

BEFORE THE QUEENSTOWN-LAKES DISTRICT COUCIL

IN THE MATTER

of a hearing on submissions to the Proposed Queenstown Lakes District Plan pursuant to clause 8B of the First Schedule to the Resource Management Act 1991

ON BEHALF OF

T MCQUILKIN (0459)

Submitter

EVIDENCE OF BENJAMIN ESPIE

(LANDSCAPE ARCHITECT)

13th JUNE 2018

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resource management and landscape planning

1. INTRODUCTION

- 1.1 My name is Benjamin Espie. I reside in Queenstown. I hold the qualifications of Bachelor of Landscape Architecture (with honours) from Lincoln University and Bachelor of Arts from Canterbury University. I am a member of the Southern Branch of the New Zealand Institute of Landscape Architects and was the Chairman of that branch between 2007 and 2016. Since November 2004 I have been a director of Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown. Between March 2001 and November 2004 I was employed as Principal of Landscape Architecture by Civic Corporation Limited, a resource management consultancy company contracted to the Queenstown Lakes District Council (**QLDC**).
- 1.2 The majority of my work involves advising clients regarding the protection of landscapes and amenity that the Resource Management Act 1991 provides and regarding the landscape provisions of various district and regional plans. I also produce assessment reports and evidence in relation to proposed development. The primary objective of these assessments and evidence is to ascertain the effects of proposed development in relation to landscape character and visual amenity.
- 1.3 Much of my experience has involved providing landscape and amenity assessments relating to resource consent applications and plan changes both on behalf of District Councils and private clients. I have compiled many assessment reports and briefs of Environment Court evidence relating to the landscape and amenity related aspects of proposed regimes of District Plan provisions in the rural areas of a number of districts. I have provided Environment Court evidence in relation to the landscape categorisation of the Wakatipu Basin, in relation to the formulation of the landscape related provisions that are now part of the Operative District Plan (**ODP**), and in relation to many resource consent applications and a number of plan changes within the Wakatipu Basin.
- 1.4 The Environment Court proceedings that led to decision C87/2002 examined the landscape categorisation of the Crown Terrace and Crown Escarpment. I gave evidence to those proceedings and the Court generally accepted my evidence in drawing the relevant landscape category boundary that is shown on Appendix 8A Map 2 of the ODP.

- 1.5 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note of November 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.
- 1.6 In preparing this evidence I have reviewed the relevant submission, further submissions and a statement of evidence prepared by Helen Mellsop dated 28th May 2018 (**Ms Mellsop's evidence**).

2. SCOPE OF EVIDENCE

- 2.1 The purpose of this evidence is to assist the Hearings Panel on matters within my expertise of landscape architecture and landscape planning in relation to Submission 0459 on the Proposed District Plan (**PDP**). In relation to this submission, I have been asked by the submitter to prepare evidence regarding the position of the landscape category line between the Outstanding Natural Landscape (**ONL**) of the Crown Escarpment and the non-ONL landscape (Visual Amenity Landscape or Rural Landscape Category) of the Crown Terrace, as it relates to the submitter's land.

3. EXECUTIVE SUMMARY

- 3.1 I consider that the landscape category boundary should be drawn as per the yellow line on the appendices to this evidence.

4. RELIEF SOUGHT

- 4.1 Appendix 1 to this evidence is a plan that forms part of Submission 0459. Shown in yellow on that plan is the landscape categorisation line (**landscape line**) that the submitter seeks and that I support. Also shown on the Appendix 1 plan are the ODP and PDP landscape lines.
- 4.2 Paragraphs 6.79 to 6.83 of Ms Mellsop's evidence discuss submission 0459. Ms Mellsop's Figure 10 shows the landscape line that she supports as it crosses the submitter's land. She shows her

line in pale blue/turquoise. Appendix 2 to this evidence is an aerial overview of the relevant vicinity. Appendix 3 is a series of bird's-eye-view photographs taken using a drone. On Appendices 2 and 3, the landscape line supported by this evidence is shown in yellow and Ms Mellsoop's line is shown in blue. The ODP and PDP lines are also shown.

5. DISCUSSION

- 5.1 The proceedings that led to the Environment Court decision C87/2002 examined the entirety of the Crown Terrace and the overall issue of landscape categorisation in this part of the Wakatipu. I gave evidence that the Crown Terrace was a Visual Amenity Landscape (**VAL**) and the Crown escarpment and slopes of the Crown Range were part of a ONL. My evidence examined all of the Crown Terrace area and supported a landscape line very similar to that which can be seen on Appendix 8A Map 2 of the ODP. No individual site was examined in detail and therefore the landscape line was necessarily drawn at a relatively broad scale.
- 5.2 At the time of the notification of Stage 1 of the PDP I was asked to look at the issue of the landscape line in detail as it crosses the submitter's land. I visited the site a number of times and examined landform, vegetation cover, human modification and land management. I came to the following conclusions that are illustrated on the Appendices to this evidence (moving north to south):
- i. To the north of the site, there is a well-defined topographical/geomorphological line between the flat, farmed land of the terrace and the steep, unkempt land of the escarpment.
 - ii. As we approach the submitter's land from the north, the issue becomes slightly less clear as there is a small, flat, grazed terrace area that sits slightly below the main terrace itself. This small terrace can be seen on my appendices, particularly Appendix 2 and Figures 3, 4 6 and 9 of Appendix 3. It is not fenced from the main terrace area of the submitter's property and have been managed as part of the main terrace area for many decades. It sits below the main terrace by approximately 3 to 4 metres of elevation and the slope between it and the main terrace accommodates some remnant matagouri scrub. A small hut (approximately 15m² in area and 3m in height) sits on the small terrace area and has done so for some 20 years. I consider that in terms of natural patterns (geomorphology,

gradient, aspect, etc) and human patterns (modification, land management), this small terrace has much more in common with the main terrace area than with the escarpment. I consider that if we are to draw a landscape line in this vicinity, it is much more logical to draw the line at the bottom of this small terrace than at the top of it. It does not read as part of the escarpment; it is distinct from it.

- iii. Moving south again, topography becomes more variable as we enter the gully of the unnamed creek that runs west to the Arrow River. In the rough gully of this creek, within the submitters property, is an area of old gold tailings. Additionally, close to the tailings, is a flat area that has been used for rock extraction over a number of decades. A series of rough vehicle tracks give access to this rock extraction area. It has been considerably modified in terms of landform and a flattish yard area now exists on which extraction machinery (diggers) can be used. Immediately west of this rock extraction area is a locally prominent rocky ridge formation that runs roughly north-south. Ms Mellsop's Photograph 9 is looking downhill to this rocky ridge from within the rock extraction area. I consider that this rocky ridge usefully acts as a containing wall that separates the part of the gully associated with the terrace land from the slopes of the Crown Escarpment. Therefore, I have drawn my yellow landscape line so as to follow the line of this rocky ridge.
- iv. At the top (i.e. the southern end) of the rocky ridge, we re-join the notified PDP line and continue south. This land is now outside (i.e. south of) the submitters property.

- 5.3** Ms Mellsop agrees that the notified PDP landscape line is incorrect and she draws the line as per the pale blue line of her Figure 10. Regarding the small terrace area discussed above, Ms Mellsop concludes:

"The small terrace to the north-west of the stream gully on the McQuilkin property is visually part of the Crown Escarpment, as viewed from the basin below (refer Photograph 8 below). It is one of a number of narrow terraces within the escarpment but happens to be near the crest of the landscape feature. The low escarpment east of the terrace forms the apparent skyline when viewed from SH6"¹.

¹ Ms Mellsop's evidence, paragraph 6.82(a).

- 5.4 In the views illustrated by Ms Mellsop's Photograph 8, the small terrace itself cannot be seen. Part of the 3 to 4 metre slope behind the small terrace can be seen, with the remnant vegetation on it. The existing hut cannot be seen. The top of the 3 to 4 metre slope does not form the skyline in these views; as can be seen in Ms Mellsop's photograph, the skyline is the top of the Crown Range. I therefore disagree that the small escarpment forms part of the skyline and that the small terrace is visually part of the Crown Escarpment.

- 5.5 I agree that there are other narrow terraces that exist on the Crown Escarpment itself, however the small terrace in question is distinct from these in that it sits at the very lip of the Crown Terrace and has historically been managed as part of the terrace. When on site, this small terrace area very much reads as part of the broader terrace and distinct from the escarpment. I consider that the most logical and robust location for the landscape line is around the outer edge of this small terrace as shown on my appendices.

- 5.6 In relation to the gully land to the south of the small terrace, Ms Mellsop concludes that:

"The lower part of the stream gully, before it descends steeply down the escarpment, is deeply incised and includes a number of distinctive ridges and outcrops of exposed schist (refer Photograph 9 below), as well as gold mine tailings (see Photograph 10 below). While this area has been modified by historic gold mining, this cultural heritage contributes to the landscape significance of the gully; and

Above the recommended landscape boundary, the gullies are either considerably modified (by a man-made pond and other structures in the case of the BSTGT Limited main gully) or form 'waterways running through a farming landscape'"².

- 5.7 I agree that the gully in the vicinity of the old rock extraction area is relatively deeply incised, as it is most of the way down the Crown Escarpment. I also agree that it contains a number of distinctive ridges and outcrops and some tailings. In general terms, the relevant exercise is to separate the Crown Escarpment from the Crown Terrace. This, of course, becomes difficult when looking at an area of variable topography that is at the interface of the two. I agree that mining tailings are relevant to cultural heritage but I do not see that they are particularly relevant to the placement of the landscape line in this case. Mining tailings are no more protected in an ONL than in a non-ONL. I don't see that heritage elements are a primary factor in the Crown

² Ibid, paragraph 6.82(b) and (c).

Escarpment being categorised as ONL; in fact, there are more heritage elements on the Crown Terrace than on the Escarpment³.

- 5.8 I agree that the upper parts of the gully are more modified than the parts that run down the Crown Escarpment but I consider that the rock extraction area is one of the most significant elements of modification. Therefore, if we are to use modification as a factor in locating the landscape line in this vicinity, it should be located below the rock extraction area rather than above it.
- 5.9 Perhaps most importantly, I consider that the locally prominent rocky ridge that physically and visually contains the rock extraction area acts as a useful dividing element that separates the part of the gully that runs down the steep escarpment from the part of the gully that is, in a practical sense, part of the Terrace. This ties in logically with the PDP line to the south (that is not subject to any submission) and, in my opinion, creates a robust and logical line that is legible on the ground as a division between the Crown Terrace and the Crown Escarpment.

8. CONCLUSIONS

- 8.1 In a broad sense, the landscape line that separates the ONL from the non-ONL should be a line that separates the Crown Terrace from the Crown Escarpment.
- 8.2 There are two areas of difference between Ms Mellsop's line and my line as shown on the appendices to this evidence; Ms Mellsop includes a small, flat terrace area in the Crown Escarpment ONL while I do not, and Ms Mellsop's Crown Escarpment ONL extends further up the creek gully than mine.
- 8.3 I consider that the small terrace area should be categorised as part of the Crown Terrace rather than part of the Crown Escarpment, therefore, it is not part of the ONL. In terms of both natural and human patterns, this small terrace has much more in common with the broader terrace than with the escarpment.
- 8.4 I consider that the upper part of the gully that Ms Mellsop includes within the Crown Escarpment is better categorised as part of the Crown Terrace. This part of the gully is particularly modified,

³ PDP Protected Features 113, 115 and 129, as well many heritage elements not listed in the PDP.

does not read as part of the escarpment and is visually, physically and geomorphologically contained by a locally prominent rocky ridge.

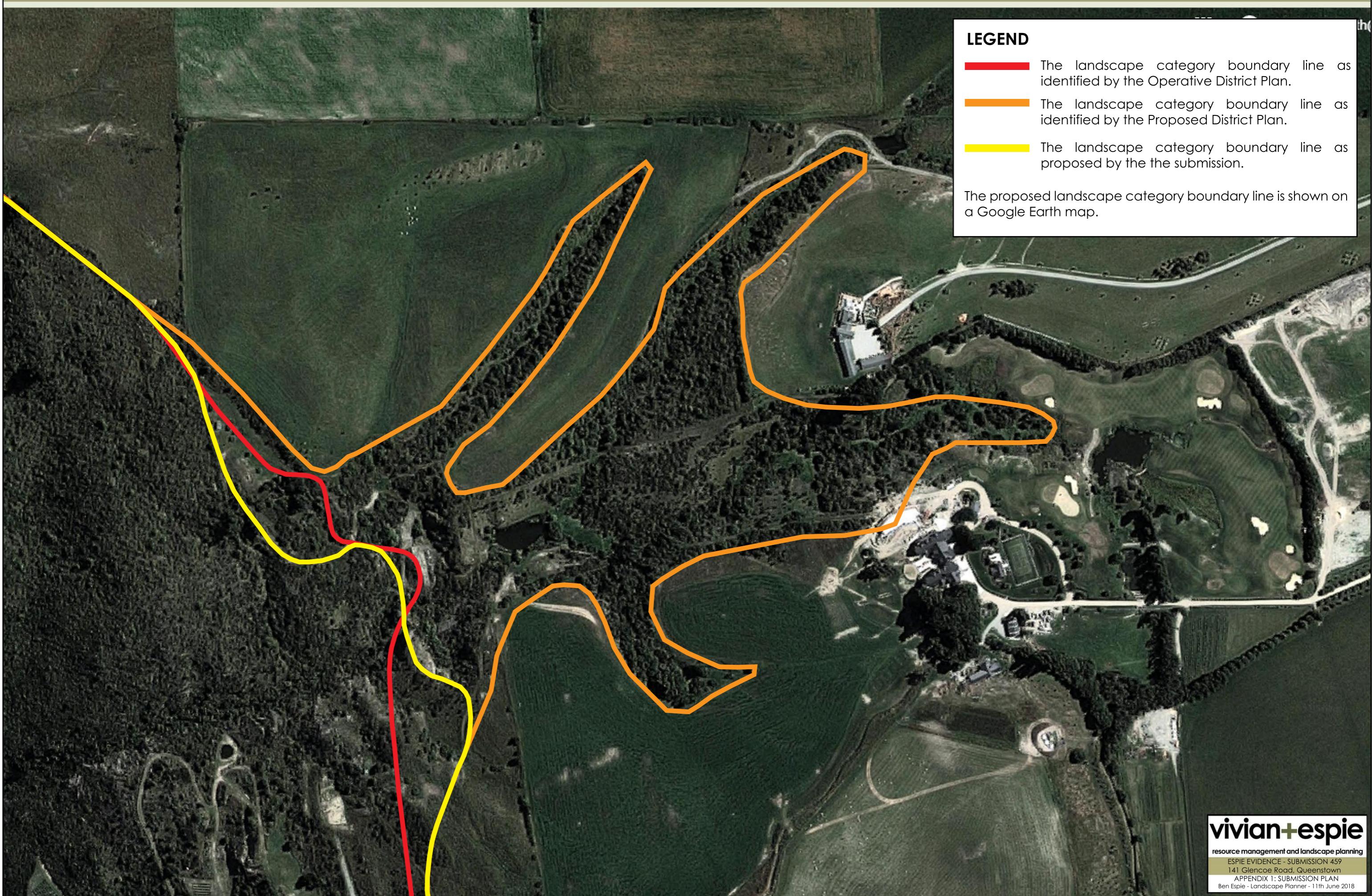
ATTACHED APPENDICES

- 1 LANDSCAPE LINE PLAN AS ATTACHED TO SUBMISSION 0459
- 2 AERIAL OVERVIEW OF THE RELEVANT AREA
- 3 AERIAL PHOTOGRAPHS

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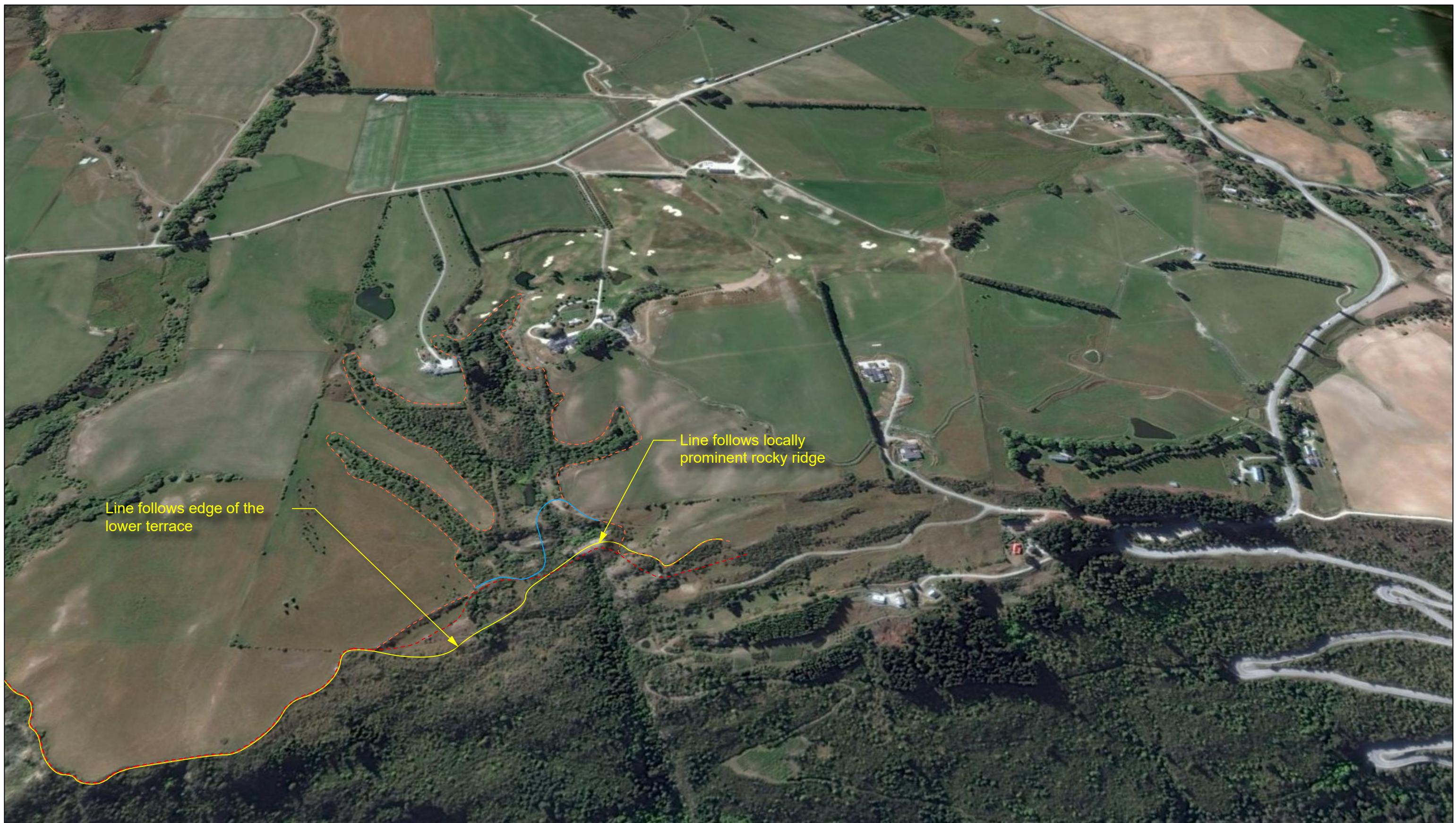
13th April 2018



LEGEND

- The landscape category boundary line as identified by the Operative District Plan.
- The landscape category boundary line as identified by the Proposed District Plan.
- The landscape category boundary line as proposed by the submission.

The proposed landscape category boundary line is shown on a Google Earth map.



Key

- The landscape category boundary line as identified in the Operative District Plan
- The landscape category boundary line as identified in the Proposed District Plan
- The landscape category boundary line as proposed by the submission
Helen Mellsop, 28/5/18 Hearing Evidence

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APPENDIX 2: AERIAL OVERVIEW

Date: 11.6.18 Ref: 1066/001 Drawn: KW Scale: NTS
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Figure 1: Overall elevation of the McQuilkin Property looking east



Figure 2: View of the edge of the Crown Terrace and escarpment looking south

NOTE: The photographs attached in Appendix 1: Figures 1-9 were taken by drone on Tuesday 5th June 2018.

Key

The landscape category boundary line as identified in the Operative District Plan

The landscape category boundary line as identified in the Proposed District Plan

The landscape category boundary line as proposed by the submission

The landscape category boundary line as proposed Helen Mellissop, 28/5/18 Hearing Evidence

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Appendix 3: AERIAL PHOTOGRAPHS
Ben Espie - Landscape Planner - 11.6.18

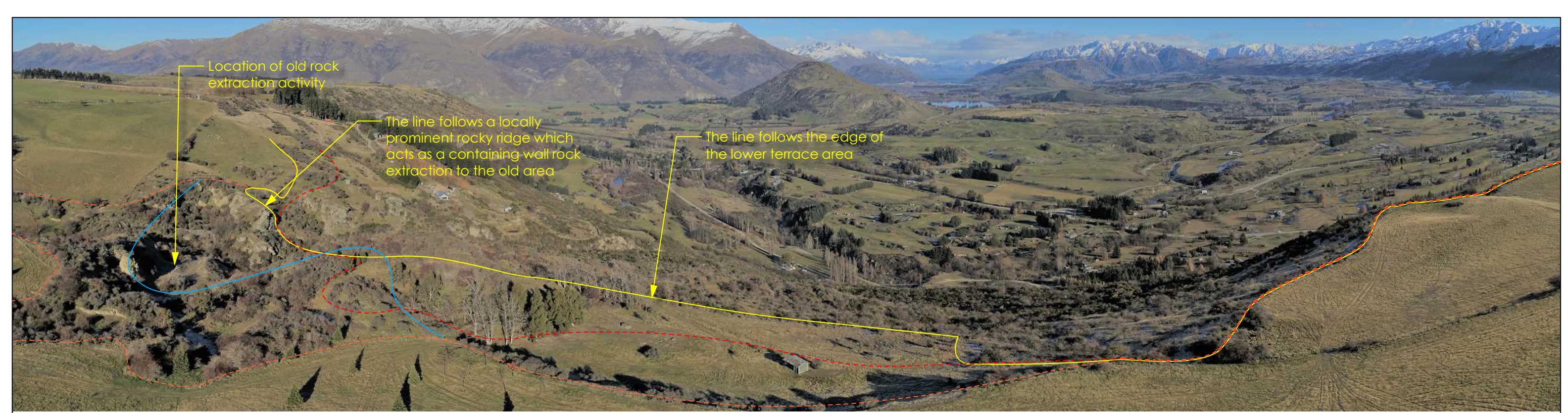


Figure 3: View of edge of the escarpment looking southwest



Figure 4: View of the edge of the Crown Terrace looking south east

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Appendix 3: AERIAL PHOTOGRAPHS
Ben Espie - Landscape Planner - 11.6.18

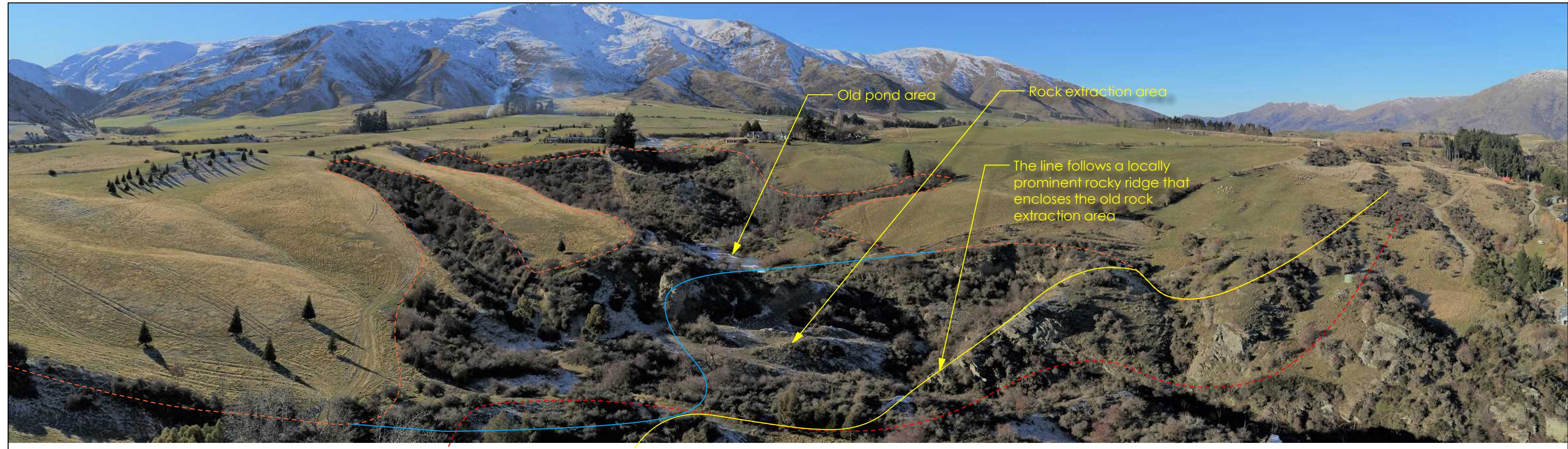


Figure 5: View looking east onto the Crown Terrace at the former rock extraction site, man made pond and gullies



Figure 6: View of the lower terrace towards the Crown Range zig zag



Figure 7: View of the north west terrace of the McQuilkin property looking north west

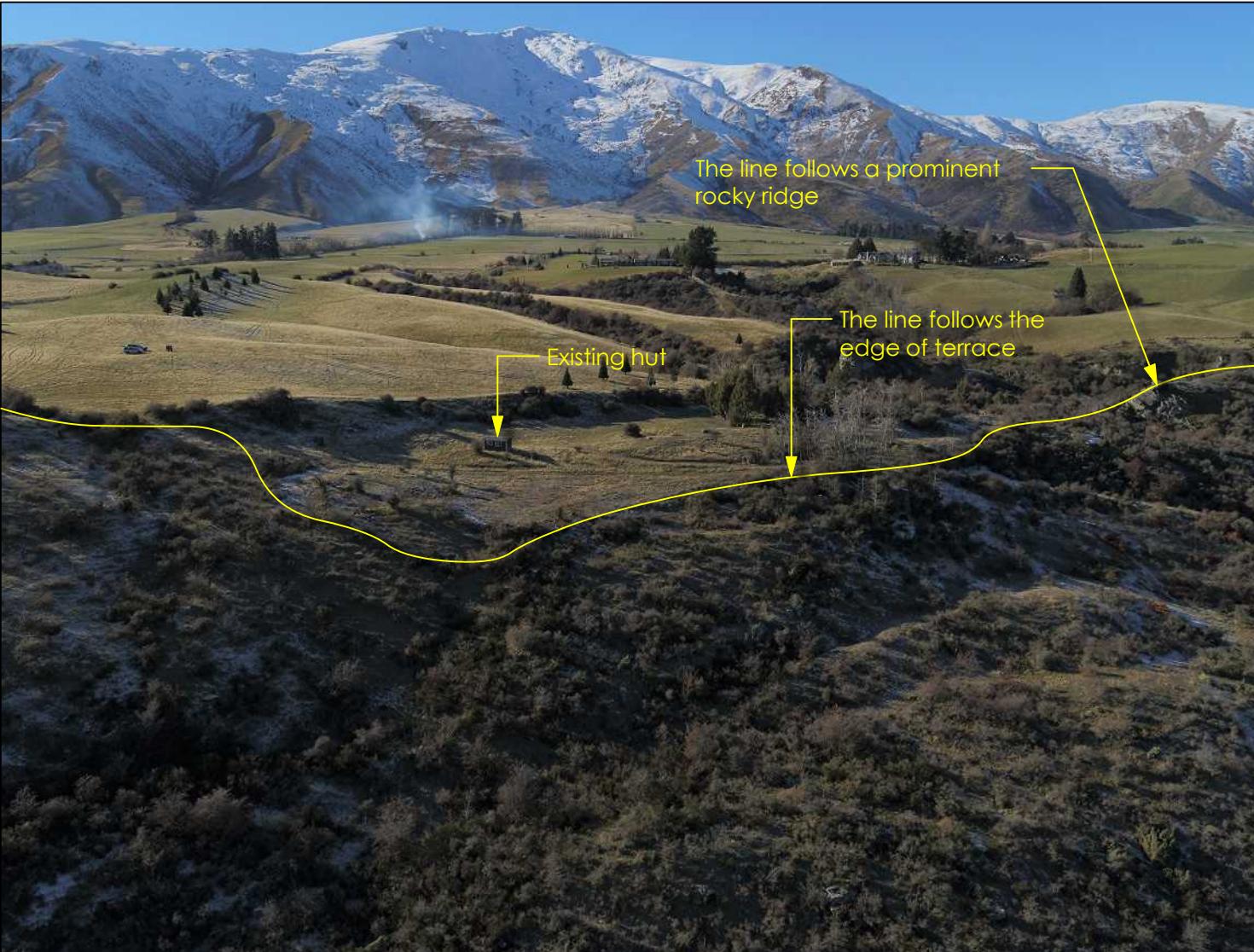


Figure 8: View of the north west terrace of the McQuilkin property looking north east



Figure 9: Detailed view of the former quarry, man made pond and gullies