Precinct – rural living rezoning

5.2 The amended lot size provisions proposed for the Morven Ferry Precinct would ensure that lots smaller than 4000m² were not created and would likely lead to a fairly uniform subdivision pattern. However the amendment has not changed the conclusions regarding the landscape effects of rural living zoning set out in my evidence in chief.

5.3 In paragraph 6.4 of his evidence, and again in paragraph 8.10, Mr Espie describes the potential landscape outcomes of rural living zoning with a minimum lot size of 4000m² (as sought though Rural Residential (**RR**) or modified Precinct zoning). I agree that this type of zoning leads to a considerable density of rural residential activity, which Mr Espie describes as a 'large-lot residential character'. While he considers that

small well-located areas of RR zoning can maintain rural landscape character amenity for the land *around* them, he does not describe any rural amenity or character *within* them. I agree that small contained areas of RR zoning can be absorbed in appropriate locations (for example the existing development at Bayswater Lane in Wilsons Bay) or as buffer areas to urban zones, but consider that most isolated areas of RR zone development (consented under the ODP) have undermined the rural character and amenity of the surrounding landscape. As an example the RR development at Tucker Beach Road and on the northern side of Morven Hill have both, in my view, degraded the natural and rural character of the landscapes in which they are set.

5.4 The examples that Mr Espie has provided of well treed dense rural living areas – North Lake Hayes and Rapley Close/Whitechapel – actually have a lower density than that proposed in the submitter’s evidence. The North Lake Hayes RR zone has a subdivision minimum lot size of 8000m², a land use density of one dwelling per 4000m², and a current average density of 1.48 hectares.² The Rapley Close/Whitechapel area is zoned Rural Lifestyle in the ODP with a two-hectare average density and one-hectare minimum. A more comparable example for the rural living zoning (otherwise called the Morven Ferry Precinct) proposed in Submissions #2449 and #2509 could be the Hawthorne Estates subdivision at the Domain Road triangle. Although zoned Rural General in the ODP, this area has been subdivided into rural living lots of about 5000m² average.

5.5 Mr Espie acknowledges in his evidence the substantial changes to the rural character³ and moderate changes to the visual amenity⁴ of the area that would result from the rezoning sought, as well as the loss of the current sense of remoteness and quietness⁵. However he dismisses these effects on the basis that the area is relatively isolated and infrequently accessed. This is despite the fact that the Queenstown Trails that pass through the landscape are increasingly used by locals and visitors.⁶ I consider it likely that the strong rural

2 QLDC GIS data for Rural Residential Zone – North Lakes Hayes excluding roads and reserves, 9 May 2018.

3 Evidence of Mr Espie for Submissions 2449 & 2509, paragraphs 6.1 and 7.1.

4 Ibid, paragraph 6.1.

5 Ibid, paragraph 7.1.

6 Evidence of Dr Shane Galloway for Submitters 2449 & 2509, paragraph 22.

character of the area is highly valued by both existing residents and visitors. In my opinion, the rural living rezoning would not be consistent with the PDP strategic objective of directing new development to occur in areas that have potential to absorb change without materially detracting from rural character and visual amenity values (Decisions Objective 3.2.5.2).

5.6 I agree with Mr Espie's statement in his paragraph 8.4 that rural living or even urban zoning is not necessarily inappropriate in proximity to outstanding natural landscapes (**ONL**) or features (**ONF**). Queenstown's urban area is an example of where dense development immediately abuts an ONL. However in my view the appropriateness depends on the particular landscape context and the nature and extent of existing development that pre-dates the PDP. Isolated 'large lot residential' and dense rural visitor development within an otherwise strongly rural landscape would not in my opinion maintain the amenity and aesthetic coherence of public views towards the surrounding ONLs and ONFs.

5.7 I consider the proposed development would not be consistent with Decisions Policy 6.3.26 of the PDP, which seeks to avoid adverse effects on visual amenity from development that forms that foreground for an ONL or ONF when viewed from public roads. I also note that the proposed WBLP areas referred to in Mr Espie's paragraph 8.4 all have landscape feature notations on their boundaries with adjacent ONL/F that provide for setbacks to protect the visual integrity of the adjacent features.

Rural Visitor zone

5.8 The amendments to the proposed RVZ provisions outlined in Mr Freeman's evidence essentially provide for a bespoke rural visitor zone (Morven Ferry RV Zone) on the submitters' land. I understand this is based on the ODP RV zone. In my opinion the amendments substantially reduce the potential landscape and visual effects of the proposed rezoning, reducing the height and density of anticipated development and setting all buildings at least 35m back from Morven Ferry Road. With this setback there is potential for development in the

proposed Morven Ferry RV A Zone to be largely screened from the road by topography and planting. However I consider that buildings of 8 metres in height could still be visually prominent from public places and would recommend a 6-metre height limit in both the A and B zones.

5.9 I also consider that discretion over the design, form, location and scale of development would be needed to ensure that the landscape character and visual amenity values of LCU 18 were not adversely affected by rural visitor development. The proposed Morven Ferry RV Zone assessment matters for buildings (12.4.3.3A in Appendix E to Mr Freeman's evidence) provide for discretion over these matters but they do not describe the anticipated landscape outcomes for this particular zone. As a consequence the assessment matters could be difficult to apply effectively and meaningfully. I note that café, restaurant and visitor accommodation development of the type envisaged by the proposed zoning could also potentially be achieved via a discretionary resource consent under the Amenity Zone. This process would involve consideration against the detailed landscape and visual amenity assessment matters in Rebuttal 24.7 of Chapter 24 and in my view would provide greater certainty that the identified character and values of LCU 18 were maintained.

5.10 While it is my view that some appropriately designed rural visitor development could be absorbed in the location of the proposed Morven Ferry RV Zone, I consider the outcomes sought by the submitters would be more appropriately achieved through the notified Amenity Zone for the site. As a consequence, I oppose the relief sought by Submitters #2449 and #2509 in relation to RV zoning.

LCU 20 CROWN TERRACE

6. MR BENJAMIN ESPIE FOR T MCQUILKIN (459)

6.1 Mr Benjamin Espie has filed evidence in relation to the location of the boundary of the Crown Escarpment ONL on the McQuilkin and BSTGT Ltd properties.

- 6.2** In paragraph 5.2 (ii) of his evidence, Mr Espie sets out the reasons why he considers the small terrace area near the crest of the escarpment to be outside the ONL. In his Appendix 3 he provides a number of aerial views illustrating the various boundary locations near the unnamed stream valley. While these aerial views are helpful in illustrating the topography and land cover of the area under consideration, they do not illustrate how people actually perceive the landscape. Photograph 8 in my evidence in chief is representative of the most frequented area (SH6) where the Crown Escarpment is appreciated as a legible and outstanding topographical feature. In views from SH6 the crest of the escarpment is clearly formed by the 4 to 5m high scarp behind the small terrace.
- 6.3** I note that Mr Espie has correctly pointed out in paragraph 5.4 of his evidence that the use of the word 'skyline' in my evidence in chief was inaccurate. I intended to mean 'apparent crest of the escarpment' rather than 'apparent skyline'.
- 6.4** In paragraphs 5.7 to 5.9 of his evidence, Mr Espie sets out the reasons why he considers the gully land to the south of the small terrace should be excluded from the ONL. I agree with his reasoning that the presence of the gold mining remains is not a primary factor in the categorisation of the Crown Escarpment as an ONL, and that there is some modification in this area relating to rock extraction.
- 6.5** I therefore recommend a modified ONL boundary (from that shown in my evidence in chief) that extends from the escarpment crest above the small terrace to the prominent rocky ridge mentioned in paragraph 5.9 of Mr Espie's evidence. This modified line is shown in **Figure 2** below.

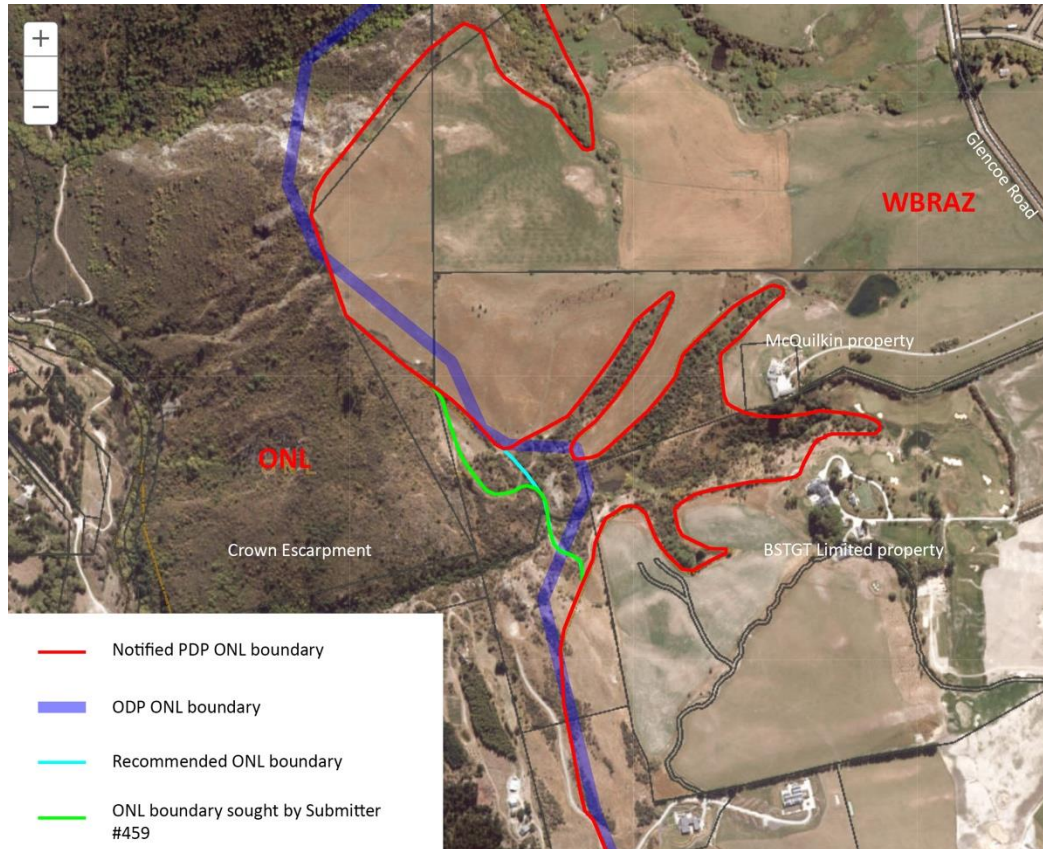


Figure 2: ONL boundaries in the northern Crown Terrace.

LCU 23 MILLBROOK

7. MR JOHN KYLE FOR A FEELEY, E BORRIE & LP TRUSTEES LTD (2397)

7.1 Mr John Kyle has provided evidence in relation to the rezoning of a 6.2-hectare triangle of land at the corner of McDonnell Road and Arrowtown – Lake Hayes Road, adjacent to Arrowtown. The nature of the relief sought by Submitter #2397 has been amended in Mr Kyle’s evidence in the following ways:

- (a) Lower Density Suburban Residential (**LDSR**) zoning is now only sought for a strip of land adjoining McDonnell Road, rather than for the whole site, and a building restriction area is proposed in the southern part of the LDSRZ to protect an elevated rocky outcrop;
- (b) RR zoning is sought for the remainder of the site with a 25m building restriction area along Arrowtown – Lake Hayes Road

and specific sub-zone rules restricting solid or paling fencing, the number of vehicle accesses and retention of two rows of trees within the building restriction area.

7.2 The building restriction area on the hummocky rock outcrops in the southern part of the site is a positive aspect of the amended relief sought, but overall the landscape and visual outcomes of the amended zoning are very similar to those of the original submission. The opinions expressed in my evidence in chief in relation to the proposed rezoning remain unchanged.

7.3 In paragraphs 1.18 to 1.21 of his evidence, Mr Kyle has discussed existing and consented development west of McDonnell Road and stated that this development has already extended Arrowtown's western and southern urban boundary. I disagree with Mr Kyle on this point. I consider that existing or consented development on adjacent sites is either not urban in character or is resort-style development where clusters of urban dwellings are balanced by generous areas of retained open space:

- (a) The residential development consented at The Hills Golf Course consists of 17 widely spaced, recessive houses, many of which are to be dug into the landform and to have grassed roofs, and most of which are not visible outside the golf course. The overall density of the 17 consented but as yet unbuilt houses is about one per 9 hectares.
- (b) Other properties on the western side of McDonnell Road that are opposite existing or consented urban development in the LDSR zone or the ODP Arrowtown South Special Zone (82, 116 and 148 McDonnell Road) are large rural living properties or rural smallholdings with a predominantly pastoral character.
- (c) Clusters of urban-style development within Millbrook Resort are well separated from urban Arrowtown by QLDC's recreation reserve, golf course activity areas and large rural living properties.

7.4 The Arrowtown Retirement Village further south on McDonnell Road is urban in character but is isolated from urban Arrowtown by golf course, rural pastoral land or low density rural living (in the southern part of the ODP Arrowtown South Special Zone) to the north and north-east. In my view, the retirement village represents an isolated and anomalous area of urban-type development within a rural landscape.

7.5 In paragraphs 2.14 and 2.16, Mr Kyle refers to the visual simulations appended to his evidence. I consider there are a number of issues with these simulations and recommend that they be viewed with caution for the following reasons:

- (a) Three new buildings in the proposed RR zone are set against the southern boundary of the site, which appears an unlikely lot layout given the 4000m² minimum lots size for RR. The simulations also do not include any curtilage areas, gardens or access ways for these lots and show only single storey buildings. The building height standard for RR in the Decisions Version PDP is 8m.
- (b) The dwellings simulated in the proposed LDSR are shown as very dark recessive buildings, all of similar form. There are no controls over external appearance of dwellings in the LDSR and buildings are therefore likely to be significantly more prominent than those in the simulations. There are also no controls over fencing in the Decisions Version of the PDP, so there is potential for a solid fence to be present between the proposed LDSR and RR zones.

7.6 I note that the recently planted hedge along Arrowtown – Lakes Hayes Road, which is proposed to be protected and is shown in the visual simulations, has the potential to partly obstruct the views currently available from the road to the Crown Escarpment and Crown Range, depending on its height. The hedge would also limit visual access to open pastoral land and would adversely affect the visual amenity and spaciousness of the approach to Arrowtown. The hedge appears to be shown at different heights in the various simulations (being about 1.8-2.0m in the views from the cricket pitch, but lower in the view from

Arrowtown – Lake Hayes Road), though I acknowledge this could be an artefact of the particular viewpoints.

- 7.7 In paragraph 2.14 of his evidence, Mr Kyle says that dwellings within the proposed LDSR would ‘blend very well’ with existing residential development on McDonnell and road and appear as a ‘single cohesive residential form’. I do not agree with this opinion and consider that LDSR development on the western side of the road would instead be clearly perceived as an isolated instance of urban development crossing the road, particularly for people approaching Arrowtown on McDonnell Road. The nature of residential development would be similar to that on the eastern side of the road but would not, in my view, appear as a cohesive residential form.

LANDSCAPE BOUNDARIES OUTSIDE THE WAKATIPU BASIN RURAL AMENITY ZONE

8. MR PATRICK BAXTER FOR M MEEHAN (526)

- 8.1 Mr Patrick Baxter has filed evidence in relation to the location of the ONL at the eastern side of the Arthurs Point Basin. In Attachment A to his evidence, Mr Baxter shows three blue dots as consented platforms within the notified PDP. The two easternmost dots (on Lots 6 and 7 DP300837) are actually outside the ONL, as Mr Baxter’s line has been slightly incorrectly, transposed from the notified plan. The building platforms on these lots were consented as part of the original Northridge subdivision (RM990278) and were specifically excluded from the ONL as part of the C3/2002 Environment Court decision.⁷

- 8.2 I acknowledge that I did not specifically mention the Meehan dwelling in my evidence in chief. This building platform was granted by consent order in 2013 (RM120433 & ENV-2013-CHC-22) and, like the Redemption Song dwelling and guest house near the summit of Knob J, is subject to extensive conditions that ensure that buildings are not visible from the valley below and that adverse effects on natural

⁷ *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* C3/2002 [2002] NZEnvC 11 (22 January 2002).

character are mitigated by pest plant removal and encouragement of indigenous vegetation. Additional exotic tree planting on the site is not permitted outside the dwelling curtilage. Consideration of development within the Meehan property does not change the conclusion in paragraph 6.3 of my evidence-in-chief that development since 2002 has not degraded the natural character or other landscape values of the land to the extent that it could no longer be considered part of an ONL.

8.3 In paragraph 17 Mr Baxter states that there is no difference in landscape character east and west of the notified ONL boundary. In contrast, I consider that there remains a demarcation between the density and nature of rural living in the Northridge subdivision and more recent development within the ONL. Within Northridge the houses, gardens, roads and deciduous exotic trees overlay a 'cloak of human activity' on the landscape. West of the ONL boundary the current open character and naturalness of the land will be maintained by consent conditions that restrict exotic tree planting, require exotic weed control, require or encourage indigenous revegetation, and maintain areas of open grassland.

8.4 In my opinion, the landscape boundary location identified in C3/2002 remains valid. The strength and distinctiveness of the landforms at the western end of the North Ridge/Knob J ridge and in the Arthurs Point basin below are such that they overwhelm the modifications that are present in the landscape. The level of naturalness and aesthetic value remains high and the legibility of the natural processes that have formed the landscape mean that it has a high level of expressiveness.

9. MR STEPHEN SKELTON FOR BRIDESDALE FARM INVESTMENTS LIMITED (655)

ONL boundary

9.1 Mr Stephen Skelton has filed evidence in relation to the location of the ONL boundary north of the Kowarau River at Lake Hayes Estate and the proposed rezoning of land at Bridesdale Farm to Medium Density Residential (**MDR**) Zone. Mr Skelton lists in paragraph 10 the additional

changes to the landscape that have occurred since the approval of SH15001 that he considers have undermined the legibility, expressiveness and natural character of the escarpment and flats. In the first bullet point he notes removal of mature eucalypt trees and grey shrubland on the escarpment. However, he does not acknowledge here that the conditions of SH15001 (as varied by SH160148) require replacement with indigenous planting above and below the access road on this escarpment (refer approved planting plan in **Figure 3** below), which in my view will enhance natural character and ensure that the vegetation patterns are continuous with those on the continuation of the escarpment to the west and east. Although, he does acknowledge this in paragraph 44 of his evidence.

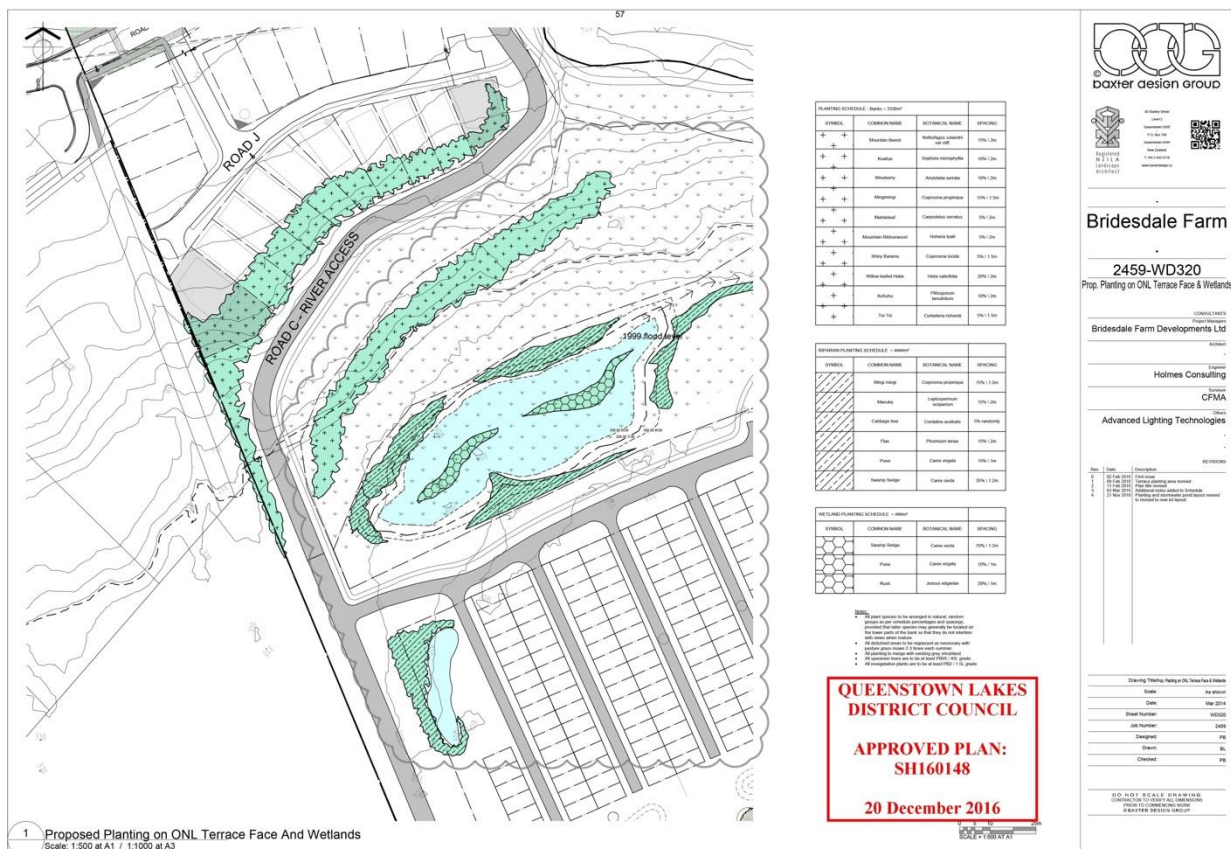


Figure 3: Approved plan for indigenous vegetation on the escarpment and wetland at Bridesdale Farm.

9.2 Mr Skelton also notes in his paragraphs 12 and 13 the development permitted under the ODP and PDP Designation #365 (refer **Figure 4** below). I acknowledge that I did not specifically discuss the potential effects of this designation in my evidence in chief. I consider the extent of permitted development discussed in Mr Skelton's paragraph 13 to be fanciful, in that it is highly unlikely that QLDC would propose

anything close to a 5% building coverage (total 4000m² of building area) or 20% impervious surface within an ONL that is flood-prone.

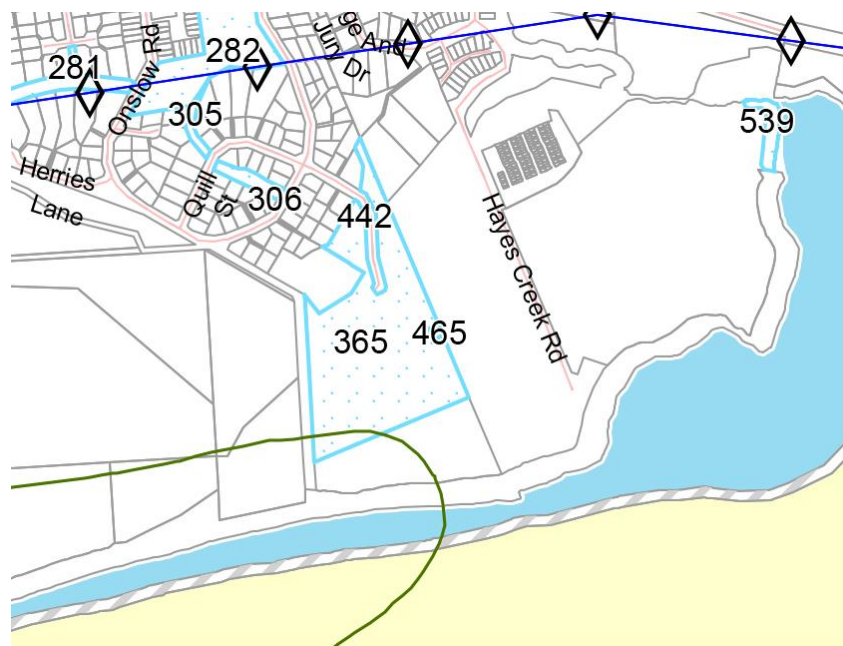


Figure 4: Extract from Map 30 of the Stage 1 Decisions Version PDP showing designations.

- 9.3** Mr Skelton describes the attributes of the river flats and escarpment and evaluates their landscape values in paragraphs 22 to 35 of his evidence, using the amended Pigeon Bay criteria. I consider he makes the mistake of assessing the values of this area in isolation from the wider landscape of which it is a part. There is always the danger that the more confined the focus of an assessment is, the more likely it is that the outcomes of the evaluation will be anomalous. Almost all ONL within the District contain small areas that would not be considered ONL if evaluated in isolation. In focusing on modified parts of one landscape unit within the wider landscape, I consider that Mr Skelton underestimates the outstanding natural values of the Kawarau River corridor and its associated landforms as a whole, and the importance of the floodplain and enclosing escarpment as part of this wider landscape.
- 9.4** I agree that it is necessary to evaluate landscape character when determining where the boundaries of landscapes are located. In this particular area, the two landscapes are the ONL of the Kawarau River corridor and the suburban landscape of Lake Hayes Estate. This

suburban landscape is partially located on Rural or Rural Residential zoned land that has been developed to low or medium density urban form via resource consent. In my view, the notified PDP ONL boundary follows a clear and legible demarcation between these two landscape character areas, with the escarpment and flats having a level of natural and pastoral character that distinguishes them as an integral and legible part of the outstanding Kawarau River corridor.

Proposed rezoning

- 9.5** In paragraphs 40 to 46 of his evidence, Mr Skelton discusses proposed MDR zoning of the escarpment below the river access road within Bridesdale Farm. Despite his opinion on the location of the ONL boundary, he assesses the potential effects of this rezoning under the assumption that it *is* part of the ONL. Housing on the escarpment was previously rejected by the Hearing Commissioners for SH15001, on the basis that the lots would intrude into the ONL and disrupt the legibility of it.⁸ I provided a landscape assessment for SH150001 that supported this conclusion.
- 9.6** I remain of the opinion that built development on the escarpment would undermine its natural character to a substantial extent. A ‘spill over’ of medium density development from the crest of the escarpment would in my view mean that this part of the landscape would no longer be considered part of the wider ONL. It could also provide a precedent for further development on the escarpment to the west of the Bridesdale Farm site, as there is no topographical or vegetative feature that would contain development.
- 9.7** I disagree with Mr Skelton’s opinion in his paragraph 45 that houses below the road, as viewed from the riverside trail, would be visually absorbed against the escarpment and would not adversely affect any public views. Both the visual assessment I undertook for SH150001 and the visual simulations produced for the applicant at the SH150001 hearing showed that dwellings below the road would be clearly visible from the public trail. My opinion was then and remains so that the

8 Interim Decision of QLDC, Bridesdale Farm Developments Ltd, SH150001, 15 November 2015, para 150.

resulting 'spillover' of development from Lake Hayes Estate would be visually prominent and incongruent with the wider landscape and would detract from the level of visual amenity experienced by track users to a moderate extent. Any sheds developed on the garden allotments below would be a maximum of 20m² in area and 3.75m in height and in my view are very unlikely to screen houses below the road on the escarpment from the riverside trail.

- 9.8** Amended provisions for MDR zoning within a Bridesdale Farm Overlay are set out in the evidence of Mr John Duthie. In my view, these would assist in protecting the natural character of Hayes Creek and of the southern escarpment within the ONL. However the amended provisions do not ensure retention of the native planting established within Lots 94-102 and 129-138 of the consented Bridesdale Farm development. A 'landscaped permeable surface', as provided for in the submitter's proposed Rule 8.5.20.2, could consist of lawn or any combination of native or exotic trees or shrubs, and in my opinion would not adequately provide for the protection and enhancement of natural character in these sensitive parts of the proposed zone. Boundary fencing is permitted in the proposed special landscape yards, and there is potential for such fencing (particularly if it is solid fencing to 1.8m in height) to dissect the creek and southern escarpments and to substantially detract from their natural character and visual coherence. The conditions of SH15001 restricted fencing on the escarpments in order to avoid this outcome.



Helen Juliet Mellsop

27 June 2018

APPENDIX A

Replacement contents page for Evidence-in-Chief of Helen Mellsop, dated 28 May 2018

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Appendix A – Panoramic photographs from Crown Range Road zig zag lookout