

**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 Stage 3b of the
Proposed District Plan

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

LANDSCAPE

19 June 2020

 **Simpson Grierson**
Barristers & Solicitors

S J Scott / R Mortiaux
Telephone: +64-3-968 4018
Facsimile: +64-3-379 5023
Email: sarah.scott@simpsongrierson.com
PO Box 874
SOLICITORS
CHRISTCHURCH 814

CONTENTS

	PAGE
1. INTRODUCTION	1
2. SCOPE.....	1
3. BENJAMIN ESPIE FOR BARNHILL CORPORATE TRUSTEE LTD, DE AND ME BUNN AND LA GREEN (31035)	2
4. SUSAN CLEAVER FOR BARNHILL CORPORATE TRUSTEE LTD, DE AND ME BUNN AND LA GREEN (31035)	6

1. INTRODUCTION

1.1 My full name is Helen Juliet Mellsop. My qualifications and experience are set out in my statement of evidence in chief dated 18 March 2020.

1.2 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 second statement of rebuttal evidence is provided in response to the following evidence filed by or on behalf of submitters:

Rural Visitor Zone

- (a) Benjamin Espie for Barnhill Corporate Trustee Limited, DE and ME Bunn and LA Green (**31035**);
- (b) Susan Cleaver for Barnhill Corporate Trustee Limited, DE and ME Bunn and LA Green (**31035**).

2.2 I have also read the evidence provided by the following submitters (as far as the statements listed address landscape matters):

Rural Visitor Zone

- (a) Debbie MacColl for Barnhill Corporate Trustee Limited, DE and ME Bunn and LA Green (**31035**);
- (b) Scott Freeman for Barnhill Corporate Trustee Limited, DE and ME Bunn and LA Green (**31035**).

3. BENJAMIN ESPIE FOR BARNHILL CORPORATE TRUSTEE LTD, DE AND ME BUNN AND LA GREEN (31035)

3.1 Mr Espie has filed evidence in relation to landscape effects of the revised proposal to rezone land south of the intersection of Morven Ferry Road and Arrow Junction Road from Wakatipu Basin Rural Amenity Zone (**WBRAZ**) to Rural Visitor Zone (**RVZ**). The revised rezoning proposal is set out in the statements of Susan Cleaver and Debbie McColl, and is mapped in the first appendices of both of their statements (copied in **Figure 1** below). A substantially smaller area of rezoning is now sought (2.8ha as opposed to 20.2ha), an area of 'High Landscape Sensitivity' has been identified along Morven Ferry Road and a total building coverage of 1500m² is sought as a controlled activity. The revised area of RVZ extends further south and slightly further west of the location of the Morven Ferry RVZ (A) sought in the original submission (which is copied in **Figure 2** below). The area of High Landscape Sensitivity corresponds to a 35-metre road setback included in the original submission, but is widened to about 55 metres in the northern half. This is to take in the crest of a north-east facing slope.

Appendix 1

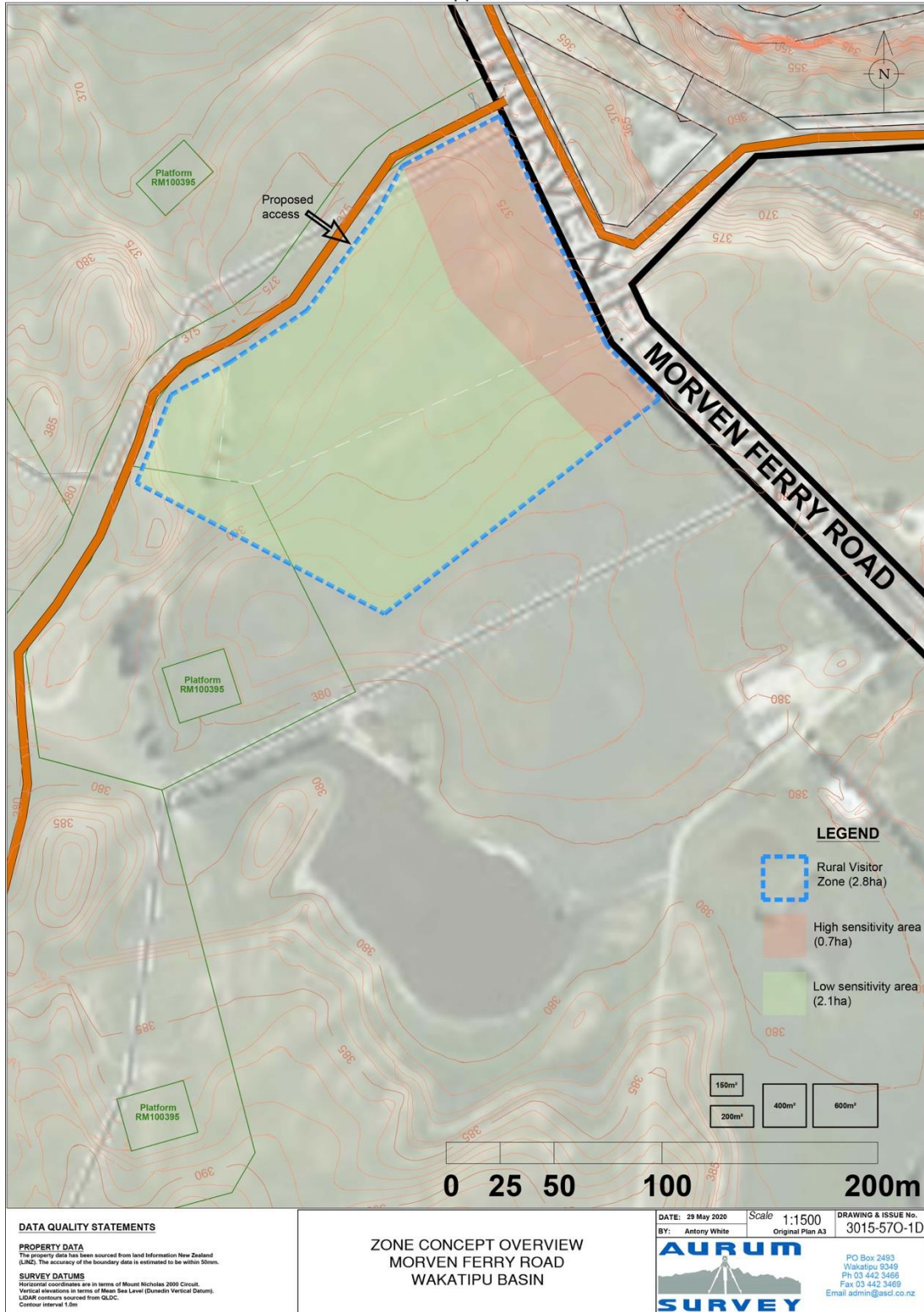


Figure 1: Map of revised rezoning relief sought by Submitter 31035.

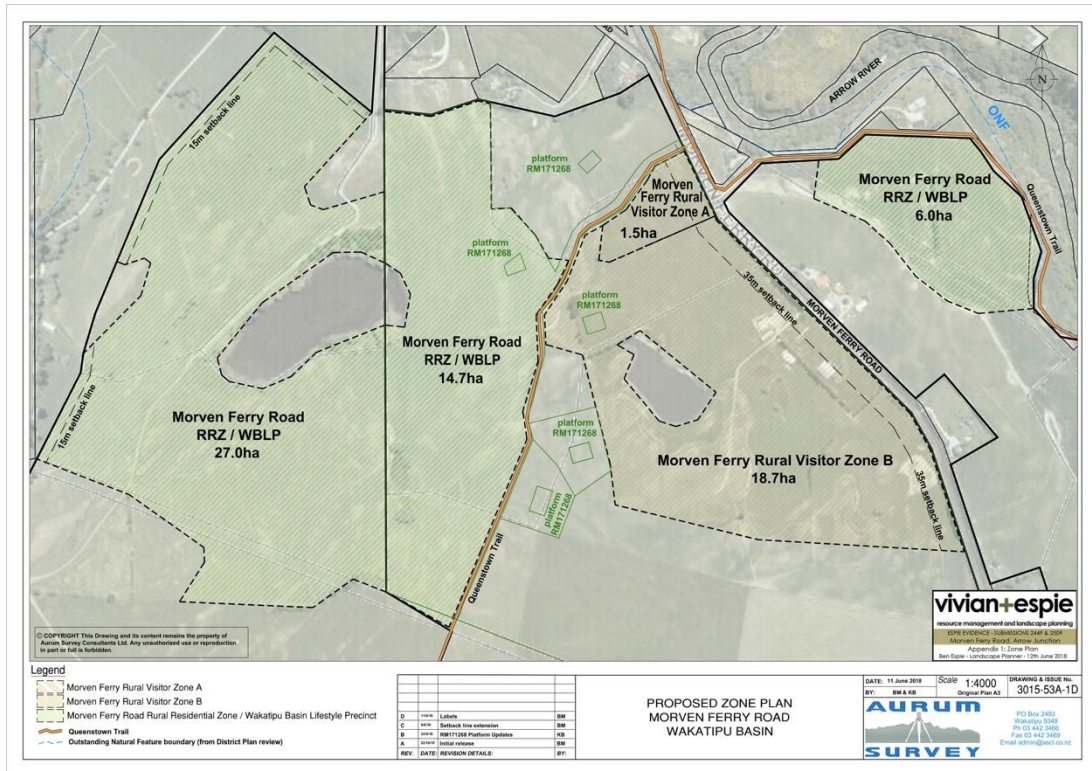


Figure 2: Map of zoning sought by Submitter 31035 in Stage 2 of the PDP.

3.2 At paragraph 2.11, Mr Espie states that landscape evidence supporting the proposed rezoning (as detailed at his paragraph 2.10) has been provided in his Stage 2 evidence and in the evidence of Ms MacColl and Ms Cleaver. These latter two statements are lay evidence rather than expert landscape evidence. The Stage 2 evidence provided in Mr Espie's Appendix 1 addresses the landscape and visual effects of a number of rezoning areas sought at that stage, but does not specifically assess the rezoning currently sought.

3.3 While the absorption capacity of Landscape Character Unit (LCU) 18 is discussed at paragraphs 5.3 to 5.8 of Mr Espie's Stage 2 evidence, and the previously proposed RVZ (A) is discussed at paragraphs 8.11 to 8.14, this analysis was in the context of the ODP RVZ. The Stage 2 evidence does not include any analysis of the landscape sensitivity of the rezoning site in the context of the PDP RVZ. Nor does it provide any support for the area of High Landscape Sensitivity identified in **Figure 1**. No evidence has been provided to show that the remaining area of the revised RVZ proposal (identified green in **Figure 1**) has a lower level of landscape sensitivity.

- 3.4** At paragraph 2.9, Mr Espie states that his Stage 2 evidence provides commentary on how the proposed relief will maintain the identified landscape character and visual amenity values of LCU 18. However, that evidence acknowledges that the landscape character of the unit would be substantially affected by the proposed rezonings¹ and that rural character would be reduced. The statements in his current and Stage 2 evidence appear contradictory. In my view the identified LCU 18 landscape character and visual amenity values would not be maintained by substantial change.
- 3.5** I remain of the opinion, as expressed at paragraph 8.10 of my evidence in chief, that there is potential for a small area of RVZ to be absorbed close to the Twin Rivers trail. However, development would need to be small scale and appropriately located, designed and landscaped in order to avoid adverse effects on both visual amenity and views of surrounding ONL/Fs. The currently proposed relief, with the setback from Morven Ferry Road, does minimise visibility of development from close public viewpoints. However, there is still potential for buildings to be seen in the foreground of views to the ONL from Morven Ferry Road and private properties. There is also potential for controlled activity development of 1500m² in total area to adversely affect visual amenity values.
- 3.6** In my view, development to this extent (for example, three 500m² buildings or five 300m² buildings) would not be 'small scale'. Sensitive design of building location, form and appearance, access, parking and landscaping would be required to allow 1500m² of development to be absorbed on the site without adverse effects on the visual amenity values of the landscape. I do not consider that controlled activity development status could ensure this. I note that Mr Espie also considers that the degree of adverse visual effect for the previous RVZ (A) is dependent on detailed development design².

1 Paragraph 7.1 of Mr Espie's Stage 2 evidence.
2 Paragraph 7.1 of Mr Espie's Stage 2 evidence.

4. SUSAN CLEAVER FOR BARNHILL CORPORATE TRUSTEE LTD, DE AND ME BUNN AND LA GREEN (31035)

4.1 Ms Cleaver has provided corporate evidence on behalf of Submitter 31035, which is stated to be focused on 'landscape and visual effects'. This includes photographs of the site from representative viewpoints, and two visual simulations of development, as viewed from Morven Ferry Road.

4.2 The location map of the viewpoints and the 5.5-metre height poles erected on the site, together with the photographs, are useful aids in understanding the potential visibility of development within the revised RVZ. They should be viewed with the understanding that buildings could be located anywhere within the zone, not just in the pole locations used in the photographs. Further, the simulations in Photos 2b and 2c approximate just one of many possible development scenarios and the trees shown at a future unspecified time in Photo 2c are not present on the application site.



Helen Juliet Mellsop

19 June 2020