

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 12  
– Upper Clutha  
Mapping Annotations  
and Rezoning Requests

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**REPLY OF HELEN JULIET MELLOP  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**LANDSCAPE**

**10 July 2017**

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## 1. INTRODUCTION

1.1 My name is Helen Juliet Mellsop. I prepared a statement of evidence in chief and rebuttal on landscape issues, for the Upper Clutha Hearing Stream 12. My qualifications and experience are listed in my evidence in chief dated 17 March 2017.

1.2 The purpose of this reply evidence is to specifically respond to matters raised by submitters or the Panel during the course of the hearing. In particular, I provide responses to the following matters raised by submitters, and to matters set out in the Panel's Minute dated 20 June 2017 (**Reply Minute**):

(a) Matters raised by submitters:

- (i) Michael Beresford (149) – updated provisions for the Large Lot Residential (**LLR**) zoning sought within the Outstanding Natural Landscape (**ONL**);
- (ii) Glen Dene and Glen Dene Holdings (384) and Lesley and Jerry Burdon (581) – combined Rural Lifestyle zone sought, with updated provisions;
- (iii) Lake McKay Station (484) – updated provisions for the Rural Lifestyle zoning sought on the submitter's land;
- (iv) Wakatipu Holdings (314) – inclusion of a BRA; and
- (v) Jeremy Bell Investments Limited (782) – updated provisions for the Airport Mixed Use Zone on the submitter's land;

(b) Reply Minute:

- (i) Alistair Munro (3) – whether a building restriction area (**BRA**) should also be located on the Scurr Heights Block (Minute paragraph 5(x));
- (ii) James Cooper (400) – Mr Espie's analysis that the river terraces on the Cooper land are not distinctive (Minute paragraph 5(xxiii));

- (iii) Sunnyheights Limited (531) – Mr Espie's analysis that the terraces west of the Hawea confluence are not distinctive (Minute paragraph 5(xxv)); and
- (iv) Jeremy Bell Investments Limited (820) – slope and aspect of upper terrace proposed for Rural Lifestyle rezoning (Minute paragraph 5 (xxvi)).

**1.3** I also provide further comment in relation to the Low Density Residential zoning sought by Orchard Road Holdings Limited (91).

## **MATTERS RAISED BY SUBMITTERS**

### **2. MICHAEL BERESFORD (149)**

**2.1** At the hearing Mr William Field provided his opinion on proposed revised controls for LLR development within the ONL. The proposed new rules in Appendix 1 of Mr Dean Chrystal's summary of evidence dated 14 June 2017 provide for a Comprehensive Development Plan to be approved prior to any subdivision of the Sticky Forest site and prior to any construction of dwellings within the ONL overlay. Mr Field in paragraph 69 of his summary of evidence presented at the hearing concluded that if development was to occur within the ONL it should be comprehensively designed, with landscape and architectural elements being integrated within the natural setting. He did not appear to go so far as saying that development within the ONL would be acceptable from a landscape perspective, only that the proposed controls would "assist with mitigating potential adverse landscape effects".

**2.2** In my view the new rules proposed by Mr Chrystal would not be sufficient to protect the character and values of the landscape, particularly those of the ONL. The anticipated density of LLR development within the ONL and on the moraine ridge remains at one dwelling per 2000m<sup>2</sup>. There are no site-specific limitations on building height or bulk, which would therefore be consistent with Council's Reply LLR development controls (8m building height and building coverage greater than 15% as a restricted discretionary activity). Even with excellent and comprehensive design, using the

design techniques set out in proposed Rule 11.5.11, I consider that LLR development within the ONL and on the sensitive moraine ridgeline and slopes outside the ONL would significantly degrade the integrity of the landform, the visual coherence of the landscape and the natural character of the ONL.

**2.3** While there is potential for LLR development outside the ONL (in accordance with a Comprehensive Development Plan) to appear visually coherent and pleasant, it would still be perceived as large lot suburban development on the moraine crest and slopes. This development, with associated roads, earthworks and lighting, would undermine the natural setting and containment of urban Wanaka and the naturalness and coherence of the moraine landform.

**2.4** I note that some of the Structure Plan design principles set out in paragraph 66 of Mr Field's summary of evidence have not been carried over to the revised planning provisions in Appendix 1 of Mr Chrystal's summary of evidence. For example, there are no provisions for landscape buffer areas and design controls along ridgelines and the edges of the ONL, particularly in relation to the proposed Low Density Residential (**LDR**) zoning. I agree with Mr Field that these areas are particularly sensitive to the adverse visual and landscape effects of development.

**3. GLEN DENE AND GLEN DENE HOLDINGS (384), LESLEY AND JERRY BURDON (581)**

**3.1** In a joint statement of evidence at the hearing, Mr Duncan White and Mr Ian Greaves proposed a combined Rural Lifestyle zone at Glen Dene homestead and at the property of Lesley and Jerry Burdon (Lot 1 DP 396356). A plan of the proposed zone is Exhibit 34. The proposed Glen Dene Rural Lifestyle Zone includes new provisions to ensure that a vegetation management plan is prepared for the BRA on each lot within Lot 1 DP 396356, and that the number of new vehicle crossings on this lot is limited to one.

**3.2** I consider the additional proposed zone rules provide a greater level of certainty that indigenous vegetation would be maintained and

enhanced on Lot 1 DP 396356 and that a single shared entry from State Highway 6 (**SH6**) would be used for all four proposed additional platforms.

- 3.3** I am still of the opinion that the BRA on the Glen Dene homestead slopes that are open to the lake should be extended, as recommended in paragraph 4.2 my rebuttal evidence.
- 3.4** Revegetation on Lot 1 DP 396356 could enhance the natural character and ecological values of the landscape to a small extent, but I consider that the site already has a moderate to high level of natural character. I am still of the view that the benefits of indigenous revegetation would be outweighed by the adverse effects of residential development enabled by the zoning.
- 3.5** There is potential for development within the zone, including curtilage activities, to be screened from SH6 so that they are inconspicuous. However, I do not consider that the proposed policy of "*ensuring that activities are inconspicuous from the road, Lake Hawea township and Lake Hawea*" could be achieved with the methods proposed. There does not appear to be any requirement to submit a landscape plan for the dwelling and curtilage prior to construction, in order to achieve screening and integration. Dwelling construction and curtilage development would be permitted activities under the PDP, subject to compliance with the relevant development controls. The curtilage areas on Lot 1 DP 396356 are potentially quite large (between 0.8 and 1.5 hectares) and could be visually prominent if maintained as mowed lawn or gardens with exotic trees.
- 3.6** I remain of the opinion that, with respect to Lot 1 DP 396356, a lesser extent of development could be absorbed at the southern end of the lot. I reiterate that I continue to oppose this rezoning request.
- 3.7** However, should the Panel be minded to recommend the Glen Dene Rural Lifestyle Zone sought by the submitters, I consider that the BRA on the Glen Dene homestead land should be extended and that curtilage areas on Lot 1 DP 396356 be significantly smaller than the 'sites' shown in Exhibit 34. I also consider that a rule should be

included requiring the submission of a landscape plan (for the land outside the BRA) to Council prior to construction of any dwelling. The landscape plan should be prepared to achieve proposed Policy (a) for the zone – ensuring that built form and associated activities within the zone are inconspicuous when viewed from Makarora-Lake Hāwea Road, the Lake Hāwea township and Lake Hāwea.

#### **4. LAKE MCKAY STATION (484)**

- 4.1** At the hearing Mr Mike Kelly provided updated provisions for a site-specific Lake McKay Station Rural Lifestyle Zone (Appendix 4 to his summary of evidence presented at the hearing<sup>1</sup>). After the hearing he also provided a structure plan for the Area 1 Rural Lifestyle rezoning (Exhibit 27), which shows the location of access and of 20 proposed lots and building platforms.
- 4.2** I consider that the updated provisions and the Area 1 structure plan are helpful in defining the anticipated landscape outcomes for the rezoning areas. However, I note that apart from the structure plans, a building height restriction and a requirement for landscape plans to be submitted before dwelling construction, there are no proposed rules, assessment matters or other methods to implement many of the policies.
- 4.3** In my view the updated provisions for the Rural Lifestyle rezoning do not provide sufficient certainty of landscape outcomes. They also do not in my view adequately mitigate the adverse effects on the natural character and visual integrity of the ONL that were discussed in paragraphs 8.36 to 8.38 of my evidence in chief. With respect to Areas 1 and 4, I consider it would be very difficult to implement the proposed policy of ensuring that built form and associated activities (including access roads) were inconspicuous from public places. Even if development was not visible, the extent of rural living modification of the sites would in my opinion inappropriately degrade the values of the ONL.

<sup>1</sup> <http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-12/Evidence-Presented-at-Hearing/14-Thursday-1-June-2017/S0439-Lake-McKay-Station-Ltd-T12-KellyM-Summary-of-Evidence.pdf>

4.4 In relation to Area 3 I consider that the policies set out in Mr Kelly's Appendix 4, if effectively implemented through rules and assessment matters, could ensure that significant adverse landscape and visual effects were avoided. However, I recommend that the phrase 'reasonably inconspicuous' be altered to 'reasonably difficult to see', to ensure the outcome was consistent with that anticipated in the Rural zone assessment matters for ONLs.

## 5. WAKATIPU HOLDINGS (314)

5.1 At the hearing Mr Nicholas Geddes proposed a Building Restriction Area (**BRA**) as part of the Rural Lifestyle rezoning sought for the Wakatipu Holdings site. A plan of this BRA was provided after the hearing. I understand that a 50-metre set back from the adjacent sawmill site was discussed at the hearing, but am unsure whether or not this has been confirmed.

5.2 The changes to the relief sought have not altered my view on the potential landscape effects of rezoning, as expressed in my rebuttal evidence. The proposal for the BRA confirms my assumption in that evidence that up to 5 dwellings would be clustered on the upper north-western terrace where there is potentially high visibility from Church Road and the Clutha River trail.

## 6. JEREMY BELL INVESTMENTS LIMITED (782)

6.1 At the hearing Mr Jeff Brown's evidence included a proposed new rule for the Airport Zone – Structure Plan A area, specifying a maximum gross floor area of 50% of the lot area. This change makes it more likely that some views to the toe of the escarpment from surrounding roads could possibly be retained, as discussed in paragraph 4.38 of my rebuttal evidence, and reduces the potential adverse visual effects of built form to some extent.

6.2 I have read the additional evidence provided by Ms Michelle Snodgrass at the hearing in response to my rebuttal evidence. I confirm that my view on the landscape character and visual amenity effects of the rezoning has not changed as a result. While I



acknowledge that existing airport buildings are just visible from the eastern end of Mount Barker Road, I remain of the view that buildings in the western area of the site, including 12-metre high visitor accommodation buildings within Area A2, would significantly detract from the natural and pastoral character of available views. Existing airport buildings are only partly visible from this rural road, while built development within the western part of the proposed rezoning area would be immediately adjacent to the road and would obscure the majority of views to the escarpment behind.

**6.3** I understand that in response to a question from the Panel, Ms Snodgrass stated her opinion that a greater building set back from State Highway 6 would assist in reducing the visual impact of 10-metre high buildings within the A1 area of Structure Plan A. I agree with this opinion. A greater set back would reduce the visual dominance of buildings when viewed from the road and would allow a greater depth for establishment of an effective landscape buffer.

**6.4** I note that there still appear to be inconsistencies between the maximum building heights and setbacks shown on the structure plan and those included in the zone provisions attached to Mr Brown's summary of evidence. The structure plan shows a road setback of 10 metres on Mount Barker Road, but Rule 17.5.14 specifies a setback of 5 metres on all road boundaries.

## **REPLY MINUTE**

### **7. ALISTAIR MUNRO (3)**

**7.1** Question 5 (x) of the Panel's Reply minute was:

*On the Scurr Heights Block, is the walking track above the zoned development area the same moraine that is protected by a building restriction area above Kirimoko, and if so, would that indicate that a building restriction area should likewise be placed on the Scurr Heights Block? If the answer to the last point is in the affirmative, where exactly should the building restriction area be placed?*

- 7.2** I can confirm that the walking track above the LDR zone on the Scurr Heights Block is on the same terminal moraine landform that is protected by a BRA on the Kirimoko Block. I consider that this area of the moraine is also currently an important part of the open space enclosure and natural landscape setting of the town.
- 7.3** The Scurr Heights walking track is located within a Council-owned reserve that is approximately 20m in width. In comparison the BRA between the Kirimoko subdivision and Peak View Ridge is between about 30m and 75m in width. From a landscape perspective I consider that a BRA on the Scurr Heights block that maintained the open pastoral character of the steeper slopes immediately below the walking track would have been appropriate, both in terms of retaining views out from the track and in terms of providing a natural edge to low density development within the Scurr Heights block. A detailed site visit would be required to define the extent of a potential BRA, but based on the topographical information I consider the building restriction should extend 25 to 30m from the western boundary of the QLDC Recreation Reserve.
- 7.4** The effectiveness of such a BRA would be compromised to some extent by the existing low density residential development on the crest of the moraine between Anderson Road and the walking track.
- 7.5** The Scurr Heights site is zoned Low Density Residential under the Operative District Plan and a resource consent for bulk earthworks has been granted (RM160882). Those earthworks are currently being undertaken on the Scurr Heights site. I understand that these earthworks will substantially modify the natural contours of the moraine. Resource consent has also recently been granted (RM161169) for subdivision of the upper land adjoining the walkway reserve into lots of about 800m<sup>2</sup> in area, with no BRA. I therefore consider that the moraine area below the walking track is already too modified to form an effective landscape buffer, and therefore in response to the Panel's question, there is no need for a BRA on the Scurr Heights block.

**7.6** In order to preserve views from the walkway, Reply Rule 8.5.15 of the Medium Density Residential Zone of the PDP **[CB8]** makes it a restricted discretionary activity for any building on these upper lots to be greater than 1.5m above the nearest point of the formed walkway.

**8. JAMES COOPER (400)**

**8.1** In 5 (xxiii), the Panel have asked for my response to Mr Espie's analysis of the river terraces on the Cooper land. Mr Espie does not consider that these terraces are sufficiently distinctive to be included in the ONL of the river corridor and is of the opinion that they are similar in character to other river terraces that are not included in the ONL. Mr Espie gave as examples the Kane Road alluvial terraces and the Domain Road terrace adjacent to the Shotover River in the Wakatipu Basin. The Panel have also highlighted the example of the terraces near Red Bridge on the Luggate side of the river. I am unsure whether the Kane Road terraces Mr Espie refers to are those of the Lagoon Valley/Glenfoyle area east of Kane Road or the terrace sequence leading down to the Clutha River west of Kane Road.

**8.2** In relation to this issue I think it is important to reiterate my opinion that the intensively farmed parts of the river terraces on the Cooper land are not landscapes in their own right, but are parts of a larger landscape – that of the Clutha River corridor. I agree that if these terraces were considered in isolation from their landscape context and were instead surrounded by other intensively farmed terrace land, they were unlikely to be classified as ONL. However, when the entire extent of the terraces and escarpments (not just the intensively farmed parts) are evaluated as part of the river corridor I consider they are, as a whole, sufficiently natural to be included within the ONL. My reasons are set out in paragraph 4.17 of my rebuttal evidence.

**8.3** The Kane Road terraces west of Kane Road are not generally visible from the river corridor and unlike the lower terraces are completely modified by intensive farming and exotic shelter belts. The terraces east of Kane Road are isolated from the river corridor and in my opinion are not sufficiently distinctive to be classified as ONF or ONL

in their own right. The river terrace in the vicinity of Red Bridge and Luggate was considered by Dr Read in her original landscape boundaries report [CB68]. She concluded that level of modification of this terrace, in the form of rural living and township development, was too great to enable inclusion in the ONL. I concur with her opinion. There is also no clear or legible demarcation between modified and relatively unmodified pastoral parts of this particular terrace.

**8.4** I have not been involved in the classification of landscapes in the Wakatipu Basin but am familiar with the Domain Road terrace on the eastern side of the Shotover River. This terrace extends across the 'Domain Road triangle', which has been subject to particularly intense rural living development. Many of the lots in the centre of the 'triangle' average about 4000m<sup>2</sup> in area. The lots on the strip of terrace between Domain Road and the river are larger (generally about 4 hectares), but all have either substantial existing rural living dwellings or approved building platforms. The existing and anticipated rural living character of the Domain Road terrace is not, in my opinion, consistent with inclusion in an ONL or ONF classification.

## **9. SUNNYHEIGHTS LIMITED (531)**

**9.1** The Panel's question 5 (xxv) in relation to Mr Espie's evidence for Sunnyheights Limited is similar to that addressed in the paragraphs above. I agree with Mr Espie that there are equally legible terraces above the ONL line that I have recommended, but I consider that these terraces are not experienced as part of the Hāwea River confluence landscape. The formative processes of these terraces are more closely related to the actions of the meltwater channel than to the erosive actions of the Clutha/Hāwea confluence. The terraces and associated escarpments also do not provide the same level of legible containment of the confluence as the escarpment face that I have recommended as the ONL boundary. I consider that the terraces west of the recommended ONL boundary are part of a different landscape character area, one which extends westward to the moraine enclosing Dublin Bay and includes the meltwater channel. I have set out the reasons why I do not consider this

landscape character area to be part of the ONL in paragraphs 8.57 and 8.58 of my evidence in chief.

- 9.2** My response to Mr Espie's view that the terraces are not distinctive is similar to that in relation to the Cooper land. The terraces are part of the wider landscape of the confluence, not landscapes in their own right. I consider that the moderate to high level of naturalness of the terraces means that they are appropriately included within the ONL.

**10. JEREMY BELL INVESTMENTS LIMITED (820)**

- 10.1** In paragraph 5 (xxvi) of the Minute, the Panel has asked Council to confirm whether the upper terrace proposed for Rural Lifestyle rezoning is open to the north when viewed from Smiths Road.

- 10.2** The answer is that some parts of this upper terrace are open to the north when viewed from Smiths Road. There are two small stream courses that cross the upper terrace within the rezoning area. To the east of the eastern stream the terrace is relatively level, but has a gentle north-facing slope at the toe of the mountain. This area is not open to Smiths Road. Between the two streams, the eastern half of the terrace is contained by a 'lip' and the predominant slope is to the south, away from the terrace edge. Further to the west and as far as the westernmost end of the zoning area, the upper terrace slopes gently to the north or north-east and is open to Smiths Road. This is demonstrated in **Photographs 1 to 3** below. The approximate area of the upper terrace that slopes towards and is open to the north when viewed from Smiths Road is shown on the annotated map in **Figure 1** below.



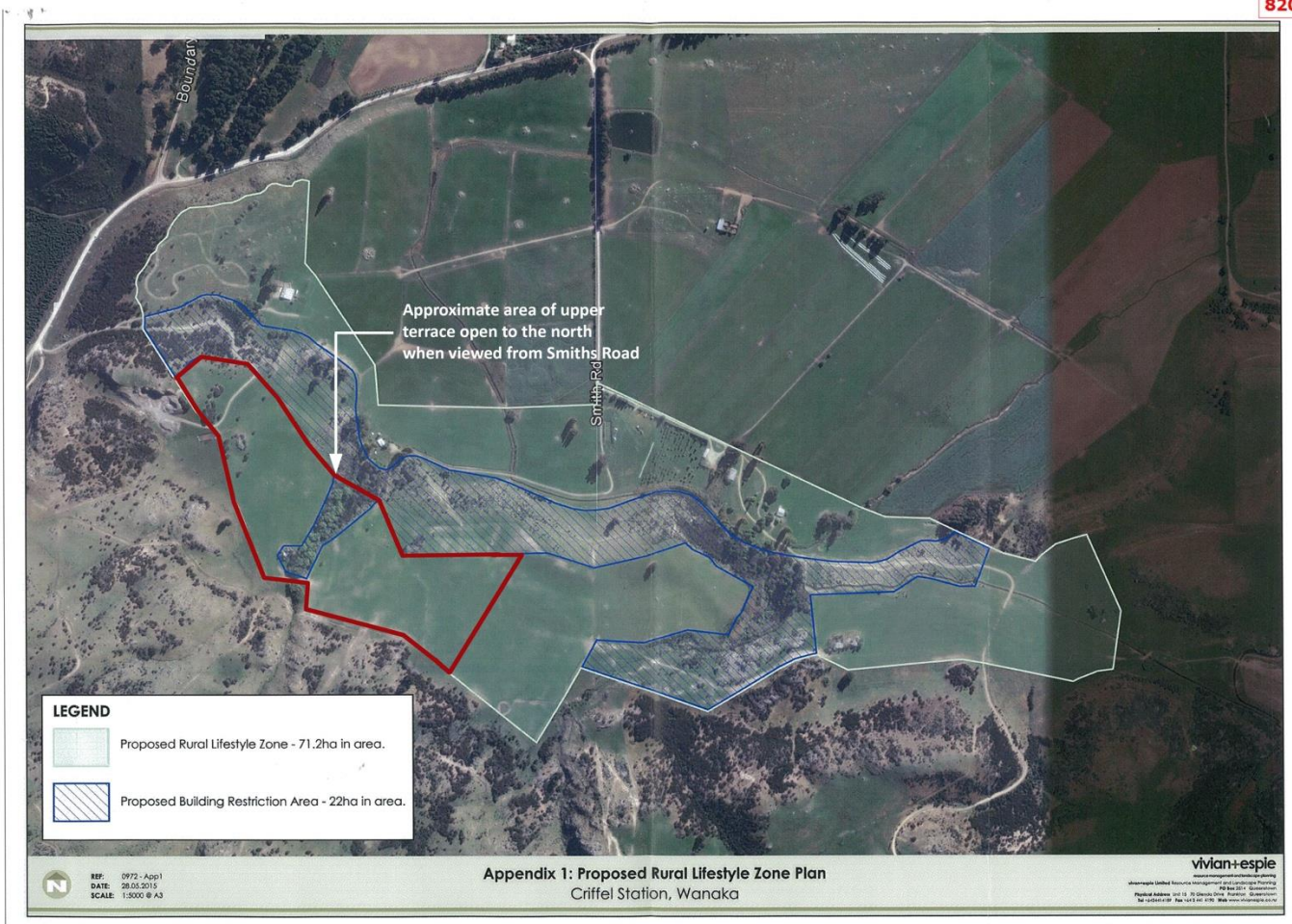
**Photograph 1:** View west from 'lip' on upper terrace towards northerly sloping land and the western stream surrounded by willow (photograph taken at 50mm lens equivalent at 3.35pm on 18-01-17).



**Photograph 2:** View south-east from western end of rezoning area on upper terrace towards north-easterly sloping land and the western stream surrounded by willows (photograph taken at 50mm lens equivalent at 2.41pm on 18-01-17).



**Photograph 3:** View south-west from Smiths Road towards western rezoning area, showing northerly and north-easterly sloping parts of the upper terrace (panorama stitched from 2 photographs taken at 50mm lens equivalent at 3.20pm on 04-12-16).



**Figure 1:** Annotated map of Proposed Rural Lifestyle Zone at Criffel Station, showing approximate area of upper terrace that is open to the north when viewed from Smiths Road.

**11. ORCHARD ROAD HOLDINGS LIMITED (91)**

**11.1** In paragraph 7.57 of my evidence in chief I stated that I do not oppose the rezoning of land located between Orchard Road and the Plan Change 46 area to LDR. I recommended a building set back of 10m on Orchard Road and a requirement for planting of at least 4m in height within the set back to protect the rural amenity of Rural-zoned land south of Orchard Road.

**11.2** I have considered this further in light of the 15m BRA required on the Rural zone interface of LDR-zoned land in the ODP Plan Change 46 area. To achieve consistency with this set back I now recommend that a 15m landscape buffer be provided on both the Orchard Road boundary and the boundary with Rural zoned land to the east. I consider that planting within the BRA should be capable of reaching a height of at least 4m and should be designed to provide partial screening of LDR development from adjacent land.



**Helen Juliet Mellsop**

**10 July 2017**