

**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 Queenstown Lakes
District Plan – Upper
Clutha Mapping

**STATEMENT OF EVIDENCE OF HANNAH MARY AYRES
ON BEHALF OF HAWTHENDEN FARM LTD**

LANDSCAPE

4 April 2017

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1. INTRODUCTION

- 1.1 My full name is Hannah Mary Ayres. I hold the position of Director at Rough & Milne Central Otago Ltd. I have been in this position since July 2015.
- 1.2 I hold Bachelor and Master of Landscape Architecture degrees from Lincoln University. I have six years' experience in practice as a Landscape Architect, working at Rough & Milne Christchurch prior to establishing the Rough & Milne Central Otago practice. I am a registered member of the New Zealand Institute of Landscape Architects.
- 1.3 Hawthenden Ltd has recognised an opportunity to use a Council-led plan change process to increase land use options for Hawthenden Farm. I have been engaged by Hawthenden Ltd to provide evidence in relation to two separate proposals: the first proposal disputes the current position of an Outstanding Natural Landscape (ONL) line as it relates to Hawthenden Farm and suggests realignment of this. The second proposal is to rezone land zoned '*Rural General – Visual Amenity Landscape (VAL)*' to *Rural Lifestyle Zone (RL)*, *Rural Residential Zone (RR)*. It is important to note that each proposal, while interrelated to some extent, is independent of each other.
- 1.4 I was first engaged by Hawthenden Ltd to assist with preparing their initial submission on the Proposed District Plan (PDP). I undertook a comprehensive assessment to evaluate the existing ONL line that bisects the farm and advise on whether or not it is in an appropriate position. I also analysed what areas of the farm had potential for rezoning to allow for living opportunities and recommended the type of zoning I thought would be appropriate. I drew an overall rezoning plan for Hawthenden Farm (Sheet 6 of Appendix A) and prepared a landscape assessment report (Appendix B), both of which formed part of the Hawthenden Ltd submission.
- 1.5 I have been involved in the District Plan Review process in the Wakatipu Basin to date, providing the Queenstown Lakes District Council (QLDC) with my expertise in relation to the Millbrook Zone in Hearing Stream 9. I am very familiar with Wanaka, the Upper Clutha

Basin and the Outstanding Natural Landscapes of the region as I live and work in Wanaka (and have done since 2015). I have worked as a consultant to the QLDC, peer reviewing landscape assessments and advising on landscape issues related to resource consent applications within the Upper Clutha Basin. This experience has exposed me to a number of previous resource consent decisions where the ONL line position has been a point of contention.

1.6 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

2. SCOPE OF EVIDENCE

2.1 My evidence addresses the following landscape matters arising from the proposals:

- (a) A brief background of the evolution of landscape matters that have led to the two proposals;
- (b) A summary of the subject site's context and landscape description which I prepared as part of my Landscape and Visual Assessment of Hawthenden Farm¹ that formed part of the original submission on the PDP;
- (c) Consideration of the Council's s42A report and landscape evidence by Ms Helen Mellsop²;
- (d) A summary of my assessment of the ONL line position and further discussion of the various reports opposing the realignment;
- (e) A summary of my assessment of suitable areas of Hawthenden Farm to rezone for living opportunities, and discussion around the type of zones that I believe would be appropriate.

¹ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*

² H Mellsop *Statement of Evidence*, dated 17 March 2017

2.2 The key documents I have used, or referred to while preparing this evidence are:

- (a) My Landscape and Visual Assessment of Hawthenden Farm³, dated 22 October 2015 (Appendix B)
- (b) Geology report by Mr Steve Leary (2015) *Geology of the Hawthenden Farm Area, Southwest Wanaka*⁴
- (c) Environment Court Decision: *Wakatipu Environmental Society v Queenstown Lakes District Council C73/2002*⁵
- (d) The Operative Queenstown Lakes District Plan
- (e) The Proposed Queenstown Lakes District Plan
- (f) The Council's s42A report and landscape evidence⁶

2.3 I have read and rely on the Geology evidence of Mr Steve Leary⁷, and the planning evidence of Mr Scott Edgar⁸ in preparing my evidence.

3. EXECUTIVE SUMMARY

3.1 In conclusion the key findings from my evidence are that:

- (a) It is my opinion that the ONL line as it is drawn in the PDP as it relates to Hawthenden Farm is inappropriately positioned, and that it should be realigned to follow the change in landform at the top of the Alpha Fan.
- (b) I believe an area of Hawthenden Farm proposed to be rezoned from Rural General to Rural Lifestyle and Rural Residential zone is appropriate from a landscape and visual perspective.

4. THE SITE AND ITS CONTEXT

4.1 A full description of the site and its context can be read in my landscape assessment⁹ (attached as Appendix B). Below I recap a summary of this description.

³ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*

⁴ S Leary (2015) *Geology of the Hawthenden Farm Area, Southwest Wanaka*

⁵ *Wakatipu Environmental Society v Queenstown Lakes District Council C73/2002*

⁶ H Mellsop *Statement of Evidence*, dated 17 March 2017

⁷ S Leary, *Statement of Evidence*, dated 4 April 2017

⁸ S Edgar, *Statement of Evidence*, dated 4 April 2017

- 4.2** Hawthenden Farm is a 229ha sheep and deer farm situated on the gently sloping terraces below Mt Alpha. The farms' north-eastern boundary exists approximately 2km southwest of the Wanaka Town Centre. Access to the farm is currently off each disjointed end of Studholme Road (refer to Sheet 1 and 2 of Appendix A).
- 4.3** The farm's topography can be described as a series of mainly smooth, sloping and flat, terraced landforms on the surface of an alluvial fan (refer to photographs on Sheets 9 - 11 of Appendix A). A lumpier landform exists near the farm's north-eastern boundary where the terminal moraine tills are exposed. Two roughly parallel terrace faces bisect the farm where the large Alpha Fan has been carved by rivers or a lateral stream. Centre and Stoney creeks are ephemeral waterways that run through the property and flow into Lake Wanaka.
- 4.4** The land cover consists of grazed pastures, exotic shelterbelts, a forestry block and extensive specimen tree planting. There is some native scrub present on the terrace faces (retained as stock shelter).
- 4.5** The farm has two dwellings (one on the uppermost terrace, and one on the next terrace down), a collection of farm buildings including a woolshed and an implement shed, and a historic dairy shed with associated shelter. There is extensive deer fencing dividing the farm into paddocks and tree-lined roads that cross the farm. There is a grass airstrip, a historic water race, irrigation ponds and a turnip field on the uppermost terrace of the farm.
- 4.6** The upper portions of Hawthenden farm are visible from most urban areas of Wanaka and from public recreation reserve including the lake edge and Mt Iron (refer to Photograph 1 on Sheet 9 of Appendix A).

5. THE PROPOSALS

- 5.1** There are two separate proposals that form the submission:
1. To relocate the ONL Line to follow the top of the Alpha Fan landform.

⁹ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, from page 3

2. To rezone the north eastern-most part of the farm (closest to Wanaka), to allow for living opportunities.

A more detailed description of these proposals can be found in Mr Scott Edgar's (Planner for Hawthenden Ltd) Statement of Evidence¹⁰.

6. BACKGROUND

6.1 Hawthenden Farm has been a working farm for nearly 125 years, during which time it has been under the ownership of only two families. The farm was purchased by brothers Eric and Owen Hopgood (Hawthenden Ltd) in 2003 from the Studholme family, who had previously passed the farm down through the generations since it was titled around 1890.

6.2 Remnants of the farm's historic land use are evident today. An historic dairy shed (built approx. 1890 – refer to Photograph 3 on Sheet 9 of Appendix A), a water race (licensed in 1897) and extensive planting of exotic specimen trees, including a listed Wellingtonia tree, are all evidence that the farm has been cultivated for more than 100 years.

ONL Line

6.3 In 2002, the Environment Court in the *Glendhu Bay and Hillend decision*¹¹ concluded that the Alpha Fan, which forms the upper terrace of Hawthenden Farm, should be included within the outstanding natural landscape of the Mt Alpha Range (refer to Photograph 4 on Sheet 10 of Appendix A). The Court wrote in their concluding remarks that it was '*a finely balanced decision*'¹² to include the Mt Alpha Fan within the ONL, as it was clear that: '*the geomorphological and pastoral characteristics rather contradict each other*'¹³.

6.4 As a result of my evaluation of the line during my site visits, I am inclined to hold the opinion that the line as shown in the Operative District Plan (ODP) and Proposed District Plan (PDP) maps was not determined as a result of thorough field work and ground truthing.

¹⁰ S Edgar, *Statement of Evidence*, dated 4 April 2017

¹¹ *Wakatipu Environmental Society v Queenstown Lakes District Council* C73/2002

¹² C73/2002 at para (52)

¹³ *Ibid* at para (51)

Perhaps as a result, the ONL line as it is drawn, tends to waver somewhat inappropriately up and down the escarpment that is the truncated toe of the Mt Alpha Fan.

6.5 Due to the ONL line position, Hawthenden Ltd has consequently found the classification to be restrictive of agricultural practices. Under the ODP, within an ONL, activities that compromise the landscape's naturalness are restricted. Such activities include construction of farm buildings and shelters, establishment of farm tracks and planting of exotic tree shelterbelts. The aspect and soils of the Alpha Fan has been identified as an excellent location for growing grapes. Although establishing a vineyard is not specifically restricted in an ONL, rows of grape vines obviously have an effect on a landscape's naturalness, as well as the buildings required to operate a vineyard (which is why wine growing regions within ONL's of the district such as Gibbston Valley have a special character overlay to accept vineyard operations as part of the landscape character).

6.6 It is for the reasons outlined above that I believe there is good reason to reassess the ONL line in the context of the current environment and the objectives and policies of the PDP.

Urban Growth and Reverse Sensitivity

6.7 Over the years, owners of Hawthenden Farm have witnessed Wanaka evolve in to the bustling town it is today. In more recent years, as residential development has been allowed to creep closer to the farm boundary, farm managers have experienced a notable reverse sensitivity effect on some farming practices, which neighbouring residents have made complaints about. Such complaints include drift from aerial fertiliser drops and the noise of roaring stags. Domestic dogs troubling sheep has also been an issue requiring farm managers to shift their stock to paddocks further away from urban areas. Reverse sensitivity effects from nearby urban areas have ultimately made farming the land more difficult and less profitable. This is set to worsen as the Proposed District Plan indicated Large Lot Residential zoning hard up against the Hawthenden Farm boundary (refer to Sheet 3 of Appendix A).

- 6.8** In response to coping with reverse sensitivity effects, managing a less profitable farm and noticing the rapid growth of Wanaka, Hawthenden Ltd have identified that parts of Hawthenden Farm may be better suited to other land uses. They consider the proximity of the farm to Wanaka's town centre and existing infrastructure make it a desirable location for living.

Statutory context

- 6.9** Section 6 of the Resource Management Act 1991 (RMA or 'the Act') identifies matters of national importance that shall be 'recognised and provided for', while section 7 identifies other matters which shall be 'had regard to' under the Act. Under section 6 of the Act, the following landscape related matters are relevant:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

The following section 7 landscape related matters are also relevant:

(c) the maintenance and enhancement of amenity values

(f) the maintenance and enhancement of the quality of the environment

The QLDC have given effect to these matters in the Objectives and Policies of the District Plan, which have informed this evidence.

Planning context

- 6.10** Under the ODP the entirety of Hawthenden Farm is zoned Rural General and is bisected by a 'fixed' ONL line. The adjoining land to the north and west of Hawthenden Farm is currently zoned Rural Lifestyle Zone and Rural Residential Zone.

- 6.11** Under the Proposed District Plan (PDP), Hawthenden Farm is zoned Rural ONL within the ONL line and Other Rural Landscape (ORL) below the ONL line. Zoning to the north and west of the farm is to be Large Lot Residential, with a pocket of Low Density Residential along the western boundary (refer to Sheet 3 of Appendix A). While properties on the southern side of Studholme Road (adjacent to Hawthenden Farm) remain within the ORL zone, these properties have already been subdivided into lot sizes and landscape patterns typical of the Rural Lifestyle Zone.

6.12 In the PDP review, the ONL line position, as it relates to Hawthenden Farm, was not addressed by Ms Marion Read in her landscape classification boundaries report to Council¹⁴, because as a general approach Ms Read assumed the ‘fixed’ lines arising out of Environment Court decisions were correct. In her peer review of Ms Read’s report¹⁵, Ms Anne Steven agreed with this approach in principle, but went on to suggest that if there is a very good reason found to change ‘fixed’ ONL lines as a result of a current, more comprehensive analysis, then this should be put forward.

6.13 It is worth noting that the Wanaka Structure Plan (2007), which although is a non-statutory document, has been used by the Council to manage growth over a 20 year period. When the Structure Plan was first drafted in 2004, a significant portion of Hawthenden Farm was included within the Outer Urban Growth Boundary and identified as an ‘ONL Buffer Zone’. The finalised version of the Structure Plan released in 2007 had removed the ONL Buffer Zone and areas to the northwest of Studholme Road were identified as Urban/Landscape Protection areas (refer to Sheet 11 of Appendix A).

7. COUNCIL S42A REPORT

7.1 The Council has appointed consultant landscape architect Ms Helen Mellsop to advise Mr Craig Barr (Planner at QLDC) on the submissions for the Upper Clutha Basin from a landscape perspective. Below is a summary of Ms Mellsop’s Statement of Evidence¹⁶ with regard to the Hawthenden Ltd submission.

Rezoning Areas A and C to Rural Lifestyle Zone and Area B to Rural Residential Zone

7.2 Generally it appears Ms Helen Mellsop is in principle, comfortable with the proposed rezoning of the lower terraces to enable some residential development. Ms Mellsop suggests Rural Lifestyle zoning would be better suited to all proposed areas for development, rather

¹⁴ M Read (2014) *Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*

¹⁵ A Steven (2014) *Peer review of Landscape Assessment: Outstanding Natural Landscape of the Upper Clutha part of the Queenstown Lakes District*

¹⁶ H Mellsop *Statement of Evidence*, dated 17 March 2017

than Area B being zoned Rural Residential¹⁷. I discuss the reasons why I still believe Rural Residential zoning is more appropriate for Area B later in this report.

Adjusting the ONL line position

7.3 Ms Mellsop opposes shifting the ONL line to the proposed position but agrees with my earlier assessment that the ONL line has been poorly drawn roughly along the escarpment. In her evidence to Council, Ms Mellsop writes:

The Environment Court found that the boundary of the ONL is the river-truncated end of the Alpha Fan. It is unclear whether this means the crest or the toe of the escarpment but the boundary in the ODP and in the notified PDP has been roughly drawn at the toe of the escarpment, which I consider is the most logical and defensible location¹⁸.

Ms Mellsop goes on to recommend the boundary is adjusted to the base of the Alpha Fan escarpment as shown in Figure 2 of her evidence (on page 30).

7.4 Ms Mellsop appears to have centred her view mainly on the conclusions of the *Glendhu Bay and Hillend decision*¹⁹ (which I reiterate was acknowledged by the Court as a ‘*finely balanced decision*’). Key points to Ms Mellsop’s argument include:

(a) With regard to the significance of the Alpha Fan, Ms Mellsop writes:

Neither the landscape assessment nor the geology report (by Mr Stephen Leary) has adequately taken into account the origins and significance of the distinctive Alpha Fan in the upper part of the property²⁰.

(b) With regard to naturalness, Ms Mellsop writes:

The landscape assessment has overemphasised the distinction between this fan and the schist mountain slopes above in terms of contrast in colour and texture in pastoral character²¹.

¹⁷ Ibid, at para (7.39)

¹⁸ Ibid at para (7.38)

¹⁹ NZEnvC 73/2002

²⁰ H Mellsop *Statement of Evidence*, dated 17 March 2017, at para (7.33)

²¹ Ibid.

- (c) Ms Mellsop refers to the Environment Court decision that established the ONL boundary (C73/2002) and concurs with the Court's conclusion that:

The differences in land management between the fan and the mountain slopes above were relatively ephemeral and reversible, while the geomorphological characteristics of the mountain face and fan were a more solid basis for landscape categorisation²².

- (d) Ms Mellsop also refers to the Parkins Bay decision (C432/2010) to reinforce her view that she disagrees with the premise that vegetative patterns are the most significant criterion for determining the boundaries of the ONL.

7.5 I acknowledge Ms Mellsop's arguments and agree in part with some aspects of her points. I also counter some of her considerations in the discussion below.

8. LANDSCAPE ASSESSMENT OF THE ONL

What is an ONL?

- 8.1 The RMA requires recognition of natural landscapes that are outstanding²³. Outstanding Natural Landscapes are those landscapes that have been identified (on a regional and district scale) as being exemplary in their naturalness and 'outstandingness', and are protected by law against inappropriate subdivision and development.

Naturalness

- 8.2 The Environment Court has stated that criteria of naturalness include relatively unmodified and legible landforms, the presence of water, the presence of (usually native) vegetation, and being uncluttered by structures and/or obvious human influence²⁴. Where it becomes a little more complicated to assess, is where a landscape might meet some but not all of the ONL criteria. I believe that in most cases an ONL needs to represent the 'whole package' otherwise the concept of ONL, and those landscapes that are truly ONL, become diluted.

²² Ibid at para (7.34)

²³ *Upper Clutha Environmental Society vs QLDC* [2010] at para 65

²⁴ *High Country Rosehip Orchards Ltd v Mackenzie DC* [2011] NZEnvC 387

8.3 I retract part of my statement in my original landscape assessment in which I agree in principle with Anne Steven in her peer review²⁵ of Marion Read's report²⁶ that '*the type and especially patterns of vegetation are the strongest indicator of naturalness*'. I believe that some instances of ONLs that lack indigenous cover do exist, but the landform would need to be particularly striking (or part of a wider ONL).

8.4 I struggle with Ms Mellsop's view of what should be considered ONL, is where she states:

I disagree with the suggested requirement that an ONL must have specified level of natural character. A landscape may be significantly modified by farming activities and pasture improvement but still be recognised and an ONL for other reasons (eg. striking topography or cultural/associative values)²⁷.

Ms Mellsop goes on to reference the Environment Court in the *Parkins Bay decision*²⁸, where she understands this principle has been confirmed. I agree the *Parkins Bay decision* does highlight a lengthy discussion and differing opinions between landscape architects around what constitutes a 'natural character' and whether indigenous land cover (and natural patterns of vegetation) should be a determining factor. I note that the decision of the Court to include the Fern Burn flats as part of the wider ONL landscape, was not only determined by the acceptance of the pastoral character being sufficiently natural, but also the scale of the flats in relation to the context of the wider ONL of West Wanaka²⁹.

8.5 In my original assessment, I noted that it is widely accepted natural landscapes are not necessarily those areas untouched by human

²⁵ A Steven (2014) *Peer review of Landscape Assessment: Outstanding Natural Landscape of the Upper Clutha part of the Queenstown Lakes District*

²⁶ M Read (2014) *Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*

²⁷ H Mellsop, *Statement of Evidence*, dated 17 March 2017, at para (5.2)

²⁸ *Upper Clutha Environmental Society vs QLDC* [2010] NZEnvC 432 at para 63

²⁹ *Ibid*, at page 29

influence and may often include cultural elements. In the *Parkins Bay decision*,³⁰ the Court emphasises that:

Just because humans have intervened does not make a landscape unnatural. It is the nature of that intervention – and most notably the presence and use of buildings and infrastructure – which tends to make a landscape look unnatural.

That said, for a landscape to qualify as an ONL, it must be sufficiently high in natural character. The Court writes:

We reiterate strongly that it is the extent of human (or cultural) modification – on a continuum – that determines whether a landscape is natural or not³¹.

There is an example of this continuum in my original landscape assessment³², which I used to assess the naturalness of Hawthenden Farm (discussed below).

- 8.6** Although I accept a natural landscape may not be ‘untouched’ by human influence, in my opinion, a landscape does need to have a specified (preferably moderate to high) level of natural character to be classified as an ONL. The scale of a landscape pattern within the wider context is of course an important consideration for determining the boundaries of the ONL in question. I remain of the opinion that for a landscape to have high levels of ‘naturalness’, there needs to be low levels of modification. A feature or landscape must be both outstanding and natural to fall within section 6(b) (of the RMA)³³. I believe landscapes that are classified as ONL that do not display high levels of natural character, in effect, downgrade those ONLs that do.

Outstandingness

- 8.7** In *Wakatipu Environmental Society Inc v Queenstown Lakes DC* [2000]³⁴, the Court wrote:

³⁰ Ibid, at para (61)

³¹ Ibid, at para (60)

³² H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, Table 1 on page 12

³³ *Wakatipu Environmental Society Inc v Queenstown Lakes DC* [2000] NZRMA 59 (EnvC)

³⁴ *ibid*

A landscape will be considered outstanding if it is “conspicuous, eminent, remarkable or iconic” within the context of the area concerned – the district if the assessment is being undertaken for a district plan and the region if it is for a regional policy statement or plan.

8.8 In my original landscape assessment³⁵, I assessed the outstandingness of the Alpha Fan using the Amended Pigeon Bay criteria. These criteria to assess a landscape against include:

- (i) Biophysical Aspects – encompassing the landscapes natural science elements, including geological, ecological and biological elements;
- (ii) Sensory Aspects – involving the landscape’s aesthetics and natural beauty, as well as transient matters; and
- (iii) Associative Aspects – encapsulating the landscape’s cultural and historical values.

This methodology is endorsed by the New Zealand Institute of Landscape Architects and is widely used by landscape architects in New Zealand to assess ONLs.

9. DISCUSSION ON ONL LINE POSITION AS IT RELATES TO HAWTHENDEN FARM

Clearly discernible ONL boundary

9.1 In the *Queenstown landscape decision*³⁶ the Court stated:

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

In the *Glendhu and Hillend decision*³⁷ the Court pointed out it is where the boundaries of the ONL lie that is more complicated:

The need for expert analysis is not as to the existence of an outstanding natural landscape, but as to where it ends.

³⁵ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*

³⁶ [2000] NZRMA 59 at para (99)

³⁷ [2002] NZEnvC 73 at para (37)

- 9.2** Ideally, ONL boundaries should follow clearly discernible lines in the landscape. Defining Landscape Character Areas (LCAs) is a common practice approach of dividing the landscape spatially into areas of consistent visual character. While a LCA may overlay several different landforms, its boundaries are often determined by landform edges. Within those boundaries the visual character must be consistent in its geomorphology, vegetation or land cover, and its pattern of land use. This approach of defining areas of the landscape into character areas enables varying levels of naturalness to be determined for each area as a whole and greatly assists in identifying the clear lines that exist between ONLs and other landscapes.
- 9.3** I prepared a diagram as part of my original assessment that defines Landscape Character Areas surrounding Hawthenden Farm. This diagram is shown as Photograph 5 on Sheet 10 of Appendix A. My analysis³⁸ placed the Alpha Fan within LCA 2: Hawthenden Farm Alluvial Fans and Terraces. Now that I have further information from Mr Leary on the Alpha Fan landform, I would perhaps more appropriately name LCA 2: The Alpha Fan (Rural).
- 9.1** In my opinion, a clearly definable line in the landscape exists where there is significant change in landform. This also happens to be line that marks a change in gradient, a change in land cover, a change in texture, a change in underlying geology, a change in soil types and as a result, a change in farming practice / land use. I believe a less definable and defensible line exists along the toe of the most elevated river-formed terrace on the Alpha Fan, which has blended with the surrounding landscape in parts where the active alluvial fan has continued to erode and overlay new alluvial deposits across the terrace face. The landscape above and below the terrace displays the same landscape characteristics and is farmed in exactly the same way. The terrace face is not continuous, nor is it the only river terrace that exists on the Alpha Fan.
- 9.2** I disagree with Ms Mellisop that at some times of the year there is little differentiation in the contrasts in colour and texture between the fan

³⁸ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, at page 13

and the mountains slopes³⁹. The golden (dehydrated) grass colour may appear similar in the summer (much like many other pastures on the valley floor), but the texture of the landscape remains very different. This texture contrast is owing to the underlying gradient, geology and soils rather than the grass cover itself.

Naturalness of LCA 2: Hawthenden Farm Alluvial Fans and Terraces

In my original landscape assessment⁴⁰ I describe the Scale of Naturalness (Table 1), which is commonly applied by landscape architects when assessing natural character. I also provide a detailed description of LCA 2⁴¹. In conclusion I considered the LCA to have a moderate to low level of natural character, due to its land use and highly modified land cover. I now add to this conclusion with the following discussion.

Geomorphology

- 9.3** In response to Ms Mellsop's opinion that neither the landscape assessment nor geology report⁴² has adequately taken into account the origins and distinctiveness of the Alpha Fan, Mr Leary has written his evidence⁴³ with a focus on describing the origins of the Alpha Fan and its distinctiveness within in the region, which I expand on below.
- 9.4** An important aspect to consider, particularly as the ONL decision has been heavily weighted on geomorphological aspects, is that the Alpha Fan landform and the geological processes that lead to the formation of the Alpha Fan were never described by an expert geologist in the Environment Court. In the Environment Court case that decided the ONL position (C73/2002), Landscape Architect Ms Di Lucas gave the most detailed description of the geomorphology of the Alpha Fan, which the Court accepted. Ms Lucas, to my knowledge, is not an expert geologist or geomorphologist.

³⁹ H Mellsop, *Statement of Evidence*, dated 17 March 2017, at para (7.33)

⁴⁰ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, at page 12

⁴¹ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, at page 14

⁴² S Leary (2015) *Geology of the Hawthenden Farm Area, Southwest Wanaka*

⁴³ S Leary, *Statement of Evidence*, dated 4 April 2017

- 9.5** Geologist Mr Stephen Leary has provided expert evidence⁴⁴ for this hearing on behalf of Hawthenden Ltd, which provides a description of the Alpha Fan and alluvial fans of the district in general. While Ms Lucas' description of the processes leading to the formation of the Alpha Fan is not entirely incorrect, her description of the Alpha Fan did not encapsulate the entire alluvial fan landform. What Ms Lucas refers to as the '*river-truncated front edge*⁴⁵', is not the end of the fan. It is one of several river-formed terrace faces that exist on the much larger alluvial fan landform. According to Mr Leary's evidence, what the court has been referring to up until now as the Alpha Fan is in fact referring to the uppermost terrace of the Alpha Fan. Mr Leary also points out that the uppermost terrace face has been partly eroded and then buried by later alluvial fan activity from Centre and Stoney creeks. The terrace is therefore not a continuous feature across the Alpha Fan.
- 9.6** Mr Leary's evidence describes, in geological terms, the processes leading to the formation of the Alpha Fan. At the essence of his discussion, Mr Leary explains how many fringes of the valley floors throughout the Southern Lakes district were formed in exactly the same way as the Alpha Fan. He points out that their gradient and geological composition has made alluvial fans ideal landscapes for cultivation and development. He emphasises that the alluvial fan landform is not unique in a glacially formed landscape. He also demonstrates a number of locations where there are better, less modified, examples of alluvial fans in the district.
- 9.7** Mr Leary's evidence includes a series of maps in the appendices, which show the frequency, location and size of alluvial fans in the Southern Lakes District. What is interesting to note is that there are many situations where the alluvial fans are not included within ONLs and that they are commonly selected as suitable sites for urban development and more intensive farming (such as vineyards). The maps are also useful in demonstrating that the Alpha Fan is in fact much larger than has been previously described and that the real toe of the fan (which I note is also considered an active part of the fan) has been extensively built upon already.

⁴⁴ S Leary, *Statement of Evidence*, dated 4 April 2017

⁴⁵ D J Lucas, April 2002, *Evidence in Chief*, at para 47-51

9.8 In my opinion, Mr Leary's evidence reinforces my argument that while the uppermost terrace of the Alpha Fan may part of be a coherent and visible glacial ('natural') landform, it is not unmodified or outstanding enough to be an ONL for the reasons I expand on below.

Human Modification

9.9 While I acknowledge that the coherent landform of the upper terrace of the Alpha Fan does contribute to its 'naturalness' and that the landform is visible and appreciated from public places within the township of Wanaka, I would argue that this example of an alluvial fan has been modified to an extent that it does not meet the 'outstanding' criteria of an outstanding natural landscape.

9.1 For close to 125 years the upper terrace of the Alpha Fan has been seeded with exotic pastures, fenced into paddocks and planted with exotic shelter belts and specimen trees. Erosion gullies on the fan surface have been filled in and smoothed to create more workable paddocks. Farm tracks, water races and an airstrip have been constructed. The landscape has been cropped, ploughed, fertilised, irrigated and grazed. The farm's main homestead has been constructed on the upper terrace. While the over landform appears to remain in its 'natural' state, humans have modified this landscape because it is naturally suited to cultivation.

9.2 If you were to take into consideration the entire landform of the Alpha Fan and not just the top terrace, then its lower reaches are in fact intensively developed with houses.

Absence of endemic vegetation cover

9.3 With little to no indigenous vegetation left on Hawthenden Farm, there is no dispute that the uppermost terrace of the Alpha Fan has vegetative cover that is more in character with pastoral landscapes than with typical ONL's of the District.

In the *Glendhu Bay and Hillend decision*⁴⁶, the Court wrote:

⁴⁶ *Wakatipu Environmental Society v Queenstown Lakes District Council* Decision C73/2002 at para 51

The complication is that the geomorphological and pastoral characteristics rather contradict each other. The former make the fan 'read' with the mountainous side, while the latter suggest it is part of the pastoral, visual amenity landscape of the flats...

The Court goes on to write (and Ms Mellsoy agrees in her evidence⁴⁷):

However, those visual amenity landscape characteristics are relatively ephemeral, and they could, if the land owner managed their land differently, be reversed. By comparison, the geomorphological characteristics, whilst also in flux, are relatively solid as a basis for the categorisation we have to make.

- 9.4** I find the second statement from the Court to be somewhat unreasonable. I believe it is unrealistic to focus on the reversible effects of current farming practices and that if these practices were to cease, the upper terrace of the Alpha Fan would return to a similar vegetative cover and character as that of the Mt Alpha Face. Firstly, as a privately owned area of farm land, it is unreasonable to assume that the landowner will ever abandon the land or revert to even less intensive farming practices. While reverse sensitivity effects of encroaching urban development have made the land increasingly difficult to graze with stock, in order to restore the economic integrity of the land, it is far more likely that the lower terraces of the farm will be subdivided into residential lots and the upper terraces of the Alpha Fan will be more intensively farmed (as a vineyard for example), or used for recreational activity. In a practical sense, it would be wrong to expect the farm owners to abandon their good agricultural land after all these years of farming and leave it to naturalise with the vegetative cover characteristic of the Mt Alpha Face.

Context

- 9.5** I agree that Mt Alpha Face adjoining the Alpha Fan is an ONL. However, I remain of the opinion that the Alpha Fan is more closely associated with the Visual Amenity Landscape of the lower terraces

⁴⁷ H Mellsoy, *Statement of Evidence*, dated 17 March 2017, at para (7.34)

of Hawthenden Farm and the valley floor fringes of the wider Upper Clutha Basin. This is made clear in the diagram I prepared showing Landscape Character Areas on Sheet 10 of Appendix A. The farming technique on the Alpha Fan differs from that of the Mt Alpha Face and is more closely related (in both appearance and type of farming) to the farming practices found on the valley floor. This is owing to the gentler gradient of the topography that lends itself well to cultivation and development. An easy distinction between the two farm types is that if you can drive a farm truck on it, you are on the alluvial fan. If your truck rolls off the hill, you're on the mountainside.

- 9.6** In most views of the fan there is a foreground view of urban development. There is urban development on the lower terraces of the Alpha Fan. In many ways the uppermost terrace of the Alpha Fan could be more appropriately seen as a 'buffer zone' between urban development and the ONL of the Mt Alpha Face.

Distinctiveness

- 9.7** I rely on the evidence of Mr Leary⁴⁸ to say with confidence that there are other better, less-modified examples of alluvial fans in the Southern Lakes District. Mr Leary suggests the alluvial fans at the neck of Stevensons Arm and at the base of Coronet Peak are good examples of unmodified alluvial fans and I note these are not considered to be part of the ONLs that surround them. The Alpha Fan is no more special than other alluvial fans in the district which makes it difficult to describe it as 'eminent', 'remarkable' or 'outstanding'.

Summary

- 9.8** In summary I remain of the opinion that the uppermost terrace of the Alpha Fan is not natural or outstanding enough to be included within the ONL of the Mt Alpha mountainside for the following reasons:
- While the Alpha Fan landform is visible from public places around Wanaka, and clearly demonstrates the natural processes leading to its formation, I believe the moderate to high level of modification on the landform and surrounding the landform degrade its naturalness and disqualifies it from being an ONL.

⁴⁸ S Leary, *Statement of Evidence*, dated 4 April 2017

- The current alignment of the boundary follows a terrace feature that is not continuous along its length (as the alluvial fan continues to evolve).
- There is a clearly discernible line that exists between the top of the Alpha Fan and the bottom of the Mt Alpha mountainside that I determine to be the most appropriate location for the ONL boundary.
- Alluvial fans are commonplace in the Upper Clutha Basin and are frequently associated with the valley floor (mainly because they are more intensively farmed and or developed in the same fashion as the valley floor)
- There are better examples of alluvial fans in the District that are less modified, making the Alpha Fan less outstanding.

9.9 In essence, it is my opinion that the ONL boundary should be more appropriately drawn as I have delineated on the map on Sheet 6 and drawn on Photograph 7 on Sheet 11 of Appendix A.

10. LANDSCAPE ASSESSMENT OF SUITABLE AREAS TO REZONE FOR LIVING OPPORTUNITIES

10.1 I have identified three areas of Hawthenden Farm that I believe could be suitable for rezoning as Rural Lifestyle and Rural Residential zones. These areas (A, B and C) are indicated on Sheet 6 of Appendix A. In my original landscape assessment⁴⁹ I have described each site in detail and made an assessment of likely landscape and visual effects of the proposed development that could occur as a result of the rezoning.

10.2 Ms Mellsop does not oppose the proposed rezoning sought in Areas A and C, and writes:

I agree with Rough and Milne report that Rural Lifestyle zoning in Areas A and C could be absorbed without significant adverse effects on the rural character of the peri-urban area or on the visual amenity values of the surrounding urban and rural

⁴⁹ H Ayres (2015) *Hawthenden Farm Wanaka Landscape and Visual Assessment*, from page 19

landscapes. The rezoned areas would form a transitional rural living buffer between urban Wanaka and the rural area...⁵⁰

Given Ms Mellsop's position on this, I do not consider it necessary to provide further discussion on Areas A and C from a landscape perspective.

- 10.3** With regard to Area B, Ms Mellsop opposes the proposed Rural Residential zoning but has suggested that she would support Rural Lifestyle zoning instead. In her evidence she writes:

I agree that the rezoning area (B) has little visibility outside the immediate vicinity but consider that Rural Residential zoning would not be consistent with the objective of maintain a clear distinction between urban and rural areas. The density and nature of development could be very similar in the proposed Rural Residential zone and the Large Lot Residential zone land north of Studholme Road. It is my view that Rural Lifestyle zoning of Area B would be more appropriate from a landscape perspective and would result in a continuous buffer of rural living character along the southern side of Studholme Road...⁵¹

- 10.4** It is clear from this statement that Ms Mellsop's concerns are more about the effects of density on rural character than the landscape and visual effects of rezoning. I agree with Ms Mellsop that a continuous buffer of rural living character along the southern side of Studholme Road would form an appropriate edge to urban growth boundary. However, I remain of the opinion that Rural Residential zoning would still achieve this buffer and is the most appropriate zone for Area B for the reasons discussed below.

- 10.5** Ms Mellsop's main concern is the effects on rural character (that she believes can be more easily maintained in the Rural Lifestyle zone). Rural Residential zoning will allow subdivision into minimum lot size of 4000m², while ensuring a level of rural character is maintained. Specially designed covenants and other conditions (decided at subdivision consent stage) would control development to ensure a

⁵⁰ H Mellsop, *Statement of Evidence*, dated 17th of March 2017, at para 7.39

⁵¹ *Ibid*, at para 7.40

level of rural character is maintained that defines the Rural Residential zone from the neighbouring Large Lot Residential zone (such as increased setbacks, building materials and landscaping).

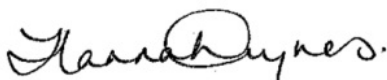
10.6 Although I agree the Rural Residential zone does reflect a similar density to the neighbouring Large Lot Residential zone, I don't think this should necessarily be seen as a negative thing. In time it may be seen as appropriate or even necessary to rezone the area again to become Large Lot Residential zone.

10.7 A key difference between Large Lot Residential and Rural Residential zones is that farming activities are permitted within the Rural Residential zone, where as they are non-complying within the Large Lot Residential zone. Hawthenden Ltd would therefore be able to continue operating the land as a farm until such time as they decide to subdivide it (and following development the land could still potentially be operated as part of the farm). It would also be easier for Hawthenden Ltd to control reverse sensitivity effects that occur next to an urban boundary, as those within the Rural Residential zone have chosen to live in a rural environment.

10.8 Rural Residential zoning was considered to be the best use land in this area, where a slightly higher density (than rural lifestyle) could be achieved without any adverse effects on the surrounding rural and urban amenity.

Summary

10.9 In summary, I believe Area A and C (as shown on Sheet 7) are suitable to be rezoned as Rural Lifestyle zone and Area B is suitable to be rezoned as Rural Residential zone. I am comfortable that both of these zone types will ensure a semi-rural character to development that both Ms Mellsop and I agree is appropriate for the urban edge of Wanaka.



[]

Hannah Mary Ayres

4 April 2017

APPENDIX A – GRAPHIC ATTACHMENT

**APPENDIX B – H AYRES HAWTHENDEN FARM – WANAKA,
LANDSCAPE AND VISUAL ASSESSMENT (22 OCTOBER 2015)**