

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND The District Plan Review Submission # 2313 Hogans Gulley Farm Ltd

SUMMARY STATEMENT OF EVIDENCE OF PATRICK BAXTER ON BEHALF OF HOGANS GULLY FARM LTD

DATED 11 JUNE 2018



Introduction and Qualifications

1. My full name is Patrick John Baxter. I hold a Bachelor of Science degree in Geography from 1981 and a Post Graduate Diploma in Landscape Architecture from 1984. I am a Director of Baxter Design Group Limited, a Queenstown based consultancy specialising in landscape architecture, urban design, master planning and landscape planning and I am a registered member of the New Zealand Institute of Landscape Architects.
2. I have worked in the Queenstown Lakes District since 1989. I was employed in the Queenstown office of Boffa Miskell from 1989 until 1998. In 1998, I established my own practice specialising in landscape architecture, urban design and masterplanning. Baxter Design currently employs 6 staff and is working on projects throughout New Zealand and the South Pacific.
3. I have complied with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person, and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
4. In this evidence I address the matters raised by Helen Mellsop in her Statement of Evidence for the Landscape Section for the Wakatipu Basin Hearing, on behalf of the Queenstown Lakes District Council (dated 28 May 2018 refer Section 7.20 Hogans Gulley Farm and LCU Morven Ferry). I also make comment on matters raised by Marcus Hayden and Bridget Gilbert in regards to Trojan Helmet Ltd (submitter 2378) that are relevant to the Hogans Gully Farm submission.

Attachments

5. The following plans are attached to this summary for reference:
 - **Attachment A** – Typical sections (Baxter Design; Hogans Gully Farm - Landscape and Assessment Report 4th April 2018)
 - **Attachment B** – LCU Site plan Chapter 24 PDP
 - **Attachment C**: - Eastern Wakatipu Basin Map

Zone Provisions

6. On review I agree with the statement of Ms Mellsop where she states (Mellsop para 7.21): *‘The BDG landscape Assessment report relies on design controls and mitigation measures that are not included in the proposed zone provisions.’* The design of residential areas within Hogan Gully Farm is a unique design response, crafted to provide high quality residential areas whilst being cognisant of the need to mitigate

residential development from distant views and to promote the retention of a wider rural amenity. To that end specific rules must be applied in order to achieve the intended outcome. I have made suggestions in regards to appropriate rules to be contained within the zone provisions and refer to the evidence of Jeffery Brown, and the subsequent amendments made to the zone provisions, in regards to this matter.

7. In summary the rules should reflect the intended character and amenity of the residential clusters within Hogan Gully Farm. The principle components of the proposed residential clusters can be summarised as follows:

- All dwellings will be of a consistent form and scale. This is achieved by way of horizontal roof forms only, not exceeding 3.8 metres in height. All dwellings are of single story only.
- The proposed rules seek a continuity in cladding and colour, with dark or natural roof colours.
- The landscape surrounding the dwellings, and within lots, is intended to be a physical and visual continuation of the extensive ecological plantings intended in the wider landscape and referred to in the Ecological report.
- The scale of indigenous / ecological plantings proposed as part of the development is by far the largest undertaken within the Wakatipu Basin to date.
- This landscape outcome is to be achieved by way of appropriately shaped 'natural' land shaping, up to 1.5 – 2 metres in height with continuous indigenous plantings around and on the land within the precincts. This is indicated on x sections appended in the Landscape Assessment and Design Report 4th April 2018 undertaken by Baxter Design. Typical cross sections were appended in that report refer **Attachment A**.

8. From my experience, I consider that the most appropriate method of ensuring that the above design intention is achieved is ensuring that landscape works are established to an agreed density and scale prior to buildings being constructed.

Proposed District Plan Provisions Chapter 24 PDP

9. I agree with Ms Mellsop that the site occupies the bulk of the landform described as Landscape Character Unit 15 (PDP 24.8.15). The extent of LCU 15 is shown on **Attachment B**. In general terms, LCU 15 includes the escarpment on the southern edge of the site and extends to the north to the approved SHA on McDonnell Road, the Hogan Gully Road 'valley' and the immediate hills to the north of that. The western boundary is the Bendemeer Zone.

10. The PDP assesses the potential for this LCU to absorb development as 'moderate'. The matters contained within the PDP do not describe the scale of 'moderate' development nor does Ms Mellsop offer any opinion on what may be 'appropriate' development, a recurring theme of Ms Mellsop's evidence on this and other landscapes and submissions in her wider evidence. The only guidance given by the PDP under LCU 15 is listed under '*Potential landscape opportunities and benefits associated with additional development*'. The following matters are listed under that heading:
- *Integration potential of landform pattern*
 - *Riparian restoration potential*
 - *Larger-scaled lots suggest potential for subdivision*
 - *Relatively visually discrete nature of the unit (due to landform and, to a lesser degree, vegetation patterns)*
 - *Potential to integrate walkways / cycleways*
11. LCU 15, (including the site) the site, displays a complex mosaic of landscapes (**refer Attachment B**). These are described in detail in the '*Landscape Assessment and Design Report – Baxter Design 4 April 2018*' and I will not repeat that description. Nevertheless, the analysis provided for LCU 15 in Chapter 24 of the PDP does not describe that variety of landscapes nor does it acknowledge the scale of the site and any opportunities that scale offers above and beyond what is available on smaller typical rural residential lots. Typically, this would include opportunities for the retention and preservation of large scale rural landscapes and ecological opportunities of a significant scale.
12. These matters are relevant and noted in the LCU 15 chart. The scale of ecological planting proposed on this site is significant, a scale not previously considered on any other land within the District and addresses the opportunity identified in the LCU chart: '*Riparian restoration potential*'.
13. Similarly, 'the LCU 15 chart notes that '*Larger-scaled lots suggest potential for subdivision*' listed under opportunities for subdivision.
14. The LCU 15 chart describes the lot sizes as '*predominantly larger lots > 20 ha and some smaller lots (<4 ha and 4-10 ha) at north-western end of unit*'. I note that the Hogan Gully Farm site is 158.8 ha, amongst the larger blocks of land under single ownership in the eastern valley floor of the Wakatipu basin with Millbrook Resort and the Hills only of a similar size. This enables large areas of land to be retained in its existing natural character, being a farmed pastoral landscape, which otherwise would not be achievable on smaller lots and underscores the landscape benefits which can arise from a fully considered design on a large land holding.

15. The Trojan Helmet (The Hills) site is approximately 162 hectares in size, a similar size to the subject size and Millbrook is approximately 273.5 hectares in size.
16. I agree that some of the smaller landscape / landform units contained within this LCU have a moderate capability to absorb development and that there is potential for inappropriate development to read as 'sprawl', in particular inappropriate development on those areas adjacent to the surrounding valley roads. These have the potential to be highly visible from the immediate surrounding roads and could potentially give rise to significant adverse effects. The proposed development plan and structure plan acknowledges this and seeks to substantially retain the rural 'edge', a significant block of land, around the site edges, as well as the significant area that is included as golf course and that designated as the Rural Protection area.
17. The LCU 15 description in regards to 'Visibility and Prominence' states the following:
- The area is visible from the western edges of the Crown terrace, the tracks throughout the ONL to the east (Mt Beetham environs) and the zig-zag lookout. The diminishing influences of distance and relative elevation in conjunction with the relative unimportance (visually) of the unit within the wider panorama reduces the units prominence.*
18. The *Landscape Assessment and Design Report – Baxter Design 4 April 2018* acknowledges that the Zig Zag lookout views are at distance, as well the Tobins Track views, both being approximately 1.6km from those viewpoints to the nearest residential cluster proposed on Hogan Gully Farm. The diminishing influences of distance and relative elevation were taken into account in the formulation of the HGF masterplan, controls and structure plan and as discussed earlier, these are unique and site specific.
19. Neither the evidence of Ms Mellsop or Gilbert discusses or acknowledges the design response to these views and the evidence of Bridget Gilbert suggests that an 'urban parkland' has a detrimental effect on the wider landscape values of the eastern edges of the Wakatipu Basin, inferring that the proposed development of Hogan Gully Farm and the Hills, has a similar amenity to Millbrook and will extend that amenity to the east and south. This is incorrect. Millbrook Resort is a well established and accepted part of the landscape of the basin. The visible amenity character of Millbrook can be summarised as follows:
- The Millbrook Resort Zone Structure plan allows for 450 residential units over the original land area of 195 ha with another 42 lots at the Dagleish zone extension to the west of the original zone.
 - The original Millbrook Resort Zone is of a similar scale (approximately) to the HGF land.
 - Parts of the Millbrook Resort development are highly visible from both Malaghans Road and Arrowtown - Lake Hayes Road and from parts of Arrowtown.

- The Millbrook dwellings are up to 7.5 metres in height and not required to be in recessive colours or claddings.
20. The Hogan Gully Farm proposal differs from Millbrook Resort at all levels of design, density and layout. Millbrook Resort is a rich cultural farm landscape, building on the historic framework of mature exotic trees, farm buildings and manicured landscape and is an accepted part of the Wakatipu Basin landscape. The scale, form and colour of the buildings and landscape works reflect this to the point where Millbrook sits in its own landscape and does not attempt to merge with the wider rural landscape of the eastern end of the Wakatipu Basin. The HGF landscape outcome will differ in all ways, notably by way of the concentration of dwellings on the less visible landscapes of the upper plateau and the patterning of low recessive buildings amongst a significant ecological revegetation landscape palette.
21. All three 'resorts', Millbrook, the Hills and Hogan Gully Farm, have golf courses, or propose to, within their sites with a minimum of 18 holes (Millbrook will have 36 holes when the 'Dagleish' land is completed). From distant views the golf course landscape, even though it is fertilised and manicured, is perceived and reads as a similar colour to surrounding pastoral spaces from those views and is read as a continuation of open space. From the distant views towards Hogan Gully Farm, being Crown Range zig-zag, the golf course reads as a continuation of the existing pastoral pattern. I have heard differing opinions on this matter from others over time but have not seen any evidence to support those views.
22. In summary neither the Trojan Helmet submission (submitter 2387) nor the Hogans Gulley Farm submission propose a development outcome that resembles Millbrook Resort in scale, density or form. Both the HGF and the Trojan Helmet submissions propose development that are substantially restrained in all aspects in comparison to the Millbrook Resort. I have prepared my **Attachment B** indicating the locations of existing and proposed residential development in all three 'resorts'

Cumulative effects

23. I refer to the matter raised in para 7.24 of the evidence of Ms Mellsop, where she referred to paragraph 8.3 of the Wakatipu Basin Landuse Study quoting the following:
- '...additional development within the remaining units (rated moderate or lower) runs the risk of detracting from the amenity values of the Basin, undermining the impression of informal nodes of rural residential development interspersed with swathes of more open rural areas and /or detracting from the neighbouring ONFL context.'*
24. I consider that the Trojan Helmet and the HGF submissions seek a landscape outcome that is unique to each site with large areas of open landscape, either in golf course, revegetation or grazed land, being the substantial landscape outcome from distant views. From valley views these will be only viewed in glimpse form. This is a benefit that arises from large scale land ownership and the ability to provide a comprehensive landscape outcome.
25. I disagree with Ms Gilberts statement in her description of the landscape outcome of development arising from the current discretionary regime (ODP) as 'ad hoc'. In my opinion, having being involved with the majority of that development over the last 20 years, all developments (SHA's aside) were carefully

considered against the current assessment matters contained within the ODP and the landscape we have now is an expression of the suitability of those assessment matters. The development of the rural landscape has resulted in dwellings and their associated curtilage located in appropriate locations and the appropriate balance of rural pasture retained. There are significant areas of land, not just the upper elevations, of the Wakatipu Basin that fall well short of the criteria contained in the ODP assessment matters that are unsuitable for development and remain in pasture and rural landscape. There are also significant areas of land within the Wakatipu Basin covenanted against further subdivision, an outcome of the ODP process.

26. Over that time, I have regularly advised many clients as to the inappropriateness of subdivision on many undeveloped blocks of land that do not meet the thresholds required under the current assessment matters. I have regularly advised them not to proceed with subdivision that would not meet the standards that those assessment matters.

27. In the second brief of evidence of Bridget Gilbert (6th June), on behalf of QLDC, she notes at para 2.14

I acknowledge that change itself is not necessarily adverse (and can indeed contribute neutral or positive effects); however in this instance I consider that the scale (or extent) and character of change will result in a significant alteration in the identity and sense of place throughout the northeast portion of the Basin, tipping the balance to a landscape that is dominated by urban parkland (or resort) type development.

28. Ms Gilbert fails to acknowledge the scope and form of the HGF proposal and the differences between that and the resort landscape of Millbrook. There is an inference that the cumulative effects of Millbrook Resort, the Hills and HGF together will result in a landscape dominated by urban parkland similar to Millbrook Resort. This statement ignores the substantial retention of open spaces proposed in the Trojan Helmet and HGF proposed zones, being far in excess of that at Millbrook and with a significantly higher proportion of open space retained than Millbrook. I acknowledge that there was a lack of correlation in parts with the design intention and subsequent assessment in the original HGF submission that were not reflected in the zone provisions for HGF. I understand that more rigour has now been applied to the zone provisions, particularly in regards to ecological matters and building scale and form.

29. I also note that the degree of rigour applied to the HGF submission reflects an increased awareness of the need for protection of rural values within the basin, moving on considerably from the degree awareness in regards to the protection of rural landscape that existed at the time of the creation of the Millbrook Resort Zone in 1991. In short, the bar has been lifted considerably.

30. **In summary**, I consider that the relatively discrete nature of the HGF proposal, in association with the Trojan Helmet proposal, will not be read as a continuation of urban parkland from Malaghans Road to McDonnell Road and does not 'run the risk of a perception of urban type development sprawling across the basin' as stated at para 2.16.c of Ms Gilberts evidence. I find that statement to be misleading and incorrect.

31. I consider that the proposed development of HGF (and Trojan Helmet – the Hills) would be consistent with *Strategic Objective 3.2.2.1 e. – protecting the Districts rural landscapes from sporadic and sprawling development*. Comparisons of the HGF proposal made to Millbrook Resort, in the evidence of both Ms

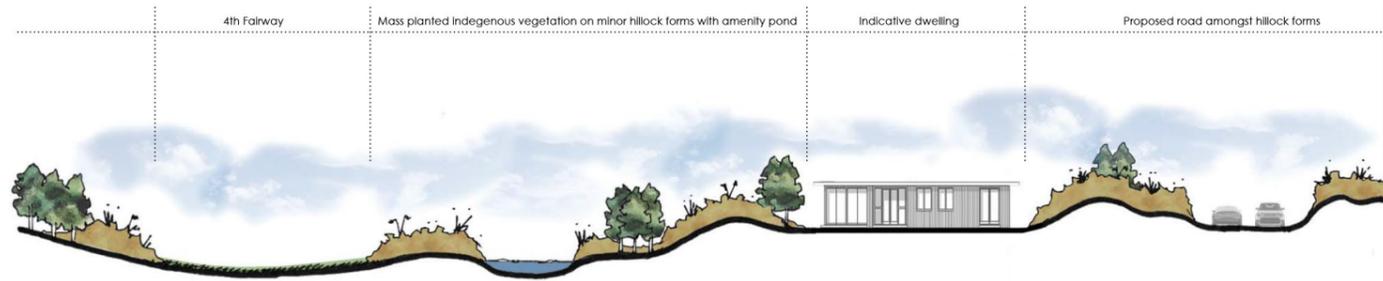
Gilbert and Ms Mellsop are misleading and appear to rest on the inference that the HGF proposal will appear of a similar urban character. Those statements are incorrect.

P J Baxter
13th June 2018

6.0 RESIDENTIAL DEVELOPMENT

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SECTION A THROUGH RESIDENTIAL CLUSTER R1 FROM EAST TO WEST THROUGH 4th FAIRWAY (SEE PAGE 16 FOR LOCATION)

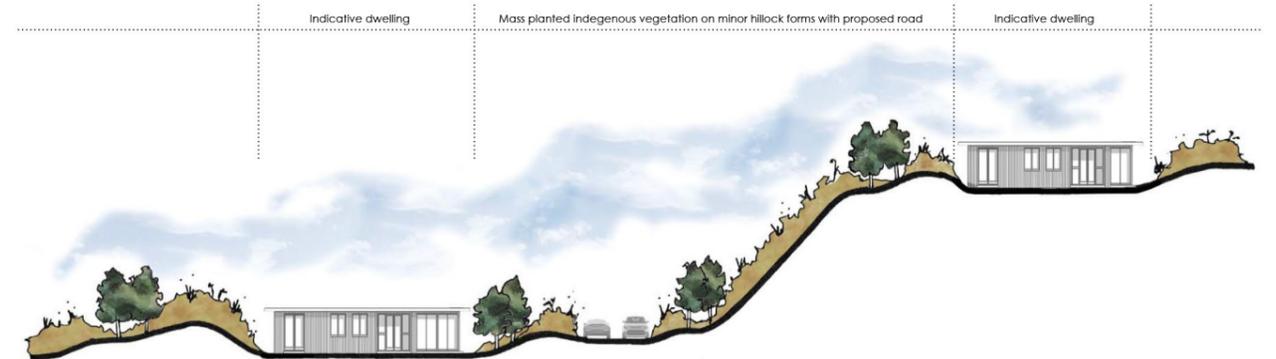


SECTION B THROUGH RESIDENTIAL CLUSTER R2 FROM NORTH-EAST TO NORTH-WEST (SEE PAGE 17 FOR LOCATION)



6.0 RESIDENTIAL DEVELOPMENT

SECTION C THROUGH THE EASTERN EDGE OF RESIDENTIAL CLUSTER R3 (SEE PAGE 18 FOR LOCATION)



SECTION D THROUGH THE CENTRE OF RESIDENTIAL CLUSTER R3 (SEE PAGE 18 FOR LOCATION)

