BEFORE THE HEARINGS PANEL FOR THE PROPOSED QUEENSTOWN LAKES 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

STATEMENT OF EVIDENCE OF HELEN JULIET MELLSOP ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL

LANDSCAPE

28 May 2018



S J Scott / C J McCallum Telephone: +64-3-968 4018 Facsimile: +64-3-379 5023

Email: sarah.scott@simpsongrierson.com

PO Box 874 SOLICITORS

CHRISTCHURCH 8140

TABLE OF CONTENTS

1.	INTRODUCTION	1
2.	SCOPE	3
	EXECUTIVE SUMMARY	
4.	BACKGROUND	6
5.	LANDSCAPE CATEGORISATION IN THE WAKATIPU BASIN	7
6.	REQUESTS FOR CHANGES TO LANDSCAPE BOUNDARIES	10
7	REQUESTS FOR REZONING ONLY	47

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

1. INTRODUCTION

- My full name is Helen Juliet Mellsop. I hold the qualifications of Bachelor of Landscape Architecture from UNITEC Institute of Technology, Bachelor of Human Biology from University of Auckland and Diploma of Horticulture (Distinction) from Lincoln University. I am a registered member of the New Zealand Institute of Landscape Architects and have been practising for over 16 years. I am currently self employed as a consultant landscape architect.
- Architect at Lakes Environmental Limited, a company contracted to undertake resource management and regulatory functions for the Queenstown Lakes District Council (QLDC or Council). Since forming my own consultancy in 2010 I have continued to provide landscape architectural services to QLDC. I have appeared regularly as an expert witness at Council Hearings and have also participated in Environment Court mediations and prepared briefs of evidence for several appeal hearings in the Environment Court.
- 1.3 In relation to the Proposed District Plan (PDP) I have provided evidence for Council on mapping submissions in the Upper Clutha Basin (Hearing Stream 12) and in part of the Queenstown area outside the Wakatipu Basin (Hearing Stream 13). I have now been asked to provide evidence in relation to landscape matters for Hearing Stream 14. My evidence relates to rezoning and landscape classification submissions in the Wakatipu Basin (Stage 1 submissions outside the Wakatipu Basin Rural Amenity Zone (Amenity Zone) and a small number of Stage 2 submissions within the Amenity Zone.
- 1.4 I am generally familiar with the Queenstown Lakes District (District), having undertaken landscape assessments for numerous rural resource consent applications in the District between 2008 and 2018. I have also visited all the sites subject to rural rezoning or landscape classification submissions that I am addressing in my evidence. The Wakatipu Basin sites discussed in this evidence were visited in March and April 2017.

- 1.5 Although this is a Council hearing, 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.
- 1.6 The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are:
 - (a) the notified Chapter 24 Wakatipu Basin of the PDP;
 - (b) the Decision Versions of the Stage 1 chapters of the PDP, particularly the Strategic Direction, Landscape and Rural Character, and Rural chapters;
 - (c) the relevant landscape assessments supporting the Section 32 Evaluation Report for the Landscape chapter and Rural Zones:
 - (i) Read Landscapes Limited, 'Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features' 2014 (Landscape Boundaries Report);
 - (ii) peer review of the Wakatipu Basin component by Ben Espie, landscape architect, 1 April 2014;
 - (d) the Wakatipu Basin Land Use Planning Study, dated March 2017, which supports and is attached to the Section 32 Evaluation Report for the Wakatipu Basin Chapter;
 - (e) Ms Bridget Gilbert's landscape evidence for Hearing Stream 14:
 - (f) the relevant submissions seeking rezoning in the eastern and southern parts of the Wakatipu Basin or landscape classification changes in the Wakatipu Basin as a whole, and supporting landscape assessments, where provided; and
 - (g) Environment Court cases and resource consent decisions, where relevant to the particular submission.

- 1.7 Throughout my evidence I refer to the following versions of the PDP text, as follows:
 - (a) Provision X.2.1: to refer to the notified version of a Stage 2 PDP provision (i.e. Objective 24.2.1); and
 - (b) S42A Provision X.2.1: to refer to the recommended version of a Stage 2 provision as included in Appendix 1 in Mr Craig Barr's s42A report. (i.e. S42A Objective 24.2.1)
- 1.8 When referring to the Stage 1 PDP provisions, I am referring to the Council's Decisions Version notified on 5 May 2018, (ie. Decisions Objective 3.2.1).
- **1.9** Attached to my evidence is **Appendix A:** Panoramic photographs from Crown Range Road zig zag lookout.

2. SCOPE

- **2.1** My evidence addresses submissions on:
 - (a) section 6 RMA landscape classifications in the Wakatipu Basin:
 - (b) rezoning associated with landscape classification changes;
 - rezoning in areas of the Wakatipu Basin outside the AmenityZone and Precinct (**Precinct**);
 - (d) the rezoning sought by Hogans Gully Farm Limited (#2312) in Landscape Character Unit (**LCU**) 15 (Hogans Gully);
 - (e) the rezoning sought by Barnhill Corporate Trustee Limited, DE and ME Bunn, LA Green, Morven Ferry Limited and Lake Hayes Estate Properties Limited (#2355, #2449, #2509, #2525) in LCU 18 (Morven Eastern 'Foothills');
 - (f) the rezoning sought by A Feeley, E Borrie & LP Trustees Limited (#2379) in LCU 23 Millbrook;
 - (g) the rezoning sought by Queenstown Community Housing
 Trust (#2299) in LCU 24 Arrowtown South; and
 - (h) the rezoning sought by Shotover Country Limited (#528) in LCU 25 Shotover Country Margins.

- 2.2 Landscape evidence on the proposed planning provisions for the Amenity Zone and Precinct and on all rezoning submissions other than those identified above has been provided by Ms Bridget Gilbert.
- I have provided my view on each of the site specific zoning and landscape classification requests as to whether I oppose the relief sought, or whether I do not oppose the relief sought in terms of landscape effects.
- 2.4 In assessing the site specific submissions, I have considered the objectives and policies of the PDP in relation to Strategic Direction, Urban Development, Landscape and Rural Character, Rural Zones and the notified Amenity Zone (and Precinct sub-zone).

3. EXECUTIVE SUMMARY

- **3.1** The key conclusions in my evidence are that:
 - (a) I have recommended that the elevated plateau on the eastern side of Morven Hill be excluded from the ONL that includes Morven Hill and zoned Amenity Zone;
 - (b) I have recommended relatively minor changes to the landscape boundaries in the following locations:
 - (i) South-western end of Slope Hill;
 - (ii) Slope Hill at Threepwood Farm;
 - (iii) Onslow Road, Lake Hayes;
 - (iv) Morven Hill at Alec Robins Road:
 - (v) Morven Hill at Jean Robins Drive;
 - (vi) Crown Terrace.
 - (c) In relation to Landscape Character Unit (**LCU**) 10 Ladies Mile:
 - (i) Rural Lifestyle zoning of the Ladies Mile flats outside the Queenstown Country Club would be appropriate from a landscape perspective if setbacks from the highway were maintained; and

- (ii) There should be no further development of those areas of LCU 10 visible from Lake Hayes.
- (d) In relation to the special zone sought by Hogans Gully FarmLimited (#2313) in LCU 15 Hogans Gully and part of LCU 17:
 - (i) Development enabled by the proposed special zone would substantially compromise the natural character of the landscape and the remaining open pastoral character of the eastern part of the Wakatipu Basin, and would not be consistent with the landscape-related objectives and policies of the PDP.
- (e) In relation to the rezoning sought by submitters in LCU 18 Morven Eastern 'Foothills':
 - (i) development enabled by the zoning sought would significantly degrade the rural character and amenity of this part of the basin and the particular landscape values of LCU 18.
- (f) In relation to the rezoning sought by A Feeley, E Borrie & LP Trustees Limited (#2379) in LCU 23 Millbrook:
 - (i) Proposed urban zoning would adversely affect the landscape character of the basin. It would breach the current containment of Arrowtown's urban form by McDonnell Road and could provide a precedent for further inappropriate spread of development into the rural land west of the road; and
 - (ii) The proposed setback of development from Arrowtown Lake Hayes Road would be insufficient to maintain the valued visual amenity and spaciousness of this approach to Arrowtown.

- (g) In relation to the rezoning sought by Queenstown Community Housing Trust (#2299) at Jopp Street in LCU 24 Arrowtown South:
 - (i) Urban development south of Jopp Street would be within the same landform as Arrowtown township and would not breach any of the topographical or other boundaries that define the settlement; and
 - (ii) A landscape setback from Centennial Avenue is recommended to maintain the rural character of the approach to Arrowtown.
- (h) In relation to the rezoning sought by Shotover Country Limited (#528) in LCU 25 Shotover Country Margins:
 - (i) Extension of the Shotover Country Special Zone to include development approved under the HASHA would adequately protect and enhance the interface between the suburban area and the margins of the Shotover River.

4. BACKGROUND

- 4.1 I have not been involved from the outset in the preparation of the PDP and have not undertaken any formal review of the proposed landscape-related objectives, policies, rules and assessment matters in either Stage 1 or Stage 2. I have however familiarised myself with the PDP provisions that are relevant to my evidence, and with the supporting documentation.
- 4.2 I refer to the methodology explained in the Council's evidence presented in Stage 1 as to the identification of ONFs and ONLs and their boundaries. This is also summarised in paragraphs 4.4 4.5 of my evidence for the Upper Clutha hearing.¹

https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-12/Section-42A-Reports-and-Council-Expert-Evidence/Council-Expert-Evidence/QLDC-12-Upper-Clutha-Helen-Mellsop-Evidence-29039617-v-1.pdf

- In assessing the landscape boundary changes sought in submissions, I have used a similar methodology but have referred to the decisions version of the PDP landscape-related objectives and policies. Therefore in summary, I have:
 - (a) used the UK Landscape Institute's Guidelines for Landscape and Visual Assessment² to identify broad landscape character areas and their values; and
 - (b) applied these guidelines and the 'modified Pigeon Bay criteria' set out in Section 5.4.2.1 of the Operative District Plan (ODP) to assist in determining the quality, values and significance of the landscape character areas.
- 4.4 In the case of rezoning submissions, the landscape character and visual amenity effects have primarily been assessed with reference to the PDP landscape-related objectives and policies, the Guidelines for Landscape and Visual Assessment, and the LCUs identified in proposed Chapter 24, where relevant..
- 4.5 All maps included in this evidence are oriented with north upwards on the page. The maps are for illustrative purposes only and are not to scale.

5. LANDSCAPE CATEGORISATION IN THE WAKATIPU BASIN

5.1 Categorisation of section 6 landscapes was undertaken in Stage 1 of the PDP. In their report, the Panel for Stream 1B of the Stage 1 hearings concluded that identification of ONLs and ONFs on the PDP maps was appropriate and that the methodology used for identifying them in the Landscape Boundaries Report was robust.³ The commissioners also considered that it was appropriate to rely on previous determinations of the Environment Court in relation to ONL and ONF boundaries.

² Landscape Institute and Institute of Environmental Management and Assessment. Guidelines for Landscape and Visual Impact Assessment, Third Edition 2013.

³ QLDC Hearing of Submissions on Proposed District Plan. Report 3. Report and Recommendations of Independent Commissioners regarding Chapter 3, Chapter 4 and Chapter 6, Section 3.16, p101.

- The Wakatipu Basin has been subject to considerable development pressure over the past 20-30 years, and has consequently been the focus of numerous Environment Court appeals. The first to address the identification of the District's ONL and ONF was the C180/99 decision,⁴ which identified the ONL/Fs in the Wakatipu Basin and the indicative boundaries of these landscapes with the Visual Amenity Landscape (VAL) of the basin floor.
- In the Wakatipu Basin, there appears to be a general consensus on the identity and important values of the majority of the ONL and ONF. These comprise the mountains enclosing the basin, the distinctive roche moutonée features (Ferry Hill, Slope Hill, Morven Hill and Feehlys Hill), the Crown Escarpment, and the lakes and rivers (Lake Hayes, Shotover River, Kawarau River and Arrow River). The very small number of submissions to the PDP seeking deletion of an ONL or ONF in this area could be considered a reflection of this consensus. Submissions addressed in this evidence almost all seek changes to the boundary of an ONL/F. This reinforces the statement in C180/99 regarding ONL:

'Usually an outstanding natural landscape should be so obvious (in general terms) that there is no need for expert analysis.'5

- 5.4 Where expert landscape analysis is useful is in defining where an ONL/F ends.
- 5.5 The Court of Appeal has recently confirmed that the decision as the boundary of an ONF (or ONL) should be a landscape decision, with the planning consequences flowing from that classification.⁶
- In her Landscape Boundaries Report, Dr Marion Read undertook a reconsideration of some of the boundaries in the Wakatipu Basin (specifically Arthurs Point East, Ferry Hill, Shotover River corridor, Slope Hill/Lake Hayes, Arrowtown/Coronet Range and Arrow River).

⁴ Wakatipu Environment Society Incorporated v Queenstown Lakes District Council C180 /99 [1999] NZEnvC 417 (29 October 1999).

⁵ Wakatipu Environment Society Incorporated v Queenstown Lakes District Council C180 /99 [1999] NZEnvC 417 (29 October 1999), paragraph 99.

⁶ Man O'War v Auckland Council [2017] NZCA 24.

Her recommendations for these areas were included in the notified PDP in Stage 1. Except for these specific locations, my understanding is that the ONL and ONF boundaries for the Wakatipu Basin were otherwise transferred from Appendix 8 of the ODP, with minor modifications.

- 5.7 In this evidence I have deferred to the Landscape Boundaries Report and to previous Environment Court decisions relating to ONL/F boundaries, particularly where detailed landscape evidence relating to a particular boundary was considered by the Court. I have however reconsidered the location of boundaries (in response to submissions) where the notified boundary either:
 - (a) does not appear to correspond to the Landscape Boundaries Report recommendations or a boundary determined by the Environment Court;
 - (b) where there is no detailed evaluation in the Landscape Boundaries Report; or
 - (c) where an Environment Court decision did not specifically discuss the particular section of ONL boundary.

Susan Cleaver - #221

- 5.8 Susan Cleaver has sought that the ONL and ONF lines in the district be re-evaluated and removed from areas that include pastoral farmland, residential areas and medium density zones.
- Within the Wakatipu Basin in particular, the majority of distinctive landforms that have outstanding landscape values have been or are still used for pastoral farming. The lack of indigenous forest on these prominent landforms does not mean that they are not sufficiently natural to be considered ONL and conversely the open character of mountains and hills managed by pastoral farming is valued by the community (as reflected in PDP provisions relating to openness). Removal of all areas of pastoral farmland from ONL would result in significant landscapes (for example the Remarkables Range and Morven Hill) being insufficiently protected from inappropriate development, as required by Section 6(b) of the RMA.

- 5.10 With respect to the second part of Ms Cleaver's submission I note that the PDP clearly states in Part 6.3.1 that landscape classifications apply to the Rural Zoned landscape of the District only.
- **5.11** I consequently oppose Ms Cleaver's submission.

6. REQUESTS FOR CHANGES TO LANDSCAPE BOUNDARIES

Arthurs Point Basin

Alexander Reid - #277, Michaela Meehan - #526, Shotover Hamlet Investments Limited - #570

- Arthurs Point Basin ONL around the western end of Littles Road. The submission of Shotover Hamlet Investments Limited is opposed by Robert Stewart (FS#1270). Alexander Reid has also sought rezoning of existing rural living development around the western end of Littles Road, from notified Rural to Rural Lifestyle. This land is located east of the Arthurs Point Rural Visitor Zone (in the ODP). The extent of the Rural Lifestyle zoning sought is unclear from the submission. Michaela Meehan has sought that the boundary of the ONL on the ridge east of the Littles Road/Malaghans Road junction be relocated west to the crest of the schist escarpment, while Shotover Hamlet Investments has sought that a small area of Rural Character Landscape (RCL) be designated between the Arthurs Point Rural Visitor Zone and Littles Road (see discontinuous blue line on Figure 1 below).
- 6.2 I will address the issue of the ONL boundary first, as this informs my opinion on the appropriateness of the rezoning sought by Mr Reid. The landscape lines in the Arthurs Point basin were determined by the Environment Court in their decision C3/2002⁷ and were further discussed in decision C105/2002⁸. The Court considered evidence from six landscape witnesses in the C3/2002 appeal and determined

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

⁸ Robert Stewart and Wakatipu Environmental Society Inc. v Queenstown Lakes District Council and G Paterson C105/2002

that the "ice-evacuated" basin north and south of Littles Road, and the crest of the ridge variously described as North Ridge and the Knob J ridge (C3/2002) were part of a wider ONL. On North Ridge, the boundary (in the Environment Court and subsequently notified into the PDP) was located to exclude strongly pastoral farmland on Littles Farm and an area of then consented but undeveloped rural living development on the crest of the ridge (Northridge development). Many of the building platforms within Northridge have since been developed.

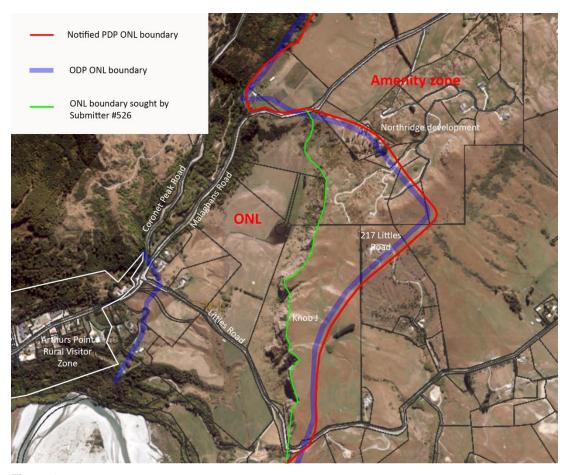


Figure 1: ONL boundaries east of Arthurs Point settlement. Boundary sought by Submitter #526 in green.

I concur with the analysis of the character and values of the Arthurs Point basin in paragraphs 7 to 18 of Environment Court Decision C03/2002 and I also consider that the location of the ONL boundary on North Ridge remains appropriate. Since 2002 there has been some additional development within the area of North Ridge/Knob J ridge that Michaela Meehan seeks to be excluded from the ONL. This includes a dwelling and guest house near the summit of Knob J (RM120007 and subsequent variations) and a shed near an existing dwelling at 217 Littles Road. This additional development, by virtue of

its location, design and associated mitigation planting, has not in my view 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. The crest of the western end of North Ridge is hummocky open pastoral land with patches of immature native regeneration and conifer shelter belts. It could not in my view be described as 'Arcadian', as stated in the submission.

- In paragraphs 5.4.1 to 5.4.3 of the Landscape Boundaries Report, the discontinuous line drawn on the ODP landscape classification maps following Environment Court decision C3/2002 is discussed. The area between this line and the ODP Arthurs Point Rural Visitor Zone is the land that Shotover Hamlet Investments Limited seeks to be classified as RCL. I am in complete agreement with Dr Read's discussion of this issue in the Landscape Boundaries Report I consider a discontinuous line is highly problematic from a landscape assessment perspective and would define an area that is too small to form a landscape in its own right. While the area has been domesticated by dwellings, driveways and rural living activities, it forms a small landscape unit within the wider ONL of the Arthurs Point basin.
- Given that I consider the land at the western end of Littles Road to be within an ONL, I do not support the Rural Lifestyle zoning of this area sought by Mr Reid. Additional rural living development within this area is unlikely to maintain or enhance the character and values of the ONL.
- 6.6 Consequently I oppose the relief sought by Submitters #277, #526 and #570.

Slope Hill

Justin Crane & Kirsty Mactaggart - #688, #2567, GW Stalker Family Trust et al - #535

6.7 Justin Crane and Kirsty Mactaggart own a property (legally described as Lot 1 DP 21614, Lot 22 DP 378242 and Lot 21 DP 437509) at the end of Marshall Avenue within the Threepwood Farm development. In their Stage 2 submission (#2567) they have sought that the notified

boundary of the Slope Hill ONF be relocated to exclude any Threepwood Farm development land (particularly land within Lot 1 DP 21614). They have also sought that the southern part of the Threepwood Farm development bounded by Slope Hill, Lake Hayes and the Ladies Mile Highway (SH6) be rezoned from notified Amenity Zone to a new 'Rural Lifestyle Precinct' or a similar rural living zone. I am unsure whether by this they mean Rural Lifestyle Zone, or Precinct. The remainder of their submission, which seeks a one-hectare minimum lot size in the Rural Lifestyle Zone indicates that they may be seeking this Stage 1 zone. I understand that their submission point relating to a visitor accommodation sub-zone will be dealt with in Hearing Stream 15. Rural Lifestyle zoning of the Threepwood land is also sought by Submitter #535.

6.8 Having visited the site, I agree that the toe of Slope Hill lies largely outside Lot 1 DP 21614, roughly following an old track at the base of hill. However in my assessment the ONF boundary does enter the north-western part of the lot, where the toe of the hill crosses the property boundary. The notified and recommended ONF boundaries are shown in Figure 2 below.

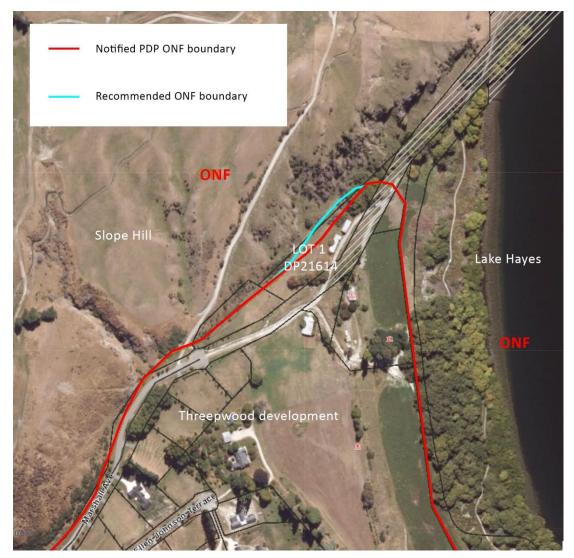


Figure 2: notified PDP and recommended ONF boundaries in north-eastern corner of Threepwood.

Slope Hill and land adjoining Slope Hill Road East, were subdivided for residential development in the early 2000s, following a lengthy appeal and mediation process. Land use and subdivision consents were confirmed though a consent order in May 2004. Subsequent Environment Court proceedings concerned alleged breaches of the conditions of that consent order in the southern residential development block adjacent to Lake Hayes. Use and development of this block of land has been highly contested, largely because it forms part of an iconic 'postcard' view across Lake Hayes to the historic Threepwood homestead from SH6, the Lake Hayes Showground Reserve, the Lake Hayes track, and established residential areas on the southern and eastern shores of the lake.

- Oevelopment in the southern block of Threepwood Farm is clustered on flat land adjacent to Slope Hill and set back at least 400 metres from Ladies Mile, with pastoral open space maintained on the intervening land. A publicly accessible car park on McDowell Drive provides access to the Lake Hayes trail. Most of the consented development is also set well back from the margins of Lake Hayes, or is screened from vantage points across the lake by mature trees on the property. From the southern and eastern shores of Lake Hayes, little new development impinges on the 'postcard' view of the lake, the historical buildings and trees at Threepwood, Slope Hill, and the mountainous backdrop.
- As a result the eastern part of the site that slopes down from the Ladies Mile terrace to Lake Hayes has significant scenic values. It is highly sensitive to development that would further compromise the natural character and scenic values of the adjacent lake or adversely affect iconic views across the lake. The notified Amenity Zone would in my view be effective in protecting the landscape values of the adjacent ONF. Additional rural living development in this part of the site, as sought by the submitter, is likely to have a high level of adverse landscape and visual effect on the adjacent ONF.
- The western area of the site forms part of the flat terrace of Ladies Mile, and is not highly visible from Lakes Hayes. For the reasons set out in Paragraphs 7.11 to &.13 of my evidence below, I consider that Rural Lifestyle zoning of this terrace (with a minimum lot size of 1 hectare and an average of 2 hectares) would be appropriate from a landscape perspective, as long as appropriate set backs were maintained from the Ladies Mile Highway. In relation to the Threepwood site, I am also of the view that development controls would be needed to ensure that new rural living development was not visible from the surface and shores of Lake Hayes to the east. A plan of the recommended area is included as Figure 3 below.
- 6.13 Consequently, I do not oppose parts of the relief sought by Submitter #2567 in terms of landscape effects.



Figure 3: Area of rural living rezoning sought by Submitter #2567 (bordered in blue) and area (shaded red) I do not oppose be rezoned to Rural Lifestyle.

Wayne Evans, GW Stalker Family Trust, Mike Henry – #534; K Stalker - #353; G W Stalker, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, Sam Strain - #535, Milstead Trust - #813, GW Stalker Family Trust - #2553

- 6.14 Submitters #353, #534, #535 and #813 have all sought that the notified boundary of the Slope Hill/Lake Hayes ONF be amended in the vicinity of Springbank and Glenpanel. The submitters consider that the notified line does not represent a practical or logical boundary to the feature on the basis of topography, vegetation and residential occupation. Submitter #534 has also sought Rural Lifestyle rather than Rural Zone (which in Stage 2 has been 'replaced' by Amenity Zone) for the land between Lower Shotover Road and the amended ONF boundary sought.
- 6.15 In a subsequent submission to Stage 2 of the PDP, GW Stalker Family Trust (#2553) have also sought an alternative relief that the land around Springbank be rezoned from notified Amenity Zone to Precinct, but with a one-hectare rather than a 4000m² lot minimum and other

changes to the Chapter 24 provisions. The rezoning aspect of this submission has been addressed by Bridget Gilbert in her evidence.

6.16 Submitter #535 has sought Rural Lifestyle rather than Rural zoning for the land between Ladies Mile Highway and an amended ONF boundary. This aspect of their submission is addressed in Section 7.1 of my evidence.

ONF boundary

6.17 The south-western boundary of the Slope Hill ONF was considered by the Environment Court in C216/2001⁹ and this boundary is included as a solid line in Map 1 of Appendix 8A to the ODP. It is described in the decision as follows:

We adopt the conclusion of Ms E Kidson, the landscape architect called for the Council. She stated:

... The southernmost Hawthorn shelter block that runs up to the end of the water race also demarcates the end of the domesticated landscape patterns. The southern side of this shelter block exhibits an open and more natural topography. It therefore is logical for the landscape line to follow the hawthorn hedge up the southwest flank of Slope Hill to the water race and then to travel along at this level to the west.

6.18 In the Landscape Boundaries Report, Dr Read accepted the southwest boundary approved by the Environment Court, but recommended modifications to the indicative line further north and parallel to Lower Shotover Road, around the northern extent of Slope Hill, and at the southern extent near Glenpanel. These recommendations were endorsed by Mr Ben Espie in his review of the landscape boundaries report. However the line shown in Figure 49 of the Landscape Boundaries Report and in the notified PDP maps differs slightly from that described in C216/2001 on the south-west side of the hill (refer Figure 4 below), as it does not follow the hawthorn hedge up the slope

⁹ Stalker Family Trust v Queenstown Lakes District Council [2001] NZEnvC (C216/2001).

¹⁰ Ibid, para 17.

¹¹ At page 53.

¹² Espie, Ben. Landscaoe Categorisation Boundaries Wakatipu Basin. Peer Review of Read Landscapes Report dated 1st April 2014, paragraph 38.

to meet the irrigation race, but instead follows the edge of Springbank Grove road reserve.

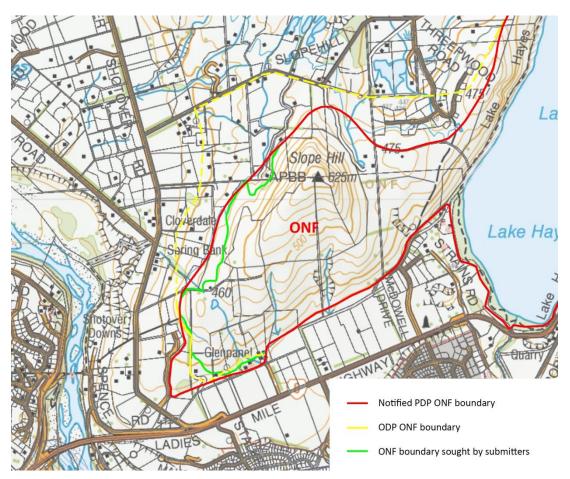


Figure 4: ONF boundaries on the south-west and west sides of Slope Hill. Boundary sought by submitters in green.

- 6.19 In my view the key characteristics of Slope Hill that lead to its classification as an ONF include the following:
 - (a) the rôche moutonée glacial landform, with a smooth 'up-ice' slope to the south-west, and a steeper rough 'plucked' slope to the east adjacent to Lake Hayes;
 - (b) the openness and pastoral character of the landform that allow the underlying formative processes to be clearly legible;
 - (c) the relative lack of built form and landform modification; and
 - (d) the high level of visibility of the hill from within the Wakatipu Basin, particularly from SH6 west of the Shotover River (see Photograph 1 below), Ladies Mile, and the Lake Hayes area.

This visibility is associated with a high level of shared and recognised scenic value.



Photograph 1: View towards Slope Hill from SH6 west of the Shotover River (photograph taken at 105mm lens equivalent at 4.08pm on 17/04/18)

- 6.20 Having assessed the character of the landscape in the areas between the notified boundary and that sought by submitters, I agree with the submitters that the ONF boundary should exclude the Glenpanel homestead and curtilage and the dwellings at 399 Frankton Ladies Mile Highway and 14 Lower Shotover Road. The Glenpanel homestead and curtilage is largely on the flats rather than the hill slope and is included within the indicative boundary of the potential Ladies Mile Special Housing Area in the QLDC Housing Accords and Special Housing Areas Act 2013 Implementation Policy, dated 29 October 2017. The dwellings and associated development and domestic planting at 399 Frankton Ladies Mile Highway and 14 Lower Shotover Road are clearly located within the topographical feature of Slope Hill. However this is also true of rural living development on the western slopes of the hill.
- 6.21 The Court's reasoning for the location of the ONF boundary in C216/2001 was to exclude domesticated landscape patterns on the lower slopes. While the existence of dwellings and some domestication

should not disqualify a landscape or landscape feature from consideration as an ONL or ONF, in the Springbank area I consider the dwellings and curtilage areas discussed above (with the exception of Glenpanel homestead) are more appropriately included with the other more domesticated lower slopes of Slope Hill. These are zoned Amenity Zone under the notified Stage 2 PDP.

- **6.22** Further north on the western side of Slope Hill I consider that the notified ONF boundary is appropriately located and provides a clear boundary between the more developed lower slopes and the more open and elevated upper slopes (refer Figure 4 above).
- 6.23 I therefore agree with the amendment to the ONF boundary sought by submitters in the Glenpanel/Springbank area (shown in green in Figure 5 below), but oppose the other amendments sought by the submitters.

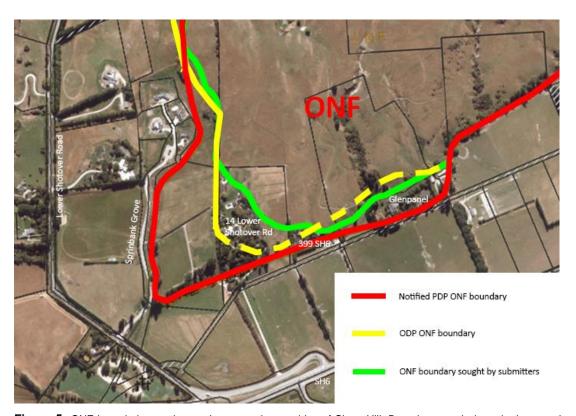


Figure 5: ONF boundaries on the south-west and west sides of Slope Hill. Boundary sought by submitters and recommended in this evidence in green.

Rezoning

6.24 The land between the recommended ONF boundary and Lower Shotover Road forms part of the foreground of views to Slope Hill from

the wider Wakatipu Basin, particularly from the Domain Road triangle, Quail Rise, and the section of SH6 west of the Shotover River. No existing built development is currently visible from this last vantage point (see Photograph 1 above). Additional rural living development within this area of the Slope Hill foothills has the potential to detract significantly from the visual coherence of the hill and to exacerbate the adverse effects of existing development on the integrity of the landscape feature. It would also undermine the character and rural amenity associated with existing development, which consists of large (about 3 to 10 hectares) or clustered lots, with houses set well back from roads and integrated by vegetation. I consider the proposed Amenity Zone is appropriate from a landscape perspective and do not support the Rural Lifestyle or Precinct rezoning sought.

With reference to the Glenpanel homestead (Lot 1 DP 20162 Sec 1 SO 24954 and Lot 1 DP 463535), which I have recommended be excluded from the ONF, the most appropriate zoning from a landscape perspective is Rural Lifestyle. My reasons for this opinion are set out in paragraphs 7.11 to 7.13, which address rezonings sought for the Ladies Mile terrace.

Lake Hayes Estate Margins

Bridesdale Farm Developments Limited – #655, Jane and Richard Bamford - #492, Martin McDonald and Sonya Anderson - #451

- Bridesdale Farm Developments Limited has sought rezoning of approximately 30 hectares of land adjoining the eastern side of Lake Hayes Estate from a mixture of Low Density Residential (LDR), Rural Lifestyle and Rural to Medium Density Residential (MDR) in 'that part of the Site land above the floodplain'. The actual extent of MDR zoning sought is not defined in the submission. The submitter has also sought that the ONL boundary be relocated south of the Bridesdale Farm site on the true left bank of the Kawarau River.
- 6.27 Jane and Richard Bamford (Submitter #492), whose property adjoins the western boundary of Bridesdale Farm, support the notified PDP location of the ONL boundary and the notified Rural zoning. However

if the Bridesdale Farm Special Housing Area (**SHA**) resource consent is approved (which it has been), they seek rezoning to a rural living zone (not specified) or to Low or Medium Density Residential for their property and the adjoining properties to the west. Martin McDonald and Sonya Anderson (Submitter #451), whose property adjoins the northeastern boundary of the SHA, do not oppose the notified PDP ONL location or the notified zoning of Rural Lifestyle for their own site and LDR for the neighbouring sites. They note however that the adjoining land to the west of their site (45A-C Erskine Street) is subject to covenants in favour of the submitter prohibiting any further subdivision or erection of more than one residential unit on each lot and question whether LDR zoning and inclusion within the Urban Growth Boundary (**UGB**) is appropriate for these lots.

ONL boundary

6.28 Since the close of Stage 1 PDP submissions, the Bridesdale Farm land above the Kawarau River escarpment has been developed as a medium density urban area. This followed designation as an SHA and grant of a resource consent (SH15001) under the Housing Accords and Special Housing Areas Act (HASHA). I provided landscape evidence for QLDC in relation to this consent and made the following conclusions regarding the location of the ONL boundary:

The Remarkables range to the south of the site, the Kawarau River and the roche moutonée of Trig A3A9 and Morven Hill were categorised as outstanding natural features/landscapes (ONL) in the C180/1999 decision of the Environment Court. The court located the ONL boundary south of Hayes Creek at the 'top of the lowest terrace on the northern bank of the Kawarau'¹³. This boundary was refined as part of Environment Court decision C203/2004, and although the line shown on the maps in Appendix 8A of the QLDC District Plan is not clear or exact, it appears to run just north of the pylon line across application site.

Following an onsite assessment of the landscape I would locate the 'top of the lowest terrace' and the top of 'the clear banks' of the

¹³ Wakatipu Environment Society Incorporated v Queenstown Lakes District Council C180 /99 [1999] NZEnvC 417 (29 October 1999), paragraph 111.

Kawarau River in this vicinity at the crest of the escarpment where Judge and Jury Drive terminates and at the pine shelterbelt south of McBride Cottage . . . However urban residential development has spilled over this crest onto a narrow terrace half way up the river bank and in my opinion this area can therefore no longer be considered part of the outstanding natural landscape. As a consequence I agree that the VAL/ONL boundary runs along the crest of the lower escarpment . . .'

- 6.29 This VAL/ONL boundary is the same as that shown on the notified PDP planning maps. The VAL/ONL boundary was supported by the landscape witness for the applicant and confirmed in the commissioners' decision on SH15001. Since that time, the escarpment area within the ONL has been modified by earthworks, roading and native planting, and both stormwater ponds and a rectilinear pattern of roads and allotments have been established on the floodplain below Bridesdale Farm. These modifications have undermined the legibility and expressiveness of the river valley landscape to some extent and reduced its natural character.
- Adjacent QLDC-owned reserve land on the floodplain has been notified as Informal Recreation in Stage 2 of the PDP. The policies for this zone include enabling informal recreation activities, including small-scale community uses and commercial recreation activities, while maintaining the landscape and amenity values of the zone. Recreation facilities or buildings would be discretionary activities and would be assessed against the specific landscape assessment matters for ONL and ONF in Part 38.15.1 of the notified chapter. As a consequence I do not consider that the zoning would have significant adverse effects on the natural character of the floodplain. I am still of the view that the escarpment and floodplain on the Bridesdale Farm site are appropriately included within the ONL.
- **6.31** I therefore oppose the relief sought in submission #655 in relation to the ONL boundary.

Proposed rezoning

- While the Bridesdale Farm site has been developed as medium density urban form, it retains underlying LDR, Rural Lifestyle or Rural zoning in the notified PDP. Given the development that has occurred under the SHA process, I do not oppose rezoning of the Rural and Rural Lifestyle-zoned parts of the site outside the ONL to an urban residential zoning. For most of the site, such rezoning is unlikely to have any additional adverse landscape or visual effects.
- 6.33 The exception is where existing residential lots and open space adjoin the margins of Hayes Creek or the ONL. Additional development on this land has potential to significantly detract from the natural character of the creek margins or of the adjacent ONL.
- 6.34 Immediately west of Bridesdale Farm there are six residential lots that are wholly or partially zoned Rural in the notified PDP (Lots 12-17 DP 445230, Nos 38, 44, 46, 48, 50 and 52 Judge and Jury Drive). It is assumed that these are the lots that Submitter #492 has sought rezoning over. The lots are between about 2400 and 8300m² in area and include three steep escarpments, separated by two narrow terraces.
- 6.35 The lowest three lots contain existing dwellings or building platforms on the upper terrace but extend southwards to include the two lower escarpments and a small intermediate terrace (see Photograph 2 below). The scarps and intermediate terrace do not contain any built development apart from a couple of temporary sheds, and are continuous with the escarpments to the west and east that define the boundary of the Kawarau River corridor and the ONL. As discussed above I consider that the legibility and natural character of the escarpments and floodplain mean that they are appropriately classified as part of the ONL. I do not consider that urban residential zoning of the ONL portion of these lower lots would be appropriate from a landscape perspective, as it would have significant adverse cumulative effects on natural character.



Photograph 2: View towards land sought to be rezoned by Submitter #492 at Judge and Jury Drive (photograph taken at 50mm lens equivalent at 9.30am on 10/02/16)

6.36 LDR rezoning outside the ONL could allow for a maximum density of one residential unit or dwelling per 300m² net site area, on lots of between 450 to 1000m², while MDR rezoning could result in even more dense development. Given the sensitivity of the sites, immediately adjacent to and visible from the ONL, and the topography of the escarpment/terrace sequence, I do not consider it likely that urban development to these potential densities would be appropriate from a landscape perspective. In my view development to LDR or MDR densities would not avoid significant adverse effects on the integrity of the landform and the aesthetic values of the landscape. It is possible that a well-designed integrated development that avoided the steep slopes and mitigated adverse effects on the adjacent ONL could be absorbed, but LDR or MDR zoning would not ensure this outcome. I consider it possible that Rural Lifestyle, Rural Residential or Large Lot Residential zoning of the land outside the ONL could be absorbed but this would represent isolated spot zoning.

6.37 As a consequence I oppose the relief sought by Jane and Richard Bamford in relation to rezoning.

- 6.38 Martin MacDonald and Sonya Anderson (#451) have sought reconsideration of the notified LDR zoning and the proposed inclusion within the UGB of three lots (45A-C Esrkine Street) adjoining their site. From a landscape perspective I consider the LDR zoning of these lots is appropriate, as they are contiguous with other LDR-zoned land on the eastern edge of Lake Hayes Estate. Development of these lots in accordance with the LDR provisions would not in my view have any adverse effects on landscape character or visual amenity, other than effects on the visual and rural amenities of the adjacent MacDonald/Anderson property. I understand that these amenities are protected by the existing covenants in favour of the submitters. I also consider that the notified location of the UGB is appropriate from a landscape perspective.
- 6.39 Consequently I oppose the relief sought by the submitters in relation to 45A-C Erskine Street.

Scott Crawford - #842

- 6.40 Scott Crawford has sought that the boundary of the ONL at Lake Hayes
 Estate be relocated to the true left bank of the Kawarau River,
 particularly in relation to the submitter's site at Lot 403 DP379403.
- As discussed in paragraphs 6.28 to 6.30 above, I consider that the escarpment and floodplain between Lake Hayes Estate and the Kawarau River are appropriately included within the ONL. The boundary location was determined by the Environment Court as part of Decision C203/2004 and since that time there have been no developments that have significantly affected the natural character and legibility of the river valley landscape.
- 6.42 Lot 403 DP 379403 is located on the eastern side of the end of Onslow Road. Consent for subdivision of the site into 21 vacant lots of between 340 and 1090m² in area was granted as part of SH160140, a consent granted under the HASHA. The notified ONL boundary runs through the subdivided area and includes 5-6 lots within the ONL. As a result of historic earthworks on the site, I consider the ONL boundary is more

appropriately located at the crest of the bund south of the residential lots (refer Figure 6 below). This now forms the effective crest of the river escarpment.

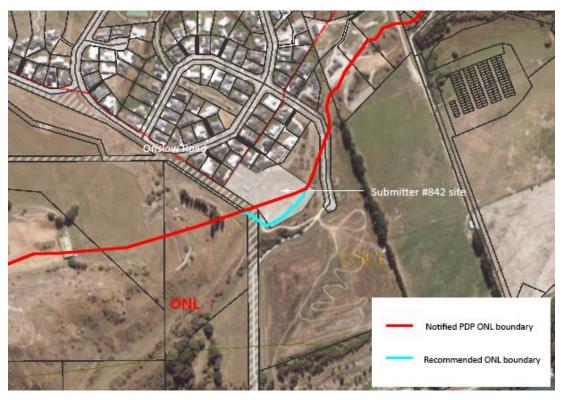


Figure 6: Notified PDP and recommended ONL boundaries on Lot 403 DP 379403.

- Mr Crawford has sought MDR zoning of Lot 403 DP 379403, and a relocation of the UGB to include all this land. The density of residential development already consented on the site approaches that anticipated in the MDR zone, taking into account the building restriction area on the bund in the southern part of the site. However, established residential properties north of the site are of lower density and are zoned LDR, meaning that MDR zoning of the site would be an isolated spot zone. If the building restriction area and other controls on consented development (6-metre building height for southern lots and restrictions on fencing) that protect the integrity of the ONL were retained I consider that LDR zoning of those parts of the site outside the ONL could be appropriate from a landscape perspective. I also do not oppose the relocation of the UGB to include these new areas of LDR.
- **6.3.1** I therefore do not oppose the relief sought by Submitter #842 in part.

Morven Hill

L Topp - #121, #2254

- 6.44 Mr Lindsay Topp has sought that the boundary of the ONL of Morven Hill and the Kawarau River be amended on Lots 1 and 2 DP 476278 to reflect the boundary approved in Environment Court Decision C203/2004.¹⁴ In submission #2554 Mr Topp has also sought an extension of the notified Precinct on his land. This rezoning submission is addressed by Bridget Gilbert in her evidence.
- Appendix 8A Map 1 of the ODP shows the location of the ONL boundary as approved in the 2004 decision. It is necessarily a broad brush boundary, as the base map is at a scale of 1 : 50,000 and the lines are drawn at a thickness that would translate to about 20 metres on the map. My experience in undertaking landscape assessments under the ODP is that these broad brush lines require more accurate delineation on the ground.
- It is however clear from the Appendix 8A map that, in the vicinity of the submitter's property, the boundary is intended to cross Hayes Creek from the west, to run along the crest of the escarpment that encloses the Kawarau River valley and to then to follow the base of the Morven Hill roche moutonée where there is a clearly legible change in gradient. In my assessment the boundary included in the notified PDP maps accurately follows this legible topographical boundary, except in relation to Alec Robins Road. To achieve consistency with the topography, the line should cross the road reserve diagonally to reach the eastern side of the road just south of the driveway entry to 111 Alec Robins Road (refer to Figure 7 below). I therefore oppose the relief sought in part.

¹⁴ Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2004] NZEnvC 450 (C203/2004).

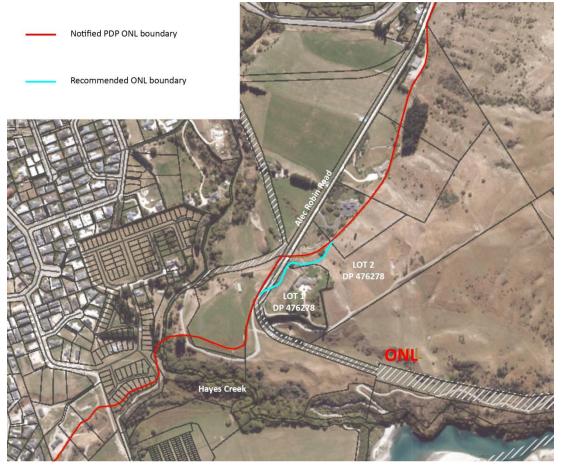


Figure 7: Notified PDP and recommended ONL boundaries in the vicinity of Lots 1 and 2 DP 476278.

Alexander Kenneth & Robert Barry Robins, Robins Farm Limited - #594

- 6.47 Submitter #594 has sought that the boundary of the ONL of Morven Hill be amended to exclude Lot 5 DP468905 (24 Jean Robins Drive) from the ONL.
- The majority of No. 24, along with the adjacent site at 18 Jean Robins Drive (also within the notified ONL), is zoned Rural Residential. Building platforms on these lots were approved as part of resource consent RM030224 and the platform on No. 18 has been developed.
- 6.49 The definition of the boundary of an outstanding topographical feature such as Morven Hill would in my view usually follow topographical markers. On the northern side of Morven Hill this means that the boundary of the feature would logically follow the toe of the hill just south of the Lake Hayes Arrow Junction Highway. However development of the lower northern slopes in accordance with the ODP

Rural Residential zoning has significantly undermined the natural character, coherence and visual integrity of this part of the feature. This development includes earthworks for roads, driveways and building platforms, construction of often large and bulky dwellings, and planting of a domestic character. In my assessment the level of modification of this part of Morven Hill means that it is no longer sufficiently natural to be included in the ONF classification.

- 24 and 18 Jean Robbins Drive contain either an existing dwelling or a consented building platform that has or will result in modification and domestication similar to that of properties to the north and east. I consider that the existing or anticipated character of the developed parts of these two properties has more in common with the land to the north and east (which in my view should be excluded from the ONF) than with the remaining northern slopes of Morven Hill. I therefore recommend that the ONI/ONF boundary be relocated to exclude the developed parts of these sites (refer Figure 8 below).
- 6.51 The land to the north and east of these two sites is zoned Amenity Zone in Stage 2 of the PDP. Given the sensitivity of this northern slope of Morven Hill and the proximity of the two sites to the ONL I consider that this would also be the appropriate zoning for the areas of these sites outside the ONL.
- **6.52** I do not oppose the relief sought by the submitter in relation to the ONL boundary in part.



Figure 8: Notified PDP and recommended ONL boundaries in the vicinity of 18 and 24 Jean Robins Drive.

Debbie MacColl - #285

- Debbie MacColl has sought that the ONL lines be removed from the PDP until further consultation with the community has been undertaken. The submitter has also specifically sought that the boundary of the Morven Hill ONL above the Rural Residential Zone be placed slightly higher than the saddle at the western end of the hill and that the line on the eastern side of the hill be deleted. Another specific amendment sought is to exclude the hill (known as Punt Hill) just west of the end of Morven Ferry Road and adjacent to the Kawarau River. I understand that the issue raised in the first submission point has been addressed in Stage 1 decisions.
- As discussed in Paragraph 6.49 above, I consider that the entire north-western face of Morven Hill, including most of the ODP Rural Residential Zone (Amenity Zone in notified Stage 2), is part of the distinctive topographical feature. The rôche moutonée is one of a number of distinctive ice-eroded hills within the Wakatipu Basin (also including Peninsula Hill and Slope Hill) that have been identified as

ONF. The ONF of Morven Hill is within a wider ONL that includes the Kawarau River and associated landforms and the Remarkables and Ben Cruachan ranges.

- 6.55 Existing development within the ODP Rural Residential Zone on the northern slopes has reduced the natural character and visual coherence of Morven Hill. Relocation of the ONL boundary further up the north-western slopes, as sought by the submitter, could in my view result in a significant additional loss of openness, natural character and visual coherence. I consider that additional development on this face would be inappropriate and would be inconsistent with the objectives and policies of the PDP in relation to landscape.
- The location of the ONL boundary on the eastern side of Morven Hill, which the submitter seeks to be deleted, is discussed in paragraphs 6.68 to 6.75 below.
- 6.57 I am unsure of the exact ONL boundary location that Submitter #285 has sought in the vicinity of Punt Hill, just to the west of the end of Morven Ferry Road. However the location in the notified PDP maps follow the line that the submitter appears to seek, running eastward from the crest of the Kawarau River escarpment around the base of the front face of Punt Hill, roughly on the alignment of the electricity transmission lines. In my assessment this is the appropriate topographical boundary for Punt Hill, which forms part of the ONL of the Kawarau River corridor.
- 6.58 I oppose the relief sought by the submitter in relation to the northern face of Morven Hill.

Private Property Limited - # 693

6.59 Private Property Limited has sought that the notified northern boundary of the Morven Hill ONL be relocated to exclude both the dwelling on the submitter's property and a strip of land adjacent to State Highway 6 (SH6). The submitter has also sought that the land excluded from the ONL be rezoned from notified Rural Zone to Rural Residential.

- The land sought to be excluded from the ONL is a continuous part of the northern slope of Morven Hill, which in this location extends down to the state highway. While there are two narrower hummocky terraces on the hill slopes, one of which is the site of the submitter's dwelling and curtilage, these are minor variations in the continuous gradient. In my view they do not constitute a topographical marker of the rôche moutonée extent.
- I consider that the ONL boundary is appropriately located on the submitter's land. As a consequence I oppose the relief sought by the submitter in relation to Rural Residential zoning. This land is within an ONL and I consider a Rural Residential zoning would exacerbate the adverse effects of existing rural residential development on the natural character and visual coherence of Morven Hill. The zoning would not protect the ONL from inappropriate subdivision and development.
- As a consequence I oppose the relief sought by Submitter #693.

Philip Bunn - #265, David and Margaret Bunn - # 442

- 6.63 Submitters #265 and #442 have sought changes to the notified PDP ONL boundary as it relates to their land in Morven Ferry, and in the case of Submitter #265, as it relates to neighbouring land on the eastern and southern sides of Morven Hill.
- The submitters are concerned that the ONL boundary on their land has been relocated from that included in the ODP. Comparison of the notified PDP and ODP lines shows that they are actually in roughly the same location and that no significant additional area of land on the Bunn property has been included in the ONL (refer Figure 9 below). The notified PDP boundary has however been refined and now more closely follows the topographical boundaries of the natural features included within the ONL.
- excluded from the ONL, in order to allow for recreational development such as mountain biking tracks. In my view these southern faces form

a logical and integral part of the ONF and the wider ONL of the Kawarau River valley.

- 6.66 When considering the appropriate planning consequences of this land being an ONL, recreational development of the area is not precluded by the Rural zoning or the landscape classification, although development would need to achieve the PDP objective of protecting, maintaining or enhancing the ONF (Objective 6.3.3). The change to the ONL boundary sought by Mr Bunn on the eastern side of Morven Hill is discussed in paragraphs 6.68 to 6.75 below.
- **6.67** Consequently, I do not oppose parts of submissions #265 and #442.

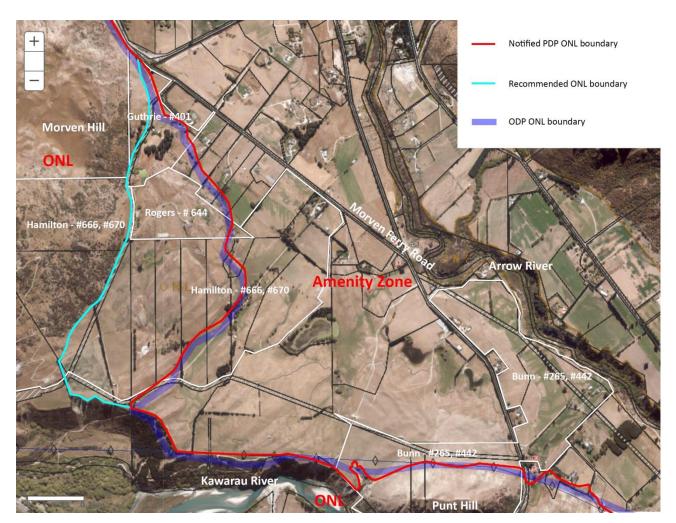


Figure 9: ONL boundaries on the eastern side of Morven Hill.

Maxwell Campbell Guthrie - #401 #2412, Dennis M Rogers - #644, Janice Margaret Clear - #664 #2266, William Alan Hamilton - #666 #2260, Lynette Joy Hamilton - #670 #2268, Susan May Todd - #690 #2439, Ann Hamilton - #695 #2261, Geoffrey Clear #2264

- These submitters have all sought amendments to the location of the ONL boundary on the eastern side of Morven Hill within the Guthrie, Rogers and Hamilton properties (refer Figure 9 above). Mr Guthrie has also sought rezoning of his land from Rural (partly Amenity Zone in notified Stage 2) to Rural Residential, while submitters #664, #666, #670 and #690 have sought rezoning of the Hamilton property from notified Rural and Amenity Zone to an undefined mixture of Rural Lifestyle and Rural Visitor zone. The ONL boundary submissions #670 and #690 are supported by a further submission from Anna-Marie Chin (#1310), although this submitter opposes the rezoning sought for the land.
- as part of Environment Court Decision C203/2004, where the Court adopted a boundary defined by QLDC's landscape witness Ms Liz Kidson. The decision focused on the landscape classification of land south of the Kawarau River and did not include any discussion of the rationale for the ONL boundary on the eastern side of Morven Hill. The boundary adopted by the Court was subsequently included as a solid line in the landscape classification maps in Appendix 8A of the ODP and has been refined only slightly in the notified PDP maps (refer Figure 9 above). There was no detailed discussion of this boundary in the Landscape Boundaries Report, which formed the basis for the notified PDP landscape classifications.
- 6.70 As defined in the ODP and the notified PDP, the ONL includes an ice-eroded elevated plateau that adjoins the eastern face of Morven Hill and is separated from lower land in Morven Ferry by an exposed schist escarpment of between 20 and 40 metres in height (refer Photograph 3 below). The Arrow irrigation race runs around the lower third of the

¹⁵ Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2004] NZEnvC 450 (22 December 2004) (C203/2004), paragraph 30.

escarpment and this feature appears to have been used as a marker for the majority of the ODP landscape boundary.



Photograph 3: View south-west from Morven Ferry Road to escarpment separating lower land around the road from the elevated plateau. Planting around dwelling on the Rogers' property visible at top of escarpment and Arrow irrigation race visible in lower third of escarpment (photograph taken at 50mm lens equivalent at 12.32pm on 9/03/18)

- The submitters have sought an amended ONL boundary that follows the irrigation race on part of the Guthrie property, but then follows a partially unformed legal road running at about the 430 metres above sea level (masl) contour around the base of Morven Hill. The access to the Rogers' property is via this legal road.
- 6.72 The character of the elevated hummocky plateau that is sought to be excluded from the ONL is in many ways similar to that of land to the north of SH6 within Hogans Gully Farm and the ODP Bendemeer Special Zone. Steep exposed schist escarpments support a mosaic of matagouri, briar rose, hawthorn and in places broom, and are similar in visual appearance and level of natural character to the steep slopes of Morven Hill. The rolling hummocky parts of the plateau are generally in pasture, and are currently used for deer or horse grazing or cropping (refer Photographs 4 to 7 below). Farm shelter belts divide the paddocks and there are extensive areas of exotic tree planting on the Rogers property. Development within the plateau includes the Rogers

dwelling and shed/garage, scattered farm buildings and hay sheds, fences and farm tracks.



Photograph 4: View south-west across plateau from Rogers driveway, with Rogers horse paddock in foreground and Hamilton property beyond immature conifer shelter belt (panorama stitched from 4 photographs taken at 50mm lens equivalent at 12.20pm on 9/03/18)



Photograph 5: View north from Rogers driveway showing hummocky plateau with Morven Hill in background (panorama stitched from 2 photographs taken at 50mm lens equivalent at 12.21pm on 9/03/18)



Photograph 6:View of plateau escarpment and Arrow irrigation race from within Hamilton property, with Morven Hill behind (photograph taken at 50mm lens equivalent at 1.35pm on 9/03/18)



Photograph 7: View south from within plateau in southern part of Hamilton property (panorama stitched from 3 photographs taken at 50mm lens equivalent at 1.52pm on 9/03/18)

- 6.73 The hummocky landform and exposed schist escarpments are expressive of the processes of glaciation and erosion that have formed the landscape and have strong scenic values. From some public viewpoints on SH6 and Morven Ferry Road, the exposed schist escarpment appears to be part of the slopes of Morven Hill and has a high level of perceived naturalness. The upper surface of the plateau is however modified by grazing and cropping activities and is similar in character to the elevated land north of SH6 (refer Photograph A1 in Attachment A), which was notified as Amenity Zone in Stage 2.
- Both the plateau east of Morven Hill and the Hogans Gully Farm and Bendemeer plateaus north of SH6 are expressive topographical features that provide a high level of visual amenity and make important

contributions to the natural and pastoral character and to the memorability and expressiveness of the Wakatipu Basin. In my assessment they have little capacity to absorb additional development without significant adverse landscape effects.

- 6.75 In order to ensure consistency in the application of the landscape classification process and to ensure that landscape units of similar character have the same classification, I recommend that the plateau and escarpment east of Morven Hill be included in the wider ONL landscape to the east and north that is proposed to be zoned Amenity Zone. The boundary of the ONL would align roughly with the change of gradient at the eastern toe of Morven Hill (refer Figure 9 on page 32 above). This change in gradient follows the Arrow irrigation race from SH6 across the northern part of the Guthrie property to reach the legal road designation, then along the western side of the legal road as far as a north-south oriented pine shelter belt on the Hamilton property. From there the change in gradient diverges from the legal road to follow the paddock fence line to the next north-south pine shelter belt, and follows this line of trees down to reach the crest of the Kawarau River escarpment.
- 6.76 I am not opposed to the land east of this line being included in the Amenity Zone.

Proposed rezoning

- 6.77 With reference to the Rural Lifestyle or Rural Visitor zoning sought for the Hamilton property, I consider that the notified Rural Zone (on the southern and eastern sides of Morven Hill within the ONL) and Amenity Zone (on the remainder of the property) is appropriate from a landscape perspective. The decisions version of the Rural Zone would in my view ensure that any development protected, maintained or enhanced the Morven Hill ONF.
- 6.78 The plateau that I am recommending be excluded from the ONL would logically form part of LCU18, defined in notified Chapter 24 as Morven Eastern 'Foothills'. I agree with the Chapter's description of the absorption capacity of this unit as 'low', as a result of its close proximity

to ONLs and ONFs, its moderate perception of naturalness, and its role as a transition between the mountain ONL and the lower lying and more developed river terrace to the east. Given the sensitivity of this landscape unit I consider the notified Amenity Zone is the most appropriate method of maintaining the rural landscape and amenity values.

LCU 20 Crown Terrace

Tony McQuilkin - #459, BSTGT Limited – FS#1122 #2487

- 6.79 Tony McQuilkin and BSTGT Limited (FS#1122 and #2487) have sought that the notified PDP boundary of the Crown Escarpment ONL be amended in relation to their adjacent properties, which are at 141 and 117 Glencoe Road. A map of the proposed amended boundary is attached to Mr McQuilkin's submission and this line has been included in Figure 10 below.
- 6.80 The boundary between the Crown Escarpment and the VAL of the Crown Terrace was determined by the Environment Court in decision C87/2002.¹⁶ In this decision the Court preferred the landscape boundary determined by Mr Ben Espie, except in two locations that are not relevant to the properties under discussion.¹⁷ A general principle expressed in C87/2002 was that the stream gullies extending into the working farmland from the Crown Escarpment and from the Royalburn and Swiftburn gorges should be considered as natural elements of the VAL rather than as extensions of the ONL. As expressed by Mr Espie and quoted in the decision:¹⁸
 - '. . . I was drawing a line between a farming landscape which has some waterways running through it and a point at which the gully of the waterway becomes part of a legible feature with different ecological and geological and topographic character, so at some point along that waterway, at the point where I have drawn the line in fact, is the separation between those two things.'

¹⁶ Wakatipu Environmental Society Inc v Queenstown Lakes District Council [2002] NZEnvC 268 (C87/2002).

¹⁷ Ibid, paragraph 22.

¹⁸ Ibid, paragraph 18.

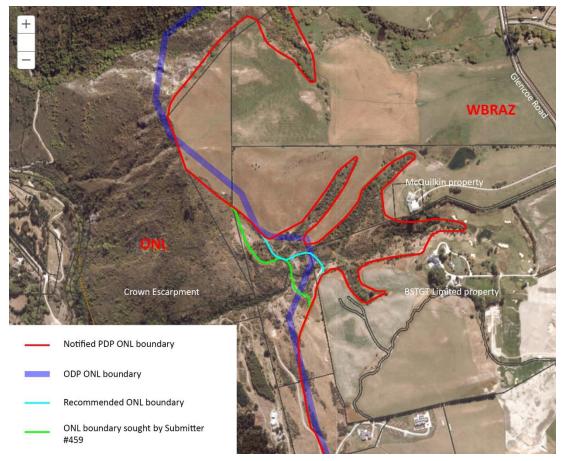


Figure 10: ONL boundaries in the northern Crown Terrace. Boundary sought by Submitter # 459 in green.

Read's Landscape Boundaries Report that formed the basis for the notified PDP mapping, or in Mr Espie's review of that report. I assume therefore that the boundaries delineated in C87/2002 and subsequently included in the ODP Appendix 8A landscape classification maps (although I note these do not completely align – refer Figure 10) were intended to be transferred to the notified PDP maps. This does not appear to have occurred on the submitters' properties. Instead the boundary has been extended to include all vegetated parts of the stream gullies on the property. While the hand-drawn ODP boundary line is inexact and does not accurately follow the crest of the Crown Escarpment, it is clear from the deviation eastward of the ODP boundary up the gully on the submitters' properties that the lower part of the stream gully was intended to be included in the ONL.

- Having visited the site, analysed the landscape characteristics and values, and considered the C87/2002 decisions, I recommend that the ONL boundary be amended to the turquoise line in Figure 10 above. My reasons are:
 - (a) 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;
 - (b) 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
 - (c) 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'.



Photograph 8: View of Crown Escarpment from SH6, showing location of small terrace on the McQuilkin property (photograph taken at 105mm lens equivalent at 12.42pm on 10/03/18)



Photograph 9: Exposed schist ridges within the gully area on the BSTGT Limited property that is recommended to be included in the ONL (photograph taken at 50mm lens equivalent at 9.13am on 10/03/18)



Photograph 10: Exposed schist escarpments and historic gold mining tailings within the gully area on the BSTGT Limited property that is recommended to be included in the ONL (photograph taken at 50mm lens equivalent at 9.11am on 10/03/18)

6.83 In summary, I do not oppose, in part, the relief sought by Tony McQuilkin and BSTGT Limited in relation to the ONL line.

Crown Range Enterprises - #643, Crown Range Holdings Ltd - #636

- 6.84 These two submissions concern the boundary of the Swiftburn gorge/Crown Escarpment ONL on the Royalburn (#643) and Eastburn (#636) farms in the southern half of the Crown Terrace. Submitter #643 has sought that the notified PDP boundaries on Royalburn Farm be realigned to accord with Appendix 8A of the ODP and the map appended to Environment Court decision C87/2002. Submitter #636 has sought that the boundary on Eastburn Farm be realigned to accord with an appended map prepared by Baxter Design Group.
- As can be seen in Figure 11 below, the ODP ONL boundary and the C87/2002 boundary do not align in many places on Royalburn Farm. Both lines were drawn by hand on a topographical map and have a thickness of between about 30 and 50 metres on the ground. The notified PDP line has been refined to more closely follow the actual

topographic boundary between the gullies of the Swiftburn tributaries and the surrounding working farmland. The notified PDP boundary does however extend further up the tributary watercourses than the C87/2002 decision. Following an on-site assessment and analysis, I consider that the upper 'fingers' of ONL that extend towards the Crown Range Road form 'waterways within a working farm landscape' rather than part of the Swiftburn gorge ONL. I have recommended appropriate locations to truncate these 'fingers' in Figure 11 below. These locations are based on the depth, steepness and natural character of the gullies, together with the current extent of cultivated farm paddocks adjacent to them.

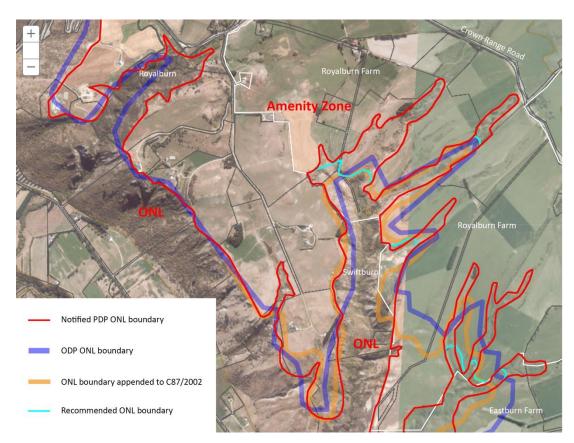


Figure 11: ONL boundaries in the northern Crown Terrace. Boundary sought by Submitter # 459 in green.

6.86 With respect to the ONL boundaries on Eastburn Farm, I generally concur with the yellow-dashed 'BDG refined landscape category line' on the map appended to Submission #636. I consider this accurately follows the crest of the Swiftburn gorge escarpment and the crest of the southern Crown Escarpment.

6.87 In summary I do not oppose in part the relief sought by Crown Range Enterprises and do not oppose the relief sought by Crown Range Holdings Ltd.

Miscellaneous

Gibbston Vines Ltd - #2310, Rock Supplies NZ Ltd - #2471

- 6.88 These submitters are concerned that the notified Stage 2 PDP maps (specifically Map 15) indicate that the Gibbston Character Zone is included within a wider surrounding ONL. The Stage 2 maps are complementary to the Stage 1 maps and do not show the landscape classifications. These are shown on the Stage 1 maps only, and Map 15 of this series clearly shows that the Gibbston Valley is a separate zone outside the ONL.
- 6.89 The Gibbston Character Zone has its own objectives and policies regarding character and landscape values. The decisions Chapter 6 Landscapes and Rural Character includes the following policy:
 - '6.3.3 Provide a separate regulatory regime for the Gibbston Valley (identified as the Gibbston Character Zone), Rural Residential Zone, Rural Lifestyle Zone and the Special Zones within which the Outstanding Natural Feature, Outstanding Natural Landscape and Rural Character Landscape categories and the policies of this chapter related to those categories do not apply unless otherwise stated.'

7. REQUESTS FOR REZONING ONLY

LCU 10 Ladies Mile

Don Moffatt and Brian Dodds - #239, Sanderson Group Ltd #404, R & R Jones - #850

- 7.1 These three submissions all concern terrace land on southern side of Ladies Mile Highway (SH6) that separates the urban areas of Shotover Country and Lake Hayes Estate. Since the close of submissions to Stage 1 of the PDP in 2015, resource consent has been granted under the HASHA (SH160140) for development of a retirement village and residential lots on the majority of this land. Construction of the Queenstown Country Club retirement village, which includes a 75-metre building set back from Ladies Mile, is currently well underway.
- 7.2 The submission of R & R Jones seeks rezoning of a small unnamed rôche mountonée (Trig A3A9) adjacent to the Kawarau River that is not part of the retirement village development.
- 7.3 Don Moffat and Brian Dodds have sought partial rezoning of the northern section of the retirement village (Lot 500 DP 470412) from notified Rural Zone to Rural Lifestyle Zone (with a minimum lot size of one hectare and no average lot size). They have sought that Rural zoning be maintained on a 150-metre wide strip adjoining Ladies Mile. Sanderson Group Limited have sought urban zoning for Lot 500 DP 470412 to provide for construction and use of a retirement village. R & R Jones have sought rezoning of the southern portion of the retirement village and the rôche mountonée from notified Rural to LDR zone.
- 7.4 The rezoning area sought by the three submitters is located on an alluvial plain formed when Lake Wakatipu was at a considerably higher level than at present, extending across the Frankton and Ladies Mile flats to Lake Hayes. This floodplain has been eroded by the Kawarau and Shotover rivers, forming a series of lower terraces that are partly occupied by the Lake Hayes Estate and Shotover Country suburban developments. The narrow 'neck' of former lake bed that connects the

northern part of the retirement village site to the southern is a distinctive, legible and relatively rare feature within the Wakatipu Basin landscape (refer Photograph 11 below).



Photograph 11: View from Remarkables skifield access road over the Wakatipu Basin, showing Ladies Mile terrace and narrow 'neck' of terrace between Shotover Country and Lake Hayes Estate in middle ground (source Google Earth, photography 07/2015).

- Prior to the retirement village development, the upper surface of the Ladies Mile flats retained a strongly rural character, albeit compromised to some extent on the northern side of Ladies Mile Highway by fragmentation of landholdings and rural lifestyle development. The rural landscape on either side of the highway, and the views across open pasture to the outstanding natural landscapes of the Remarkables, Peninsula Hill, Cecil Peak, Walter Peak and Slope Hill formed an important part of the approach to Queenstown from Cromwell and Wanaka. The amenity of views south from the highway was particularly high. Glimpses of suburban development in Lake Hayes Estate were available but the predominant vista between roadside trees was across expanses of open pasture to dramatic mountainous landforms.
- **7.6** Approval of the Queenstown Country Club has compromised the remaining level of rural character and openness south of the highway

between Howards Drive and Stalker Road, with urban development within the retirement village obvious from surrounding public places. Views to the Remarkables and Cecil Peak for people approaching Queenstown will be partly obscured by villas and proposed tree planting.

- 7.7 Given the density of development approved in the northern section of the country club, I do not consider that Rural Lifestyle zoning, as sought by Don Moffat and Brian Dodds, would be relevant or appropriate from a landscape perspective. The 150-metre landscape protection buffer sought by these submitters has already been partly developed. Sanderson Group have sought urban zoning for this land but have not specified any particular urban zone. Given the density of approved retirement village, it is possible that the urban zoning sought may be MDR or LDR. Such zoning would allow for subdivision down to lots of 250 or 450m², respectively, with a permitted building height limit of 8 metres. Alternatively, the urban zone sought could be for another type of more intensive urban zoning, such as High Density Residential, Business Mixed Use or Local Shopping Centre.
- 7.8 In my view, none of the potential urban zones would ensure that the landscape and visual amenity of the interface between the site and Ladies Mile Highway was protected. The approved retirement village includes a number of design measures to protect this interface, including the 75-metre building set back, limits on the number of villas within 120 metres of the highway, significant landscaping around these villas, a 5.8-metre height limit and (in general) 310m² footprint limit for all villas, and restrictions on the height and character of fencing. I consider that any urban zoning of the site that did not include these mitigation measures would compromise the amenity of views from SH6. I therefore oppose the relief sought by Submitter #404 from a landscape perspective.
- 7.9 R & R Jones have sought LDR zoning for the southern part of the retirement village and the adjacent hill, including the dwellings at 442 and 444 Frankton Ladies Mile Highway. The approved retirement village portion of this land is well set back from Ladies Mile Highway and already has consented development to a density similar to or

greater than that anticipated in the LDR zone. However the development consented under the HASHA includes a number of controls that protect the interfaces of the retirement village with Shotover Country, Onslow Road and the ONL. These include a building height limit of 5.6 metres, building setbacks from the crest of the escarpments to the west and east and required landscaping. In my opinion, any LDR zoning that did not include these mitigation measures could have significant adverse effects on the integrity of the escarpment landforms, the visual amenities of residents in Shotover Country and Lake Hayes Estate, and on the character of views towards the ONL.

7.10 The portion of the R & R Jones site which is not consented for retirement village development is either within the ONL or is on the lower but still visually prominent slopes of the small rôche mountonée (Trig A3A9). The most important value of this part of the ONL is the open character and legibility of the rôche mountonée. It is one of a number of the distinctive glacially formed geological features within the basin, and it has the classic attributes of a smooth 'upstream' western slope and a steep rocky 'downstream' eastern slope. The naturalness of the feature is also important. Conifer plantations are present on some parts of the hill but there is no built development and natural processes of vegetation spread are occurring on the southern faces above the Kawarau River. Urban development within the ONL would significantly reduce the legibility, openness and naturalness of the hill feature. I also consider that further development on the lower northern slopes of the rôche mountonée (where there are currently two dwellings) would detract from the visual integrity and perceived naturalness of the adjacent ONL. I do not consider that urban development in these areas would be consistent with the Chapter 6 policies relating to ONL and ONF.

Alexander Reid - #277, Bill & Jan Walker Family Trust - #532, GW Stalker Family Trust et al. - #535, D Boyd - #838

7.11 These submitters have all sought rezoning of the remaining land on the Ladies Mile terrace that is zoned Rural in the notified PDP. Alexander Reid has sought a mixture of Rural Residential and Rural Lifestyle

zoning north of the Ladies Mile Highway, while the submitters included in Submission #535 have sought Rural Lifestyle zoning of this land, with a 100-metre building set back from the highway, a requirement for screening from the road, and an average lot size of 1 hectare. The part of their submission relating to Threepwood Farm has been discussed in paragraphs 6.7 to 6.12 above. The Bill & Jan Walker Trust has sought Rural Lifestyle zoning of their property south of the highway and east of Howards Drive, with the same special provisions as Submitter #535. D Boyd has sought rezoning of terraced land at the western end of Ladies Mile to Large Lot Residential zone and inclusion of this land within the UGB.

- 7.12 The landscape unit of Ladies Mile has been described in paragraphs 7.5. to 7.6 above. While the approval of the Queenstown Country Club has significantly undermined the rural character of the terrace, the remainder of the land retains a relatively open pastoral character and still currently functions as a rural and 'green' approach to Queenstown. Intermittent views are available north of the highway to Slope Hill and these still have a pastoral foreground, with scattered dwellings set back at least 150 metres from the highway. The historic Glenpanel homestead is a feature of the area but is largely screened from the highway by roadside hedges.
- 7.13 Given the increasing urbanisation of the Ladies Mile terrace and adjoining land, including the large roundabout at Stalker Road and a potential future roundabout at Howards Drive, it is my view that the Rural Lifestyle zoning (but with a 2-hectare lot average) sought by submitters could be absorbed without significant adverse effects on landscape or visual amenity. The character of the landscape unit would change but if a building set back of at least 100 metres from the highway was included, as well as screen planting for new development, I consider that elements of spaciousness and rural amenity would be retained and views towards the surrounding mountains and Slope Hill would be protected. The proposal in Submissions #532 and #535 to remove existing roadside vegetation within 100 metres of the highway would also increase the available views from the highway to the surrounding landscape.

- 7.14 Mr Reid's submission has sought an unspecified mixture of Rural Lifestyle and Rural Residential zoning north of Ladies Mile. In my opinion Rural Residential zoning of the land is likely to result in a loss of the remaining rural character and rural amenity north of the highway. The balance between built form and open space would be tipped towards a predominance of built form and the 4000m² minimum lot size is unlikely to allow any rural activities (including hobby farming) to occur.
- 7.15 I do not oppose the relief sought by Submitters #277, #532 and #535 in relation to Rural Lifestyle zoning of Ladies Mile land outside Threepwood Farm and the Queenstown Country Club, but consider that Rural Residential zoning would be inappropriate from a landscape perspective.
- 7.16 The site that D Boyd seeks to be rezoned to Large Lot Residential (LLR) comprises a series of terraces that step down from Ladies Mile towards the Shotover Country Special Zone and the Shotover River. The upper two terraces adjoin SH6 and is pastoral in character, with only one dwelling partially visible adjacent to Stalker Road. The intermediate terraces have been subdivided into rural living lots of between 2 and 5 hectares in size, accessed from Max's Way, and the lowest terraces have smaller rural living lots (about 4000m² to one hectare) accessed from Old School Road. The upper two terraces form an open pastoral foreground to views from SH6 towards the Remarkables and Cecil Peak.
- 7.17 The Decisions Chapters 11 and 27 of the PDP include different minimum lot sizes for LLR Areas A and B 2000m² and 4000m² respectively. Objective 11.2.1.1 states that LLR Area B is intended to maintain low density residential character and amenity in those parts of the zone that are subject to significant landscape and/or topographical constraints.
- 7.18 I consider that the upper two open terraces that are highly visible from SH6 are important components of the amenity of views from the highway. Development on these terraces would result in significant adverse effects on visual amenity. The lower terraces currently have

limited visibility from the surrounding landscape, as they are screened by mature shelterbelts on the terrace escarpment crests. They are adjacent to, but vertically separated from, suburban development in Shotover Country and the cluster of dwellings at the end of Old School Road. I consider there is potential for LLR Area B or Rural Residential development to be absorbed within this area if the integrity of the legible terrace escarpments is maintained. Where visible from the Shotover River and the Glenda Drive area, such development would appear as a logical lower density extension to the Shotover Country urban area. Proposed standards for building materials and colours (Standard 11.5.10) could ensure that buildings were relatively recessive in appearance.

7.19 I do not oppose the relief sought by D Boyd in relation to LLR zoning with a minimum lot size of 4000m² on the lower terraces, but oppose the relief sought on the upper terraces open to SH6. I understand that QLDC is promoting urbanisation of these upper terraces through the SHA Lead Policy, with a building set back from the road of 75 metres. If urbanisation were to occur I would recommend that the setback be at least 100 metres in this location.

LCU 15 Hogans Gully and LCU 17 Morven Ferry

Hogans Gully Farm Limited - #2313

7.20 Hogans Gully Farm Limited opposes the notified Amenity Zone of approximately 159 hectares of land bounded by SH6, McDonnell Road, Hogans Gully Road and the Bendemeer Special Zone (Hogans Gully Farm). The submitter seeks rezoning to a bespoke Hogans Gully Special Zone that would facilitate development of a golf course and related resort activities and facilities. Two alternative types of relief are also proposed in the submission – rezoning of parts of the land to Precinct (although with a 2000m² average lot size and other changes to the notified rules) or modification of the Amenity Zone provisions to provide a discretionary regime for subdivision and development in LCUs with a 'Moderate' capability to absorb additional development.

- The submission includes a landscape assessment of the proposed Special Zone by Baxter Design Group (BDG) and an ecological review by Davis Consulting Group Limited (now E3 Scientific). The BDG Landscape Assessment Report relies on design controls and mitigation measures that are not included in the proposed zone provisions (discussed in more detail below) and has not (in my view) been prepared in accordance with the NZILA Best Practice Note Landscape Assessment and Sustainable Management 10.0. It does not include a methodology statement or definitions of effects ratings and does not, in my view, adequately assess effects on landscape character as a separate matter from effects on visual amenity.
- 7.22 The character of Hogans Gully Farm is described in the BDG report.
 While I largely concur with this description, I would make the following modifications:
 - (a) the adjacent rôche moutonée is Morven Hill rather than Ferry Hill;
 - (b) to my knowledge the majority of the landform on the site is not a moraine but an area of ice-eroded schist with deposits of glacial outwash sands and gravels, glacial till, and loess, and alluvial deposits in the gullies and wetlands. 19 This hummocky and eroded landform type extends to the north of Hogans Gully Road, into the Bendemeer Special Zone and to the south around the eastern side of Morven Hill. The flatter land adjoining SH6 and McDonnell Road is made up of alluvial deposits; and
 - (c) the natural character of the site is in my opinion moderatehigh rather than low, as stated in the Baxter Design Group report. Natural patterns of indigenous vegetation spread are present in many parts of the site, there are very few buildings and little modification of the natural landform.
- 7.23 The site forms the large majority of LCU 15 identified in notified Chapter24. The analysis of this LCU identifies its capacity to absorb additional

¹⁹ Resource Consent Geotechnical Report, Hogans Gully Farm. Geosolve, Dec 2017, paragraph 2.2.

development as 'moderate'. The key characteristics noted in the PDP as contributing to this absorption capacity appear to be:

- (a) the relatively visually discreet nature of the majority of the unit;
- (b) the integrative potential of the complex landform pattern;
- (c) the presence of larger scaled lots;
- (d) the visibility from Bendemeer, elevated ONLs and the Crown Range zig-zag;
- (e) potential for earthworks and large buildings to compromise the distinctive hummocky landform;
- (f) function as a 'breathing space between more intensive rural residential nodes at the end of Lake Hayes and at Arrow Junction; and
- (g) potential for development to read as sprawl from existing nodes of development.

Discretionary regime for LCUs with moderate absorption capacity

- 7.24 I agree with the analysis of LCU 15 in the notified PDP but note that the unit is just that, one landscape unit within the wider landscape of the Wakatipu Basin. The landscape effects of subdivision, use and development, particularly cumulative effects, generally need to be considered at a wider scale than that of a site or landscape unit. I understand that the issue of cumulative adverse effects on rural character and visual amenity within the basin is one of the reasons why only LCUs with a moderate-high or high absorption capacity have been zoned Precinct in the notified PDP. The discussion of this issue in paragraph 8.3 of the Wakatipu Basin Land Use Study includes 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."
- **7.25** While a particular LCU may have been identified as having a 'moderate' ability to absorb development, that ability needs to be

considered in the context of the wider pattern of development within the basin.

- As a consequence I consider the third alternative relief sought a discretionary regime for subdivision and development in LCUs with a 'moderate' absorption capacity would not be consistent with the purpose of the Wakatipu Basin chapter. A discretionary regime for the landscape unit could result in incremental subdivision and development of larger lots, such as has occurred in surrounding parts of the basin, and consequent cumulative adverse effects on the particular character and amenity of the Wakatipu Basin rural landscape.
- 7.27 The southern part of the Hogans Gully Farm site is within LCU 17 Morven Ferry and is identified in the notified PDP as having a low-moderate capability to absorb development. The part of LCU 17 within the site is particularly sensitive to landscape change as it is highly visible from SH6 and forms an open pastoral foreground to views from the highway to the Crown Terrace and to Morven Hill and the schist escarpments within LCU 15.

Hogans Gully Zone

7.28 The submitter has provided proposed planning provisions and a structure plan for a Hogans Gully Zone, which is intended to enable development of a golf-course based resort. The number of residential units is limited to 90 and residential activity is limited to defined areas within the site. The total area for residential activities is not stated but by a rough calculation, the average lot size for 90 lots is likely to be about 800-1000m² within the defined activity areas and an average of one dwelling per 1.77 hectares over the whole site. Buildings within the clubhouse and maintenance activity areas would be in addition to this but only small utility or buildings of up to 40m² in area would be anticipated in the Pastoral/Golf, Ecology/Golf or Landscape Protection Areas. There would be no limit on the volume of earthworks for golf course construction and maintenance.

- 7.29 In assessing the landscape and visual effects of the proposed special zone, I have assumed that buildings could be up to 5 metres in height, or up to 3.75 metres if flat roofs are used, and would be recessive in external appearance (but not necessarily consistent in materials or design). Building coverage on residential lots would likely be well under 500m² if all 90 lots were created, as proposed Standard 24.5.1 provides for maximum coverage of 25% of lot area for lots under 4000m² and lots are likely to be 1500m² or less. The overall residential density across the entire site (excluding golf course and maintenance buildings) could be about one dwelling per 1.77 hectares if all 90 dwellings were constructed.
- 7.30 The BDG landscape assessment relies heavily on the mitigating effects of native vegetation to screen and integrate development and to enhance the natural character of the landscape. For example in paragraph 48, the report concludes:

'Large areas will be set aside for ecological protection and restoration planting and landscape design controls which require areas of native planting within the residential lots will strengthen the natural values of the site.'

- 7.31 While objectives 45.2.1.3 and 45.2.1.7 for the special zone seek to protect and enhance the ecological values of the zone through enhancement planting and appropriate landscaping, there do not appear to be any rules or standards that require indigenous enhancement planting or vegetation protection of any particular type or extent. The proposed matters of control for buildings in some of the Residential Activity Areas and in the Clubhouse and Maintenance Activity Areas include the 'extent to which landscaping contributes to . . . ecological enhancement', but there is no requirement for or control over landscaping in the other residential areas and no requirement for any particular area of native planting in any residential lots. It is unclear why buildings are a controlled activity in some Residential Activity Areas and not in others.
- 7.32 In my opinion, the provisions as submitted would not ensure that any substantial ecological enhancement occurred and would not exclude planting of exotic trees and plants that could detract from the character and legibility of the landscape. I also consider that to have no maximum

volume of earthworks for golf course construction and maintenance in the Hogans Gully Zone could potentially result in significant impacts on the distinctive hummocky landform of the site.

7.33 The extent of potential visibility of development within the proposed special zone is described in the BDG report and I generally agree with this description, although I note that development would also be seen from Tobins Track (refer Photograph 12 below), from elevated vantage points in the mountains around the basin, and from private properties in the adjacent Bendemeer subdivision and north of Hogans Gully Road. From the Crown Range zig zag lookout (refer Photograph A1 in Appendix A) and these other elevated viewpoints, development enabled by the proposed zone would substantially alter the character of the visible landscape. Golf course development and dense clusters of dwellings would be apparent, with a pattern of open space and development possibly similar to that of Millbrook Resort. While the BDG report anticipates that there would be 'a visual consistency of the built form' and that buildings would be set within native vegetation, there are no provisions in the proposed special zone to ensure this outcome.



Photograph12: View from top of Tobins Track towards Hogans Gully Farm and Bendemeer Special Zone (photograph taken at 50mm lens equivalent at 9.53am on 10/02/16)

- 7.34 There is also potential for development in the Maintenance Activity Area to be highly visible from SH6 and for the primary access road and development in the north-eastern Pastoral/Golf Activity Area to be clearly visible from McDonnell Road and from the junction of this road with Centennial Avenue and Hogans Gully Road.
- 7.35 I agree with the BDG report that the proposed special zone locates residential development where it would be largely screened by the hummocky topography from surrounding roads in the basin. The retention of a Landscape Protection Area on the flatter land adjacent to SH6 and McDonnell Road is also a positive aspect of the proposed special zone, although visible large buildings within the Maintenance Activity Area could introduce an industrial scale of agricultural-type buildings and detract significantly from visual amenity.
- 7.36 I do not agree with the conclusions of the BDG report in relation to positive contributions to natural character. Development enabled by the proposed special zone would in my view substantially compromise the natural character of the landscape and the remaining open pastoral character of the eastern part of the Wakatipu Basin. From elevated viewpoints, the dense nodes of residential development would appear as sprawl from existing nodes. In particular the larger Residential Activity Areas (for example R1, R2, R3 and R4) would appear as sporadic urban development within the rural area.
- 7.37 I do not consider the zone would be consistent with Strategic Objective 3.2.2.1 (e) protecting the District's rural landscapes from sporadic and sprawling development, or with Policies 3.3.22 or 3.3.24. LCU 15 has not been identified in the PDP as being appropriate for rural living development, and I consider that the cumulative effects of rural living enabled by the special zone would alter the character of this part of the basin to the point where it was no longer rural in character. I note that Millbrook Resort development in LCU 23 has been described in the PDP as 'an intensively-developed attractive urban settlement set within a parkland landscape'. I agree with this description and consider that the Hogans Gully Special Zone also has the potential to read as an intensive urban settlement in a parkland, pastoral or indigenous vegetation setting.

7.38 As a consequence I oppose the Hogans Gully Zone sought by submitter #2313.

Precinct zoning on the upper plateau

7.39 The third alternative relief sought by the submitter is the rezoning of the upper part of the site to Precinct, but with an average lot size of 2000m² rather than 1 hectare. It is a little unclear from the submission but it appears that no minimum lot size (rather than a minimum of 600m²) is also sought. This zoning could enable a significantly greater level number of dwellings than the 90 anticipated by the proposed special zone (total area approximately 59 hectares). For the reasons set out for the special zone above, I do not consider that Precinct would be appropriate from a landscape perspective and therefore also oppose this alternative relief.

LCU 18 Morven Eastern Foothills

Morven Ferry Limited - #2449, D MacColl (#2350), Philip Bunn - #2355, Steven Bunn - #2356, Barnhill Corporate Trustee Limited and DE, ME Bunn & LA Green - #2509

- These four submitters all seek rezoning of land in the southern part of Morven Ferry from notified Amenity Zone to a bespoke Precinct subzone or to a 'Morven Ferry Rural Visitor Zone A or B'. The area of rezoning sought is largely contained within LCU 18 Morven Eastern 'Foothills', as defined in notified Chapter 24, but also extends onto some flatter terrace land that is within LCU 17 Morven Ferry. The submitters also seek changes to the description of LCU 18 in the notified plan, and a change in the stated absorption capacity of the landscape unit from 'Low' to 'Moderate-Low'. Changes sought to the provisions of Chapter 24 also include a discretionary regime with no minimum lot size for the Amenity Zone.
- 7.41 LCU 18 is a part of the Wakatipu Basin that currently has a strong rural character, with a mix of working farm land and rural lifestyle properties.It is in close proximity to the ONF of the Arrow River and the ONL of

the Kawarau River/Morven Hill. I consider that both the river and Morven Hill are ONFs within the wider ONL that extends south into the Remarkables/Ben Cruachan range. Previous subdivision of small rural living lots and the consented five-lot subdivision on the northern side of Morven Ferry Road (RM100395, as modified by RM171268, see approved subdivision plan in Figure 13 below), have had or will have domesticating effects on the landscape and have compromised the rural character of the landscape unit to some extent.

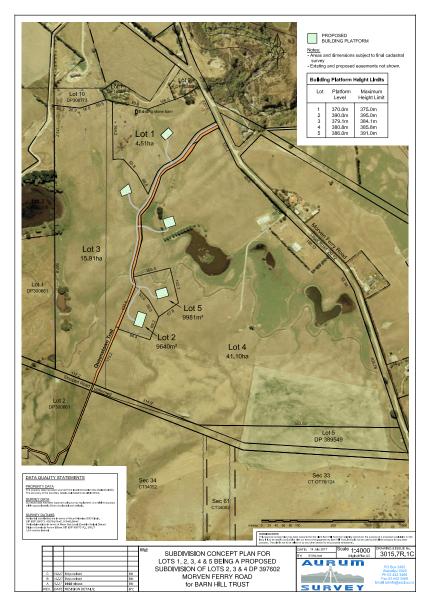


Figure 13: Approved subdivision plan for RM171268.

7.42 I concur with the 'Low' capability of LCU 18 to absorb additional development stated in the notified PDP. My main reasons include:

- (a) The proximity of the land to ONFs or ONLs on three sides;
- (b) The strong rural character of the unit, which has a comparatively low density of rural living, and retains a sense of rural remoteness, tranquillity and quietness;
- (c) The role of the unit as a transition between the more developed river terrace of Morven Ferry to the north and the ONL to the west and south; and
- (d) The visibility of the unit from the parts of the popular Queenstown Trail that are defined as public places. This includes the sections of the trail adjacent to Morven Ferry and Arrow Junction roads and the branch of the Arrow River Bridges Trail that heads east to the Edgar Bridge, but excludes the section of the Twin Rivers Trail that crosses the submitters' land on a public easement.
- 7.43 The submitters seek a number of changes to the description and analysis of LCU 18 in notified Chapter 24. A number of these are minor changes that would not make any appreciable difference to the defined character of the landscape unit. I consider that the addition of 'irrigation race' to the description of hydrology is appropriate, but I disagree with the proposed addition to the landform pattern description. While there are flat to sloping alluvial terraces between Morven Ferry Road and the Arrow River, these would make up less than one-third of the landscape unit, taking into account the additional area on the eastern side of Morven Hill that I have recommended be excluded from the ONL and included in LCU 18. I therefore recommend that the landform pattern description be amended as follows:

'<u>Predominantly</u> elevated moraine landform with plateaus, hummocky hills, swamps and remnant kettle lakes. <u>Alluvial</u> terraces between Morven Ferry Road and the Arrow River.'

7.44 With regard to the description of settlement patterns, I agree that the suggested amendment to lot sizes is generally more accurate than the notified description, as while many properties within the LCU are greater than 50 hectares in size, lots within these properties (with individual certificates of title) are generally smaller. However I do not

agree that there are a third of lots less than 1 hectare in area. I recommend that the lot size description be amended as follows:

Typical lot sizes <u>vary</u>, <u>with the majority of the unit > 10ha and approximately a third between 25 and 50ha. There are 4 lots of less than 1ha. Majority of unit >10ha with approximately half of the unit 50ha or greater.</u>

- **7.45** I do not recommend any other changes to the LCU18 description and analysis.
- 7.46 The submitters seek Precinct with a 4000m² average and no minimum lot size for a 6-hectare block of land east of Morven Ferry Road and contiguous 14.7- and 27-hectare areas west of the road and surrounding a large kettle lake. The rezoning areas are currently largely open pasture. The eastern area is a north-facing alluvial slope that is highly visible from the Queenstown Trail and from Arrow Junction Road (refer Photograph 13 below), while the western area is mostly elevated rolling moraine with frequent schist outcrops at the northern extent (refer Photographs 14 to 16 below). The northern parts of this second area are visible from Morven Ferry Road and it is also visible from the popular high lookout on Crown Range Road (as is part of the proposed Rural Visitor Zone B refer Photograph 17 below).



Photograph 13: View north from proposed WBLP – Morven Ferry Sub-zone east of Morven Ferry Road. Branch of the Arrow Bridges trail visible in mid-ground (panorama stitched from 2 photographs taken at 50mm lens equivalent at 2.46pm on 16/04/18)



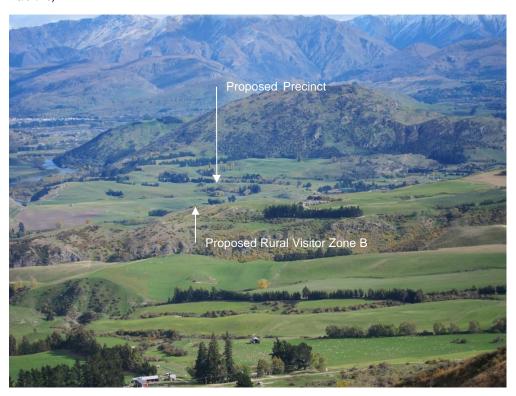
Photograph 14: View west from Queenstown Trail (not a public place) towards schist outcrops on the northern edge of the proposed WBLP Morven Ferry Subzone west of Morven Ferry Road (panorama stitched from 2 photographs taken at 50mm lens equivalent at 4.30pm on 16/04/18)



Photograph 15: View north-west from Queenstown Trail (not a public place) to rolling moraine within proposed WBLP – Morven Ferry Sub-zone west of Morven Ferry Road (panorama stitched from 2 photographs taken at 50mm lens equivalent at 4.36pm on 16/04/18)



Photograph 16: View south from Twin Rivers Trail (not a public place) towards southern extent of proposed WBLP Morven Ferry Subzone west of Morven Ferry Road (boundary of proposed zone roughly in line with vegetation visible to right of photo (photograph taken at 50mm lens equivalent at 4.39pm on 16/04/18)



Photograph 17: Zoomed view west from high lookout on Crown Range Road. (photograph taken at 105mm lens equivalent at 12.42pm on 18/04/18)

7.47 In my assessment, development of the proposed Precinct Morven Ferry Sub zones would result in a substantial loss of rural character in

this part of the Wakatipu Basin and significant adverse effects on the level of visual amenity experienced from public places. Subdivision to an average lot size of $4000m^2$ is unlikely to retain any real rural amenity in the proposed areas of rezoning and the intensity of domestication would undermine the existing sense of relative remoteness. Where visible from public places, the residential development would undermine the amenity of views towards surrounding ONL. The proposed rural residential precincts would also represent spot zones within the wider WBRAZ and raise the potential for reverse sensitivity issues in relation to rural activities on surrounding working farmland. There are no particular characteristics that distinguish the proposed rezoning areas from surrounding land within LCU 18, apart from the limited visibility of the upper western plateau from public places.

- **7.48** As a consequence I oppose the proposed Morven Ferry Subzones sought by the submitters.
- 7.49 Specific Morven Ferry Rural Visitor Zones A and B are sought for the triangle of land between Morven Ferry Road and the section of the Twin Rivers Trail that crosses the property. It is unclear from the submissions what the proposed provisions are for these specific zones, other than a 5% maximum building coverage, a building height of 8 or 10 (agricultural/viticultural buildings) metres, controls on external buildings materials and specific boundary setbacks in Zone B. These provisions are recommended within Chapter 24. The PDP does not include a Rural Visitor Zone at present, so I have assumed that the submitters are seeking the ODP Rural Visitor Zone for the Morven Ferry Rural Visitor Zone A, and a modified ODP Rural Visitor Zone for Zone B.
- 7.50 The Rural Visitor Zone in the ODP provides for visitor accommodation buildings of up to 12 metres in height and residential buildings up to 8 metres as controlled activities, and for light reflective external materials. Under the ODP Rural Visitor Zone rules, Council has reserved control over new buildings in respect of:

'coverage, location, external appearance of the buildings and associated earthworks, access and landscaping, to avoid or mitigate adverse effects on landscape and visual amenity values,

nature conservation values and the natural character of the rural environment.'

7.51 In theory these controls would allow potential adverse effects on landscape character and views to be avoided. However, the Council would not have any discretion to decline consent for inappropriately tall or dense buildings or inappropriate landscaping that met the zone standards. As a consequence I do not support the proposed Morven Ferry Rural Visitor Zone A, which is located on rising land that is highly visible from Morven Ferry Road and forms the foreground of views to Ben Cruachan (refer Photograph 18 below). While I consider there may be some potential for a single-storey low key commercial or visitor accommodation development to be absorbed within the landscape, I do not consider development enabled by a Rural Visitor zoning would be appropriate from a landscape perspective.



Photograph 18: View south from Morven Ferry Road to proposed Morven Ferry Rural Visitor Zone A (panorama stitched from 3 photographs taken at 50mm lens equivalent at 4.47pm on 16/04/18)

7.52 The proposed Morven Ferry Rural Visitor Zone B is located on rolling elevated pasture land that also includes a remnant kettle lake. The land is largely screened from Morven Ferry Road by existing roadside shelter belts. The proposed building coverage rules for this zone would allow for 9350m² maximum building coverage, which could for example translate to 9 buildings of 1000m², 19 buildings of 500m² or 31 buildings of 300m² in area. In my assessment, this level of development would significantly degrade the rural character and amenity of this part of the basin and the particular landscape values of LCU18. As with the proposed Precinct subzones, the Rural Visitor zones would represent isolated spot zoning within a sensitive and relatively remote part of the basin.

7.53 In summary I oppose the relief sought by Submitters #2449, #2355, #2356 and #2509 in relation to rezoning.

LCU 23 Millbrook

A Feeley, E Borrie & LP Trustees Limited - #2397

- 7.54 The submitter has sought that 6.2117 hectares of land at the corner of Arrowtown Lakes Hayes and McDonnell roads be rezoned from notified Amenity Zone to LDR. A structure plan is proposed for the site this limits LDR densities to a 70-metre strip along McDonnell Road, includes a 25-metre landscape protection set back along Arrowtown Lake Hayes Road, and specifies a limit of 5 residential units in the remaining land. The number of vehicle crossings from Arrowtown Lake Hayes Road is also limited to two.
- 7.55 The triangular rezoning site is flat to undulating in contour and currently has one substantial dwelling and a few sheds/garages, surrounded by exotic vegetation. There is a linear semi-mature pine plantation along most of the McDonnell Road boundary of the site. The existing dwelling is about 150 metres from Arrowtown Lake Hayes Road and the intervening pasture, together with the QLDC recreation reserve and Millbrook Golf Course on the western side of the road, provides an open pastoral approach to Arrowtown. The pine plantation currently screens LDR development on the eastern side of McDonnell Road.
- 7.56 The structure plan sought by the submitter would enable a strip of suburban development (likely two lots deep) along McDonnell Road opposite the existing residential area and a density of about one dwelling per 7000m² on the remainder of the site.
- 7.57 In terms of effects on visual amenity only I consider that a narrow strip of LDR development could be absorbed on the western side of McDonnell opposite existing development if it was effectively screened from Arrowtown Lake Hayes Road and did not impact on the open pastoral nature and remaining rural character of the approach to Arrowtown. However from the wider perspective of the landscape character of this part of the Wakatipu Basin, I consider the LDR zoning

would not be appropriate. It would breach the current containment of Arrowtown's urban form by McDonnell Road and in my view could provide a precedent for further inappropriate spread of development into the rural land west of the road. I disagree with the submitter's statement in paragraph 5.9 of the submission that 'the subject site is topographically distinct from the adjoining land to the south'. While the parts of the site adjoining Arrowtown - Lake Hayes Road and the northern part of McDonnell Road are predominantly flat, the remainder of the site has the same underlying glacial till geology and the same undulating topography as The Hills golf course to the south.

- 7.58 In my view the proposed landscape protection set back of 25 metres on Arrowtown Lake Hayes Road would not be sufficient to maintain the valued visual amenity and spaciousness of this approach to Arrowtown, which is an important scenic route. The strip of LDR development and the five rural residential properties enabled by the structure plan are likely to be visible from the road and would be perceived as a spread of development from urban Arrowtown into its rural surrounds. If screening vegetation was implemented this would also likely obstruct views from the road to the Crown Escarpment and Crown Range.
- **7.59** Consequently I oppose the LDR zoning and structure plan sought by Submitter #2397.

LCU 24 South Arrowtown

Queenstown Lakes Community Housing Trust - #2299

- 7.60 The Queenstown Lakes Community Housing Trust has sought that Lot 2 DP 300390, on Jopp Street Arrowtown, and the adjacent part of the Arrowtown Golf Course be rezoned from notified Amenity Zone to LDR. The submitter also seeks that this land be included within the Arrowtown UGB.
- 7.61 The land in question immediately adjoins the southern extent of urban Arrowtown and is bounded by Centennial Avenue, Jopp Street, unformed road reserve along the Arrow River, and the Arrowtown Golf

Course. Lot 2 DP 300390 consists of open sloping terrace land with occasional mature poplars (refer Photographs 19 and 20 below) and is currently used for horse grazing. The adjoining land to the west is part of a slightly higher terrace and contains holes 15 and 16 of the Arrowtown Golf Course. On the opposite side of Centennial Avenue, the future presence of a number of rural living dwellings set back from the road is anticipated by the Arrowtown South zoning (refer Arrowtown South Structure Plan in Figure 14 below).



Photograph 19: View east from Jopp Street across Lot 2 DP300390 (panorama stitched from 2 photographs taken at 50mm lens equivalent at 3.45pm on 17/04/18)



Photograph 20: View south from Jopp Street across Lot 2 DP300390 (panorama stitched from 2 photographs taken at 50mm lens equivalent at 3.45pm on 17/04/18)

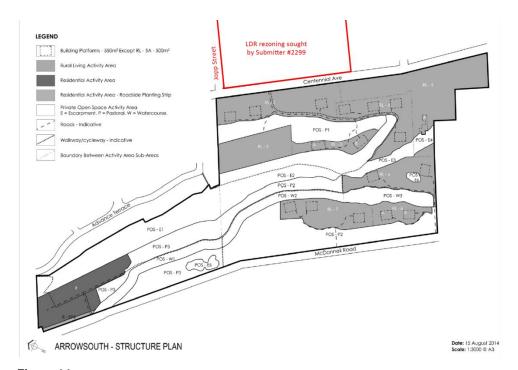


Figure 14:: Arrowtown South Structure Plan annotated to show relationship with LDR rezoning sought by Submitter #2299.

- In my assessment, the LDR zoning sought could be absorbed within the landscape without significant adverse effects as long as an appropriate building setback was maintained along Centennial Avenue. The proposed LDR area is within the same landform as existing low density development within the Arrowtown UGB and does not breach any of the topographical or other boundaries that define the settlement. Urban development within the land would be visible from the margins of the Arrow River, but I consider it would be perceived as a logical extension of urban form and would not significantly detract from the visual amenity of users or the natural character of the river margins.
- 7.63 The Centennial Avenue interface is more sensitive. There is currently a clearly defined hard edge to urban Arrowtown at the Jopp Street intersection and anticipated development in the Arrowtown South Zone west of the road is intended to be rural in character and to maintain a level of openness adjacent to the road. Trees in the road reserve on the eastern side of Centennial Avenue do however currently obscure most views of the golf course. I consider there is potential for the amenity of this entry to Arrowtown to be maintained by additional planting combined with a building setback of at least 20 metres.

7.64 Consequently I do not oppose the LDR zoning sought by Submitter #2299, as long as appropriate provisions are included to protect the visual amenity and character of the southern approach to Arrowtown. I also do not oppose the relocation of the UGB to include this land.

LCU 25 Shotover Country Margins

Shotover Country Limited - # 528

- 7.65 Shotover Country has sought that an area of land between Old School Road and the Shotover Country Special Zone be rezoned to either LDR or (ODP) Shotover Country Special Zone.
- 7.66 Consent for low density residential development of this area was granted under the HASHA (SH160139) in May 2017 and earthworks, servicing and roading for the development are currently underway. As a result I do not oppose the inclusion of this land, including the landscape buffer activity area 5c, in the Shotover Country Special Zone. In my view, the provisions of this zone would adequately protect and enhance the interface between the suburban area and the margins of the Shotover River. For the same reason I would not support LDR zoning for the site, as this zoning would not guarantee appropriate protection of the natural character of the river ONL.

Helen Mellsop

Allallach

28 May 2018

APPENDIX A

Panoramic photograph from Crown Range Road zig zag lookout



Photograph A1: panoramic view from Crown Range Road zig zag lookout towards Morven Hill (panorama stitched from 3 photographs taken at 50mm lens equivalent at 11.55am on 9/03/18)