

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act ('Act')

AND

IN THE MATTER of the submission by Waterfall Park Developments Limited on the QLDC Proposed District Plan (Stream 14) Wakatipu Basin

STATEMENT OF EVIDENCE OF STEPHEN SKELTON FOR

Waterfall Park Developments Limited (Submitter #2388)

S2388 – Waterfall – T14 – Skelton S - Evidence

13th June 2018



INTRODUCTION

1. My name is Stephen Russell Skelton. I have the qualifications of a Bachelor of Arts in Communication from Northern Arizona University and a Master of Landscape Architecture (first class honours) from Lincoln University. I am the Director of Patch Limited (**Patch**), a landscape architecture and landscape planning consultancy based in Queenstown. I am a registered member of the New Zealand Institute of Landscape Architects and the acting chairman of the Southern Branch.
2. I have been involved in landscape consultancy work in the Queenstown Lakes District for over 5 years, working in both the public and private sector. I held the position of landscape planner with Lakes Environmental before it was absorbed by the Queenstown Lakes District Council (**QLDC**) in 2013. I then held the position of landscape architect at Baxter Design in Queenstown.
3. I founded Patch in June 2016 and my work has included all facets of landscape architecture and landscape planning through the range of small and large-scale projects. My work includes master planning, commercial and residential landscape design, preparation of native restoration planting plans, preparation of landscape management plans and preparation of landscape assessments for resource consent applications.
4. Notable works I have undertaken in the last five years include:
 - I was the project landscape architect on the Camp Glenorchy development which employs progressive sustainability initiatives in the frame of a visitor accommodation activity;
 - I prepared the design controls document for Three Parks in Wanaka.
 - Master planning and urban design of a 32-lot, low density residential subdivision at Lot 6, Kirimoko in Wanaka;
 - Landscape design and restoration planting plans for a 12-lot, rural residential development at Homestead Bay, Jacks Point;
 - Master planning and landscape design of a 14-lot rural residential subdivision near Arrowtown.



5. I am professionally familiar with the values of the Wakatipu Basin. I have lived in the District for 8 years and have witnessed the Wakatipu Basin through all seasonal, diurnal and climatic variations. I am an avid mountain climber and paraglider and I have viewed the Wakatipu Basin from almost all the surrounding mountain summits and slopes and from the air. I have walked or cycled most of the Queenstown Trail. I have driven all the publicly accessible roads within the Wakatipu Basin. I have a professional and intimate understanding of the basin's landscape and visual amenity values.
6. Over the course of my work, including works for properties within the Millbrook Resort Zone (**Millbrook**), the Hogans Gully area, Bendemeer and the North Lake Hayes Rural Residential Zone (**NLHRRZ**), I have visited the site and the surrounding public and many of the private places. I have experienced the site over the course of several years working professionally in the Basin I am aware of the pressures and sensitivities of the land and I have a detailed understanding of its landscape and visual amenity values.
7. I have read and understand the Strategic Direction of the Proposed District Plan and the objectives and policies relevant to this submission, especially those contained with the Rural, Landscape and Wakatipu Basin chapters.
8. While this matter is not before the Environment Court, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

9. My brief is to provide evidence which assesses the landscape and visual amenity effects of the parts of Submission #2388 which relate to the zoning of the site at 343 Arrowtown-Lake Hayes Road (legally described as Pt Lot 3 DP 5737 and Lot 1 DP 18109 BLK VII Shotover SD) hereafter referred to as the 'Ayrburn Land' or the site. The following evidence will provide a description of the site and surrounding landscape, followed by an assessment of these parts of the submission:

- The primary relief (Option A) which seeks to rezone the site to a bespoke Ayrburn Zone with its own set of provisions allowing for up to 200 residential units;
- The second alternative relief (Option B) which seeks to retain and extend the Wakatipu Basin Lifestyle Precinct (**WBLP**) (with modifications including no minimum lot size) over most of the site;
- The third alternative relief (Option C) which seeks to extend the Waterfall Park Zone (**WPZ**) area and structure plan to include the Ayrburn Land;
- The fourth alternative relief (Option D) which seeks to retain the existing Rural Residential Zone and extend it over the site A and rezone Site B to the Waterfall Park Zone;
- The submission that the subject land be included as part of Landscape Character Unit 12.

10. It is noted that as part of the primary relief and first alternative the submission seeks to extend the Arrowtown Urban Growth Boundary so that it takes in Millbrook, Waterfall Park and the Ayrburn Land.

11. I will also respond to the relevant portion of Landscape Architect Bridget Gilbert's Statement of Evidence dated 28 May 2018.

LANDSCAPE DESCRIPTION

12. The submission by Waterfall Park Developments Limited (**WPDL**) concerns an area of relatively flat land north of the NLHRRZ, west of the Arrowtown – Lake Hayes Road, south of the WPZ and Millbrook and east of the 'Christine's Hill' portion of the Queenstown Trail. The site is approximately 45ha in area.

13. The southern extents of the site are bound by mostly arbitrary patterns in the landscape which have resulted from development and planting within the NLHRRZ. The western site boundary adjoins a partially vegetated corridor which hosts the Queenstown Trail. Farther west are areas of open land which I understand are covenanted against further built development. The northern portion of the site is defined by a steep slope which falls down from the land feature which I will refer to as Christine's Hill. The land north of the Christine's Hill holds the urban parkland¹

¹ I generally agree that Millbrook displays an urban parkland character as described in Ms Gilbert's evidence, part 32.10

character of Millbrook and farther west, the rural and rural living areas associated with the 'Mooney Ponds' area. Christine's Hill is incised by Mill Creek, which cascades down the slope between Millbrook and the area known as Waterfall Park. East of Waterfall Park, on and atop a slope known as McEntyres Hill is a wedge or rural land hosting several rural living type properties. The Arrowtown Lake Hayes Road splits McEntyres Hill. The land east of the road on the slopes is more densely vegetated and holds a more rural character, with a high ratio of open space to built form. South of the slope and east of the Arrowtown – Lake Hayes Road is an open paddock extending from the foot of McEntyres Hill to Hogans Gully. South of Hogans Gully Road are private properties and at least 12 unbuilt residential building platforms which, in time will change the more open character of this part of the landscape to a more rural living character.

14. The bulk of the site is flat open pastureland. Mill Creek and an ephemeral tributary have formed a series of terraces and risers generally running north-south through the site. This area has more varied topography and is adorned with mature rural character trees, including extensive swathes of willows and patches of specimen trees such as alders, birch and oaks. Near the centre of the site is a collection of historic farm buildings and a homestead which, I understand, holds significant heritage value. A gravel drive accesses this homestead across the site from the Arrowtown – Lake Hayes Road under a distinct avenue of mature trees including Giant sequoia, Douglas fir and European larch. Parts of the site's southern boundary are lined with mature shelterbelt trees. The balance of the site's eastern lands are flat and pastoral in character.

15. The Wakatipu Basin Land Use Planning Study (**WBLUPS**) studied the coarser scale of the Wakatipu Basin and broke the whole of the basin down into Landscape Character Units (**LCU**), not landscapes in their own right as defined by the Environment Court². In doing so the WBLUPS often used settlement patterns and cadastral boundaries liberally to define landscape unit boundaries.

² Environment Court Decisions C73/2002 paragraph 20 and C203/2004 paragraph 29. Which states that the minimum characteristics of a landscape are that:

- *It must contain at least one (preferably more) rectangle with at least 1.5 x 2 km sides;*
- *No part of the landscape may be more than 1 km from such a rectangle;*
- *It must contain a minimum area of 600 ha and*
- *Internal corners should be rounded.*

16. I do not consider the rural living areas of the NLHRRZ part of a separate *landscape* to the site. However, I do consider it to be part of a separate LCU.

Experiential Qualities of the Landscape

17. The public road corridors and the Queenstown Trail are how the public generally experiences the site. I consider the Lake Hayes – Arrowtown Road corridor is predominantly influenced by residential and urban development. This corridor is bookended to the north by the urban areas of Arrowtown and to the south by Amisfield and the rural lifestyle areas on Morven Hill. The more southern portions of the road near Lake Hayes are bounded by the Low Density Residential (**LDR**) areas on its eastern edge and the rural living zones on its western edge. This part of the road is complemented with occasional open views of Lake Hayes to the west.

18. Farther north along Lake Hayes – Arrowtown Road, past Lake Hayes is the NLHRRZ to the west and a steep landform to the east. This landform gives way to open easterly views across a pastoral landscape near the intersection with Hogans Gully Road. The NLHRRZ continues to the north of the Hogans Gully intersection to meet the subject site which, in tandem with the open areas to the east, offers ‘breathing space’³ from an otherwise rural living and urban corridor character. This more open area is influenced by the residential areas of the NLHRRZ, those south of Hogans Gully Road, and those atop Christine’s Hill and McEntyres Hill. These open areas will be increasingly influenced in the future by the building of houses on a number of consented building platforms south of Hogans Gully Road. As the road ascends McEntyres Hill it passes through a densely vegetated area before emerging to views of Millbrook’s urban areas to the west. Views to the east of the road are restricted by mature vegetation. Near the intersection with Malaghans Road, the landscape displays a more open character and breathing space before meeting the urban areas of Arrowtown.

19. The east-west corridor of Speargrass Flat Road – Hogans Gully Road displays a mix of rural living, pastoral and natural landscape characters. The eastern portion of Speargrass Flat Road as it passes through the NLHRRZ is entirely rural living in character. Along the central portion of this road adjacent to the NLHRRZ, only the south side of the road displays a rural living character. Much of the land to the north

³ Generally, I refer to what Ms Gilbert calls ‘breathing space’ as rural relief, open relief or simply relief, but for the purpose of my evidence I adopt the terms used in the WBLUPS and Ms Gilbert’s evidence.



of this corridor outside the NLHRRZ has an open character and is understood to be covenanted against further built development. The more open, westerly balance of the Speargrass Flat Road corridor has a strong rural and natural character.

20. From the Queenstown Trail, the public experiences the site in between the more settled areas of Millbrook and the NLHRRZ. To the south, the Queenstown Trail passes through the NLHRRZ and connects to either the natural character of the Lake Hayes circuit trail or to the more rural and rural living areas of Slope Hill. To the north, the Queenstown Trail passes through the urban parkland areas of Millbrook to meet the urban areas of Arrowtown. From the southern edge of Millbrook, at the peak of Christine's Hill, elevated views are available across the NLHRRZ towards much of Lake Hayes and the Slope Hill foothills to the Basin's distinct ONLs and ONFs including Slope Hill, Lake Hayes, Morven Hill and the Remarkables. The site is in the low, eastern foreground to these views.

SUMMARY OF VISIBILITY

Public Places

21. While the open paddocks on the site's eastern extents, between Mill Creek and the Lake Hayes – Arrowtown Road are highly visible from that road, much of the interior of the site is visually contained by landform and vegetation and is secluded from public views. A line of mature, north-south running trees associated with the Mill Creek terraces screens and filters views from the Lake Hayes – Arrowtown Road into the interior of the site.
22. The rural residential development associated with the NLHRRZ screens views from most of Speargrass Flat Road into the site. A mature shelterbelt of poplars and pines on the site's western boundary and on lands to the west of the site screens and filters views from Speargrass Flat Road such that development in the site would be difficult to discern from Speargrass Flat Road, especially in summer when trees are in leaf.
23. The only public place where the interior and western extents of the site are readily visible to the public is the Christine's Hill portion of the Queenstown Trail as it traverses the slopes between Speargrass Flat Road and Millbrook (although it is understood that much of these more elevated views are not from within a public place). From the elevated portion of this trail most of the site is visible.

Private Places

24. The interior of the site is also well contained from private views. The proposed residential zoning near the Christine's Hill is generally well set back from the crest of the ridge, which is a design response to the visibility of buildings on ridgelines and prominent slopes. The crest of the ridge screens most of the site from private dwellings north of the site on and near the Christine's Hill.
25. Some of the NLHRRZ lots which adjoin the site's southern boundary would be able to see parts of the interior and western part of the site. Vegetation patterns exist between much of this rural residential development which would provide some visual mitigation, and there are provisions in the Ayrburn Zone Rules which would provide an open space buffer of between 25m and 50m within the Ayrburn Land adjacent to these private properties. One elevated property east of Mill Creek (the Beadle property) would have a direct and elevated view of proposed development in the interior of the site, which is proposed to be mitigated by an increased 100m open space buffer and the retention of some existing mature trees.
26. It is understood that the open lands to the west of the site and Queenstown Trail are covenanted in open space and, while it may be possible to see the interior parts of the site from the adjoining land to the west, no buildings are likely to be located on that part of the adjacent site.

EVIDENCE OF BRIDGET GILBERT

27. Ms Gilbert prepared the landscape component of the WBLUPS and assisted in the development of the landscape related provisions contained within the Wakatipu Basin Chapter 24 of the PDP. In terms of the wider breadth of her evidence I agree on the following:
- The Wakatipu Basin is an RMA s7(c) Amenity Landscape;
 - The landscape character and amenity values of the Wakatipu Basin do not derive predominantly from rural productive / agricultural land use.
28. In terms of Ms Gilberts response to submission 2388, I agree on the following:
- The site is low-lying and relatively contained;
 - The site has a strong connection to the NLHRRZ and WPZ;
 - The site is separated physically and visually from Millbrook by a steep hillslope;

29. I will address area where Ms Gilbert's opinion differs to that of my own below. It is my interpretation that the primary areas of disagreement between Ms Gilbert's considerations and my own are:

- That the western boundary of the site does not present a defensible edge;
- That the proposal would disrupt the patterning of nodes in the wider Wakatipu Basin;

ASSESSMENT OF PRIMARY RELIEF – NEW AYRBURN ZONE

30. The submission seeks to establish a new Ayrburn Zone including objectives, policies, rules and a structure plan. The Ayrburn Zone would provide for the protection and enhancement of Mill Creek and allow residential, retirement and visitor accommodation facilities and activities within the interior of the site while retaining the balance of the site in open space.

31. Ms Gilbert states that the density and character of the type of development proposed within the interior of the Ayrburn Zone would be a departure from traditional rural residential type development within the Basin⁴. I partially agree as the density which would be enabled in the interior of the site would not be rural residential in character and would instead be more urban in character. However, I disagree with Ms Gilbert that the proposal would disrupt the existing predominant patterning of nodes of rural residential development intersperse with open and 'more rural' areas of the wider basin⁵. There are existing nodes of urban character in Millbrook and an urban node of development is permitted in Waterfall Park which are all surrounded by areas of zoned open space. The Ayrburn Zone would reflect and complement that existing pattern of development.

32. As I have described above, the experiential quality of the landscape along the Lake Hayes – Arrowtown Road corridor is consistently residential, with very little in terms of nodes of development and instead more a ribbon of residential and rural residential development. This is a distinct and busy corridor in the wider basin and the level of development experienced from it is different than any other in the Basin.

⁴ Part 32.10

⁵ Part 32.12

33. I consider the proposed Ayrburn Zone would fit into the existing settlement pattern and would not disrupt any patterning of nodes.
34. The Ayrburn Zone Structure Plan would enable dense residential development in the interior of the site. The more sensitive portions of the site, being the eastern lands and the northern hill slope would be retained in their open character. In my opinion, the site's eastern land acts, in tandem with the land to the east of the Lake Hayes – Arrowtown Road, as breathing space between the urban parkland areas of Millbrook and the rural residential areas of the NLHRRZ. These open lands also act as an open foreground to views of Lake Hayes and across the landscape to the distant ONL mountains. I consider that the provisions in the Ayrburn Zone which seek to retain these areas in their open character to be a significant part of the submission. I consider the structure plan approach would result in a better landscape outcome than allowing residential development of any type in the easterly open lands.
35. The Ayrburn Structure Plan proposes a setback of 15m on the western boundary and landscape controls along this boundary. These controls will enable an appropriate vegetated buffer between the Queenstown Trail and built development which should not enclose the trail corridor, should retain views and should present a planted area between built development and the trail. I consider a 15m buffer on this westerly edge with appropriate plantings, in tandem with the covenanted open lands to the west of the trail, will maintain a feeling of rural character as experienced from the Queenstown Trail.
36. From the more elevated portions of the Queenstown Trail, the development would be visible in the foreground to southerly views. As I understand most of the more elevated portions of the trail are not a public place. Regardless, I consider the urban type development which would be allowed within the interior of the site would have an adverse effect on the character of the landscape as experienced from the Queenstown Trail as it rises and descends Christine's Hill. This adverse effect would be moderate⁶ in extent and generally viewed from legally private places. The wider open views of the vast landscape of ONLs and ONFs would continue to be visible and the landscape would continue to have a dominant rural character.

⁶ Based on the 7-point scale recommended in the *NZILA 6.0 Practice Support Documentation, Best Practice Note, Landscape Assessment and Sustainable Management 10.1*, (02/11/10). The scale is: Extreme, very high, high, moderate, low, very low, negligible.

37. Overall, I consider the establishment of the Ayrburn Zone would result in a dense area of urban character in a part of the site which is largely visually contained. This urban development would form part of the existing settlement pattern between Morven Hill and Arrowtown. The provisions set out in the Ayrburn Zone would see the urban character set within a wide frame of open lands, retaining the open character and breathing space the site currently provides between the more developed areas along the Lake Hayes – Arrowtown Road.

ASSESSMENT OF OPTION B – EXTEND WATERFALL PARK ZONE

38. I understand an extension of the WPZ into the site would result in a similar landscape outcome to that described above, assuming the same site-specific provisions are applied.

DEFENSIBLE WESTERN BOUNDARY

39. The WLP was not notified to extend to the west of what Ms Gilbert refers to as the Mill Creek tributary. The Ayrburn Zone proposes a 15m, vegetated and open space buffer between the Queenstown Trail and residential development. The site's western edge is proposed to be marked by the 15m vegetated and open space buffer, the cadastral boundary, the Queenstown Trail and the covenanted land to the west. I consider this will create a legible and defensible edge to the landscape which will be more defensible than the shallow ephemeral tributary which runs through the valley floor, has flat land of similar character on either side, and would be difficult to defend.

ASSESSMENT OF EXTENDING THE ARROWTOWN URBAN GROWTH BOUNDARY

40. I have read Chapter 4 Urban Development and I understand Council has introduced a strategy of controlling urban growth by containing urban areas within a growth boundary. As discussed above I consider Millbrook and Waterfall Park are urban or urban parkland in character. If the Ayrburn Zone were approved, it would be appropriate to include it within an urban growth boundary. That urban growth boundary would (as I understand the Chapter 4 provisions) reinforce the defensible western boundary described above.



ASSESSMENT OF OPTION C – WAKATIPU LIFESTYLE PRECINCT ZONING

41. In terms of the internal parts of the site (those west of the first riser associated with Mill Creek), I consider the same arguments for Option A apply to Options C and D.
42. The large areas of open land either side of Lake Hayes – Arrowtown Road, including the eastern balance of the site, maintain a feeling of ruralness and breathing space to this part of the landscape. This open character will continue to be dominant in the presence of approved development. If there were a 75m setback of built development adjacent to this road corridor as recommended, then some semblance of this openness and breathing space would be retained. However the openness (free of vertical form including trees) should be largely maintained such that the corridor will not become enclosed.
43. Regardless of setbacks I consider the rezoning of the land to WLP would alter the character of the landscape such that it would appear as a moderately more spacious extension of the existing NLHRRZ. I consider that should this land be developed in a rural residential pattern that a minimum lot size of 4000m² consistent with that of the NLHRRZ would be more appropriate for reasons set out below in the *Assessment of Option D*.

ASSESSMENT OF OPTION D – LEGACY RURAL RESIDENTIAL ZONING

44. If the site (excluding the northerly, sloping Christine's Hill component) were to be zoned for some form of rural living type development, I consider the legacy rural residential zoning which seeks a minimum density of one dwelling per 4000m² would be more appropriate than the 6000m² specified in the WLP. The settlement pattern based on 4000m² lots is an existing pattern in the adjoining NLHRRZ. Aside from the arbitrary lines this existing zoning has created, there is little defensible northern edge to this existing settlement pattern. There is no merit in changing the settlement patterns of the landscape. The existing pattern could extend northward, across the site to meet the base of the Christine's Hill and the WPZ. The base of this hill is a logical and defensible edge. So too is the 75m setback on the site's eastern boundary and a recommended 15m setback on the site's western boundary with the Queenstown Trail. A change in the density of rural living type development north of the existing NLHRRZ would result in an inconsistent pattern between Lake Hayes's northern shores and the foot of Christine's Hill. I see no landscape based rationale

which justifies that change. If rural living type development were enabled I consider an appropriate landscape outcome would be to maintain a consistent settlement pattern across the (extended) NLHRRZ.

ASSESSMENT OF AMENDMENTS TO LANDSCAPE CHARACTER UNITS 8 & 12

45. As discussed above, I consider the site to be part of the same landscape as the NLHRRZ, however it is a separate character unit. If the site is zoned anything other than Amenity Landscape, I consider it would be appropriate to place the site, and much of the land to the east which is notified as being part of the precinct in the same LCU as the NLHRRZ (12). This would place the more settled lands (and anticipated to be settled lands) in LCU (12) which is characterised by residential development and remove them from LCU (8) which is characterised by open and natural landscapes.

CONCLUSION

46. The site takes in two notable land features being the south facing slopes of Christine's Hill and Mill Creek. Much of the interior of the site is visually contained by existing landform and vegetation patterns. The only public place where the interior part of the site is readily visible is a short portion of the Queenstown Trail. The site is adjacent to the rural residential areas north of Lake Hayes and the zoned residential and rural visitor activities of Waterfall Park and the Millbrook zone to the north. The eastern part of the site in tandem with the open lands to the east of Lake Hayes – Arrowtown Road, offer breathing space between an otherwise residential, rural living and urban parkland landscape corridor which runs along both sides of the Arrowtown – Lake Hayes Road.

47. The PDP seeks to rezone much of the site as rural living while the submission, in the first instance seeks to rezone the site as a bespoke Ayrburn Zone. I consider the Ayrburn Zoning will better respond to the particular characteristics of the site than a rural living type zoning. The Ayrburn Zone seeks to cluster development within the visually contained interior of the site and provide significant areas of open space buffers. The interior portion of the site will be more urban than rural in character, but the openness as experienced from public places would be largely maintained. Adverse effects on adjoining rural residential properties to the south will be avoided



or mitigated by the provision of open space buffer areas and the retention of existing mature stands of trees.

48. If a rural living zoning is preferred, I consider a 75m open space buffer between the Lake Hayes – Arrowtown Road corridor would maintain a degree of open character. I also consider a 15m vegetated and open space buffer would be appropriate along the Queenstown Trail.
49. Overall, I consider the submitter's bespoke Ayrburn Zone will best maintain the existing landscape character and visual amenity.

Steve Skelton

Landscape Architect

13 June 2018