

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Stage 3b of the
Proposed District Plan

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

LANDSCAPE

12 June 2020

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1. INTRODUCTION

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

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

2. SCOPE

2.1 My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:

Rural Visitor Zone

(a) Carey Vivian for Lloyd Veint (**31006**);

General Industrial Zone, Three Parks Commercial Zone, Cardrona Settlement Zone

(b) Shannon Bray for Spark New Zealand Trading Ltd and Vodafone New Zealand Ltd (**31002**);

Arthurs Point North

(a) Benjamin Espie for Robert Stewart (**31038**);

(b) Emma Ryder for Arthurs Point Land Trustee Ltd (**31042**);

(c) Stephen Skelton for Arthurs Point Woods Ltd (**31031**) and QRC Shotover Ltd (**31032**).

- 2.2** I have read the evidence of the following experts, and consider that no response is needed (as far as the statements listed address landscape matters):

General Industrial Zone, Three Parks Commercial Zone, Cardrona Settlement Zone

- (a) Chris Horne for Spark New Zealand Trading Ltd and Vodafone New Zealand Ltd (**31002**);

Arthurs Point North

- (b) Carey Vivian for Robert Stewart (**31038**);
(c) Scott Freeman for Arthurs Point Woods Ltd (**31031**);
(d) John Edmonds for Coronet Peak Properties Limited (**31040**);

Cardrona Settlement Zone

- (e) Timothy Grace for Cardrona Village Ltd (**31019**);
(f) Stephen Brown for Cardrona Village Ltd (**31019**).

- 2.3** My evidence has the following attachments:

- (a) **Appendix A:** Map of recommended extent of Medium Density Residential Zone (**MDRZ**) at 201 Arthurs Point Rd (**31038**).

SUBMITTER EVIDENCE ON TEXT OF CHAPTER 46 - RURAL VISITOR ZONE

3. CAREY VIVIAN FOR LLOYD VEINT (31006)

- 3.1** Mr Vivian has filed planning evidence in relation to the Arcadia Rural Visitor Zone. As outlined in his evidence, the primary relief now sought is the inclusion of a Structure Plan (approved by resource consent RM11010) into Chapter 46, along with bespoke objectives, policies and rules for the zone. As secondary and alternative relief the submitter seeks a bespoke special zone for Arcadia.

- 3.2** Although Mr Vivian has provided planning rather than landscape evidence, the modified relief set out in his evidence has landscape

implications. I therefore provide my views on the landscape and visual amenity effects of the proposed changes to Chapter 46.

3.3 Mr Vivian outlines the zoning and resource consent history of the site in his Section 2 and quotes extensively from my landscape assessment review of the RM110010 application, which is also Attachment C to the Vivian evidence. I note that my assessment of the proposed structure plan in 2011 was undertaken in the statutory context of the ODP Rural Visitor Zone, a relatively enabling zone in which many activities, including structure plans, are controlled activities. There are no site coverage standards and buildings of up to 12 metres in height are provided for as controlled activities. In addition, there are no assessment matters for controlled activity structure plans and therefore no guidance as to the appropriate landscape outcomes of a structure plan or how such a plan might achieve the objective and policies for the zone.

3.4 The changes proposed to Chapter 46, outlined in Section 3 of Mr Vivian's evidence, reduce the total building coverage for most of the activity areas on the Arcadia Structure Plan, as compared with the RM110010 structure plan and design guidelines. They also introduce a new restricted discretionary activity rule for buildings in all activity areas except RES1A and RES1B. Despite these positive changes I remain of the opinion expressed in paragraph 7.26 of my evidence in chief – that development enabled by the structure plan and proposed bespoke plan provisions would exceed the capacity of the area to absorb development without compromising its landscape values. In my view, the VA2B and VA3B activity areas, as well as the majority of RES2C, are within an area of high landscape sensitivity. Visible development on these lower slopes leading down to Diamond Lake would reduce the naturalness and coherence of scenic views within the landscape and could also have significant adverse effects on the perceived quality and aesthetic coherence of the surrounding Outstanding Natural Landscape (**ONL**).

3.5 I consider there are difficulties with some of the proposed bespoke objectives, policies and rules for Arcadia and that they could lead to adverse landscape and visual amenity effects:

- (a) The proposed policies in Mr Vivian's paragraph 3.6 describe expected outcomes for the activity areas in the structure plan, but in some cases there are no subsequent mechanisms to ensure these outcomes are achieved. For example, there are no matters of control in the RES activity areas to encourage clustering of buildings or a 'rural homestead' appearance. It is also uncertain what is meant by a 'continuous' or 'contiguous' character (different terms are used for different activity areas). This could mean that buildings are close together, that the architectural style is integrated, that roof pitches are similar, that exterior materials and colours are similar, or some other outcome.
- (b) The restricted discretionary activity status for buildings outside RES 1A and 1B does allow for landscape and visual effects to be considered in any consent application. However, I consider that additional matters of discretion would be needed to adequately address all the potential landscape effects of development. For example, discretion over access and over modification of existing exotic and indigenous vegetation within the zone.
- (c) The 12 residential dwellings proposed for RES 2A, 2B and 2C at Mr Vivian's paragraph 3.11 would in my view exceed the capacity of the site to absorb residential development without significant adverse effects on the landscape character and values. This opinion takes into account my view that RES 2C would need to be considerably reduced to align with the area of moderately-high landscape sensitivity shown on the notified Stage 3B maps.
- (d) The proposed height restrictions at Mr Vivian's paragraph 3.15 would allow for two storey buildings up to 8 metres in height in some of the more sensitive activity areas, including RES 2A, 2B and 2C, and the VA activity areas other than VA1. I consider that outside the identified area of lower landscape sensitivity on the site, maximum building height should be

limited to 6 metres. This would limit the visual prominence of structures and allow them to be integrated by existing matagouri and other vegetation on the site.

- (e) With regard to the building materials and colours for VA1 outlined at Mr Vivian's paragraph 3.21, I consider there is a risk that new structures meeting this standard could compete visually with Arcadia House and detract from the landscape setting of this heritage building. While it could be appropriate for new buildings to be similar colours to the homestead, depending on their design and proximity to the house, it might in other circumstances be more appropriate for new buildings to be recessive and distinctly different from the homestead. For example, new buildings at Walter Peak Station that are separated from the historic buildings in the bay are contemporary in design and recessive in external appearance.
- (f) The allowance for timber post and rail fencing in Mr Vivian's paragraph 3.23 could in my view lead to inappropriate domestication of the zone, particularly the retained open space areas.

SUBMITTER EVIDENCE ON TEXT OF CHAPTER 30 - ENERGY AND UTILITIES

4. SHANNON BRAY FOR SPARK NEW ZEALAND TRADING LTD AND VODAFONE NEW ZEALAND LTD

4.1 Mr Bray has filed evidence in relation to the landscape and visual effects of changes to the Chapter 30 rules for permitted heights of utility poles. The relief sought involves an increase in the currently permitted height of 11 metres to:

- (a) 18 metres in the General Industrial Zone;
- (b) 18 metres single operator/21 metres multiple operator in the Three Parks Commercial Zone; and
- (c) 15 metres single operator/18 metres multiple operator in the Cardrona Settlement Zone.

- 4.2** I have not undertaken any on-site assessment of the proposed rule change but have reviewed Mr Bray's evidence on the basis of my existing knowledge of the District. As a consequence, my comments are general in nature.
- 4.3** I consider that the discussion of landscape character, infrastructure and mitigation of the effects of telecommunications infrastructure in Sections 4, 5 and 6 of Mr Bray's evidence is largely robust and accurate. However, I do not think he has adequately addressed the influence of zone area and landscape context on the ability of particular industrial or commercial zones to absorb telecommunications infrastructure. He has also not clearly recognised that different industrial and commercial zones have varying levels of amenity and value. For example, a large heavy industrial zone in South Auckland is likely to have much greater ability to absorb tall telecommunications infrastructure than a small General Industrial Zone in Arrowtown adjacent to an ONL and residential areas.
- 4.4** At his paragraph 6.10, Mr Bray discusses cross-boundary effects with residential or rural zones, and the potential use of height to boundary ratios and setbacks, to avoid or minimise adverse effects of telecommunications masts on surrounding environments. However, it appears that the submitter is only proposing such standards for the Cardrona Settlement Zone and not for General Industrial (**GIZ**) or Three Parks Commercial zone. These zones also have boundaries with rural or residential areas.
- 4.5** I consider that Mr Bray's assessments of potential landscape and visual effects in the individual zones (in Section 7 of his evidence) are compromised by the absence of site visits (acknowledged to be as a result of COVID-19 restrictions) and a lack of comprehensive knowledge of the District's landscapes. There are some errors in landscape descriptions and in his understanding of Chapter 30, the Three Parks Zone, and the notified maps.
- 4.6** For example, at paragraph 7.6 Mr Bray states that controls within Chapter 30 will help to limit effects on immediately surrounding zones, but he does not recognise that this would not be the case for a

permitted activity pole unless additional standards were added. At paragraph 7.12, he describes the height of three existing buildings at Three Parks but does not recognise that the recreation centre is not located in the Three Parks Commercial Zone or GIZ and the Three Parks storage facility, which is within the GIZ, has a maximum height of about 5 metres. In describing the zones at paragraphs 7.10 to 7.14, he has also not acknowledged that substantial parts of the Wanaka GIZ have already been developed under the ODP Industrial Zone, which has a maximum building height of 6 or 7 metres.

- 4.7** Another example of an error is at Mr Bray's paragraph 7.19 where he has stated that the central area of the Cardrona Settlement Zone is identified as a 'High Landscape Sensitivity'. Mr Bray has confused the mapping notation with that for the Commercial Precinct within the zone.

SUBMITTER EVIDENCE ON REZONING REQUESTS AT ARTHURS POINT

5. BENJAMIN ESPIE FOR ROBERT STEWART (31038)

- 5.1** Mr Espie has filed evidence in relation to the landscape effects of the proposal to extend the Arthurs Point MDRZ uphill in the south-western part of Robert Stewart's property (Lots 1 and 2 DP 515200). The relief sought by the submitter has been refined and only part of the property is now sought to be excluded from the Mount Dewar ONL, rezoned to MDR and included within the Urban Growth Boundary (**UGB**). The proposed revised area of rezoning is shown in Appendix 6 to Mr Espie's evidence.

- 5.2** Mr Espie has stated at his paragraph 6.3 that he agrees with the conclusion in my June 2019 landscape assessment that the toe of Mount Dewar would be the appropriate boundary for development, based on the current landscape character. He goes on to say that the notified MDR zoning on the Arthurs Point Woods Ltd site changes the patterns and elements of human modification within the landscape and the context for considering the appropriate zoning of Robert Stewart's property. Having considered Mr Espie's evidence, I agree that the notified MDRZ, extending in a rectilinear block up the mountainside, has altered the context for consideration of urban zoning on Mr

Stewart's property. I agree with Mr Espie's statement in the last sentence of his paragraph 5.4 that the notified MDR zone in this location (when developed) would create '*a very abrupt and geometric-looking end to the Arthurs Point North built area*'.

- 5.3** I largely agree with Mr Espie that the extended area of MDRZ shown in his Appendix 6 would result in a more logical, coherent and landform-related pattern of urban development within Arthurs Point North, and could have fewer adverse effects on visual amenity values and landscape character than the notified zoning. The northern and eastern boundaries of the submitter's proposed MDRZ appear to follow an existing farm track on the property rather than any visual catchment or any logical gradient across the contour. The zone also appears to extend partially onto the bluff/headland that forms the eastern topographical enclosure of Arthurs Point North. I have been unable to make a detailed site visit before finalising this rebuttal evidence to determine where the appropriate boundaries of the MDRZ would lie, but my initial recommendation is that they be reduced on the east to completely avoid the bluff/headland and rationalised on the north to form an even gradient across the slope (refer Figure 1 in Appendix A).
- 5.4** I do not agree with Mr Espie's statement in his paragraph 6.6 that the lower slopes of Mount Dewar are not perceived as being part of the broader mountainous ONL landscape. The photograph in Mr Espie's Appendix 7 shows a limited view that is not representative of more distant and less foreshortened views of Mount Dewar from within the Arthurs Point basin. The images attached to Mr Skelton's evidence for Arthurs Point Woods Ltd illustrate how the lower slopes form a cohesive part of the wider mountain form. While I consider that the modified relief sought by the submitter would adversely affect the landscape character and visual amenity values of the Mount Dewar ONL, the presence of notified MDRZ on the Arthurs Point Woods Ltd site means that these adverse effects would be low in extent.
- 5.5** A consequence of my support for the MDR zoning sought by Mr Stewart is that the boundary of the ONL would coincide with the zone boundary, as recommended and shown in Figure 1, Appendix A to this evidence.

6. EMMA RYDER FOR ARTHURS POINT LAND TRUSTEE LTD (31042)

6.1 Ms Ryder has filed planning evidence in relation to the zoning of a site at 182 Arthurs Point Road. At paragraph 44, Ms Ryder notes that Building Restriction Area (**BRA**) 3 on the submitter's site is not addressed in my evidence in chief. The relief sought by the submitter includes removal of this BRA and retention of the underlying MDRZ.

6.2 The knoll landform that is covered by the BRA forms part of the eastern 'bookend' to Arthurs Point North. This landform continues to the north, interrupted by the cut that allows Arthurs Point Road to continue to the east. In my June 2019 landscape assessment I identified the part of the knoll on the site as an area of moderate landscape sensitivity. Ms Ryder has quoted my assessment (at her paragraph 29) that this area has some limited capacity to absorb sensitively designed visitor facility development. In my view the MDRZ would not achieve this outcome for the BRA3 area on the site.

6.3 The density of development enabled by this zone would not maintain the naturalness of the landform feature and built development is unlikely to be effectively integrated by landscaping. In addition, because the site extends to the highest point of the knoll, 8-metre high development in the eastern part of the BRA is likely to be visible from rural areas to the east of Arthurs Point. This visibility would adversely affect the landscape and visual amenity values of the eastern part of the Arthurs Point Basin ONL.

SUBMITTER EVIDENCE ON TEXT OF CHAPTER 8 – MEDIUM DENSITY RESIDENTIAL AT ARTHURS POINT

7. STEPHEN SKELTON FOR ARTHURS POINT WOODS LTD (31031) & QRC SHOTOVER LTD (31032)

7.1 Mr Skelton has filed evidence in relation to the landscape effects of changes to MDRZ building height and building density rules sought by Arthurs Point Woods Ltd. These are bespoke changes that would apply only to the Arthurs Point MDRZ. They involve firstly a building height of 8-12m as a restricted discretionary activity (except within 20 metres of

the ONL), and secondly a site density rule that allows one residential unit per site for any site less than 250m². I understand that a consented subdivision (RM190926) for the Arthurs Point Woods Ltd site (Lot 3 DP 331294) includes at least 8 lots with a net site area of less than 250m².

7.2 Mr Skelton states at paragraph 30 that the subject sites are able to absorb buildings over 8 metres in height and that such buildings would be visually absorbed, as a result of the steep slope to the north. He also states that landform and vegetation to the east and west would prevent ridge and skyline breaches.

7.3 I do not consider that the steep MDR-zoned slopes within the sites have the ability to absorb buildings of up to 12 metres in height (potentially three stories). These sites are part of the lower slopes of Mt Dewar that would, in the absence of consented residential subdivisions (RM180844 and RM190926) and MDR zoning, have formed part of the ONL of the mountain. These slopes are visible at close proximity from the Arthurs Point terrace area, including from Arthurs Point Road, apartment buildings on the southern side of the road, and the Bullendale Special Housing Area (**SHA**). They are also visible from parts of the Lower Density Suburban Residential Zone in lower Arthurs Point (including the reserve at the end of Amber Place), from 'old Arthurs Point' on the lower slopes of Bowen Peak, and from Littles Road.

7.4 Images 1-8 attached to Mr Skelton's evidence illustrate this visibility (with the proviso that wilding conifers on the lower slopes are likely to be removed in the future). A maximum height of 12 metres, even as a restricted discretionary activity, would increase the bulk and dominance of built form on a prominent visible slope that is currently surrounded on three sides by ONL. In my view this change would have additional adverse effects on the natural character and visual coherence of Mount Dewar.

7.5 The steep slope to the north of the sites, together with consented beech reforestation on this slope, would not mitigate adverse effects on landscape character resulting from increased building height and bulk, and would not mitigate adverse visual amenity effects from more

distant viewpoints. The slope and consented vegetation would not screen or integrate bulkier development on the sites. I also note that there is no vegetation or topography to the west that would screen higher buildings or prevent ridgeline or skyline breaches. The southern face of Mount Dewar extends evenly to the west and is currently open rough grassland above the Bullendale SHA. Wilding conifers on the mountain face to the east of the site cannot be relied on to screen taller development. There is a high likelihood these will be removed in the future as part of wilding conifer control within the District.

7.6 At his paragraph 32, Mr Skelton states that neighbouring sites to the west and east would not be affected by taller buildings, as their views are of the mountain and gorge to the south. In my opinion, this ignores the fact that while peoples' views may be focused to the south, this does not mean that they would not view or be affected by visually dominant taller buildings on the sites.

7.7 Mr Skelton states at paragraphs 29 and 39 that an 8-metre building height would result in architecture which does not appropriately address the Arthurs Point vernacular. I disagree with Mr Skelton on this point. Development on the upper Arthurs Point terrace does not have a consistent architectural style, being a diverse mix of single storey buildings with pitched roofs, flat-roofed apartment buildings, commercial buildings and terrace housing. There is no clear 'vernacular' architectural style or form. Single or two storey buildings with gable or monopitch roofs can be constructed within an 8-metre height limit, and in my view a diversity of building and roof forms would be appropriate within the MDR zone on the submitters' sites.



Helen Juliet Mellsop

12 June 2020

APPENDIX A

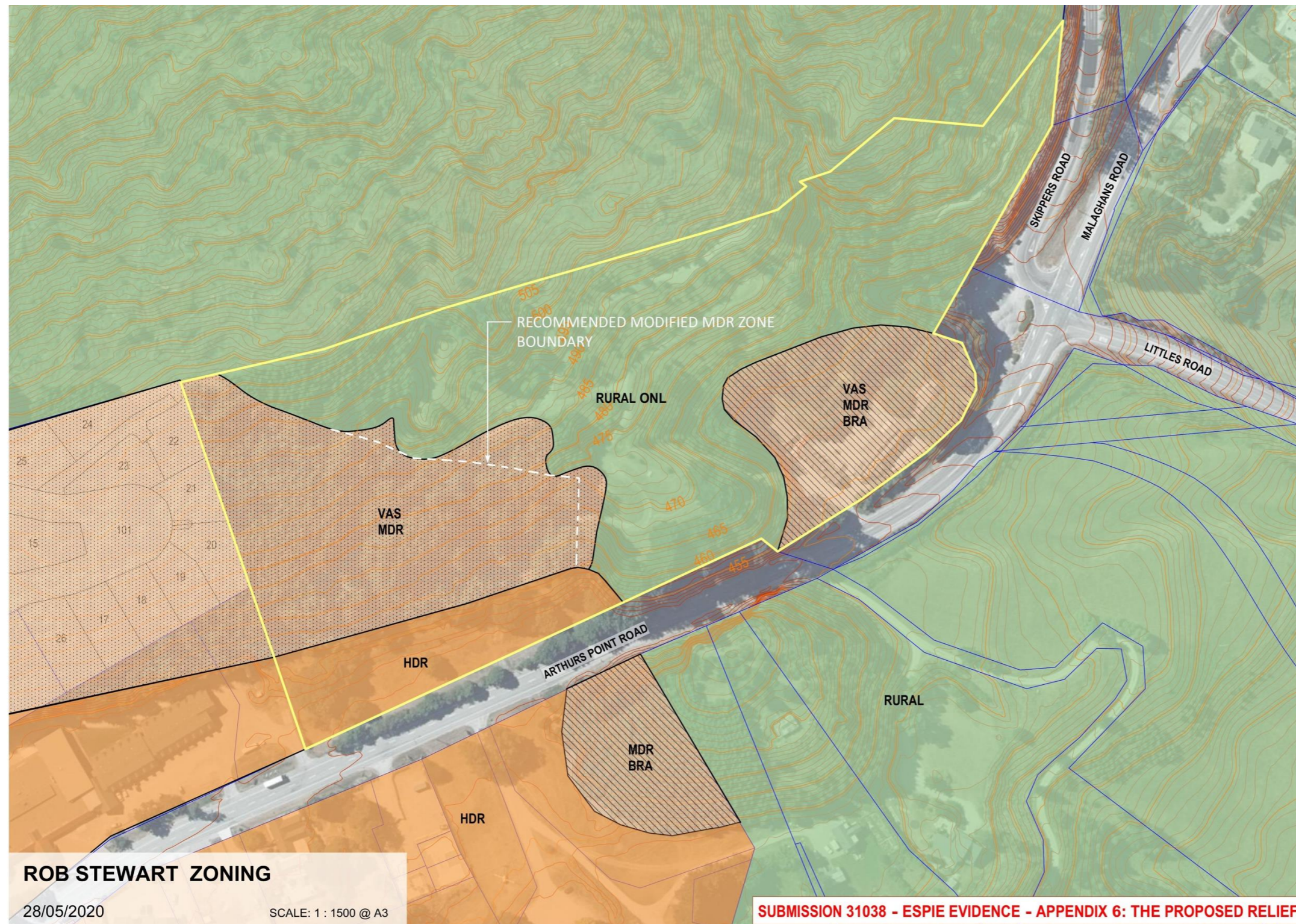


Figure 1: Annotated version of zoning map proposed by Ben Espie for Robert Stewart (31038), showing initial recommended revised zone boundary as white dashed line (to be confirmed following a site visit).