

**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 MATTHEW STUART BENTLEY JONES
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**LANDSCAPE ARCHITECTURE – REZONINGS –
RURAL VISITOR ZONE + GENERAL INDUSTRIAL ZONE**

12 June 2020

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1. INTRODUCTION

1.1 My full name is Matthew Stuart Bentley Jones. My qualifications and experience are set out in my statement of evidence in chief dated 18 March 2020 (**EIC**).

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 rezoning's

- (a) Ms Jessica McKenzie for Heron Investments Ltd (**31014**);
- (b) Mr Tony Milne for Gibbston Valley Station Ltd (**31037**); and
- (c) Ms Rebecca Lucas for Matakauri Lodge Ltd (**31033**).

General Industrial Zone rezoning's

- (d) Mr Benjamin Espie for Upper Clutha Transport Ltd (**3256**).

2.2 I will address evidence filed by Cardrona Cattle Company Ltd (**3349**), Corbridge Estates Ltd Partnership (**31021**), and Malaghans Investments Ltd (**31022**) in a separate statement of evidence to be filed on 19 June 2020.

2.3 My evidence has the following attachments:

- (a) **Appendix A:** Extent of Building Setback (within Low Sensitivity Area) related to Submitter 31014: Heron Investments Ltd.

REZONING REQUESTS – RURAL VISITOR ZONE

3. JESSICA MCKENZIE FOR HERON INVESTMENTS LTD (31014)

- 3.1 Ms McKenzie has filed landscape assessment evidence in relation to the RVZ for this site. The evidence includes the information I recommended be provided at paragraphs 10.9 – 10.12 and Section 16 of my EIC.
- 3.2 Ms McKenzie's statement provides landscape analysis and assessment of the site and surrounding environment in relation to:
- (a) Landscape character;
 - (b) Views and visual amenity; and
 - (c) Landscape sensitivity.
- 3.3 Ms McKenzie's statement is thorough in outlining the attributes and characteristics in order to determine the site's landscape sensitivity.
- 3.4 However, at paragraph 5.8 Ms McKenzie states that *"in relation to landscape character, this rural landscape setting is more able to absorb a node of visitor activity than most settings within the rural landscapes of the district."*
- 3.5 I am unsure from this comment as to whether Ms McKenzie is alluding to the site itself as a node, or the identification of a series of nodes across the site where specific future development could be located.
- 3.6 Irrespective of the above, due to the size of the area of low landscape sensitivity identified through Ms McKenzie's assessment,¹ in my opinion site specific future development areas and potential 'buildable' locations should be identified and mapped for the site. This will provide more surety to the location of potential future development.
- 3.7 Further to the above, within the table at paragraph 3.8 of Mr Carey Vivian's planning evidence he states that a 6,000m² maximum building

1 Refer 'Appendix 2: Landscape Sensitivity Map' to Ms McKenzie's evidence.

coverage should be applied to the site and, at paragraph 3.9, that the purpose of the standard:

“...is to limit the built form to be used for farming, accommodation, commercial and tourism activities within the Maungawera Rural Visitor Zone. 6,000 m² of building coverage represents a building coverage of 0.005% of the requested Maungawera Rural Visitor Zone.”

- 3.8** No discussion of this maximum building coverage provision is outlined within the landscape assessment prepared by Ms McKenzie. In my opinion, the 6,000m² is inappropriate for the site without any controls in relation to building locations or to ensure building separation or avoid inappropriate clustering, e.g. buildings totalling 6,000m² could all be situated in one concentrated location and thus undermining the inherent purpose of the RVZ in relation the limited scale and intensity anticipated.
- 3.9** Also, in relation to the extent of the area identified as ‘low landscape sensitivity’ at paragraph 5.7 of her evidence, Ms McKenzie states that *“the undulating nature of the terraces and the existing vegetation ensure existing and proposed development is visually contained”*.
- 3.10** I generally concur with this statement, however in my opinion, the low sensitivity area on its western and southern extents should not extend abruptly to the edges of the respective steep escarpments (which are identified as high sensitivity). In order to be receptive to the edges of this high landscape sensitivity area and minimise any potential adverse effects on landscape character or visual amenity within this Rural Character Landscape (**RCL**), the low sensitivity area boundary should be setback from this edge, or a building setback of a minimum of 25m should be identified around this edge (refer **Appendix A**).
- 3.11** Further to this, given the site is currently located within the Rural Zone Rural Character Landscape (**RCL**), which is a section 7(c) landscape and subject to the strategic direction in Strategic Chapters 3 and 6 as per the Environment Court’s decision in Topic 2, without the specific controls outlined above, in my opinion the proposal will not serve to

maintain the landscape character, or maintain or enhance visual amenity values of the landscape.

- 3.12** Having undertaken my assessment and subsequently having reviewed the statement of Ms McKenzie, due to insufficient information provided and the reasons outlined above my assessment position has not changed and I remain **opposed** to the relief sought for this site.

4. TONY MILNE FOR GIBBSTON VALLEY STATION LTD (31037)

- 4.1** Mr Milne has filed landscape assessment evidence in relation to the RVZ for this site. The information includes the information I recommended be provided at paragraphs 13.11 – 13.14 and Section 16 of my EIC.

- 4.2** Mr Milne's statement provides detailed and comprehensive analysis and assessment of the site and surrounding environment in relation to:

- (a) The receiving environment;
- (b) The site attributes and values in relation to natural character, landscape values, visual amenity values and landscape character;
- (c) Identification of the site specific landscape opportunities and constraints;
- (d) Landscape sensitivity (and the identification of Primary Developable Areas); and
- (e) Visual amenity matters.

- 4.3** Mr Milne's statement provides sound reasons and justification for the RVZ rezoning of this site in relation to landscape and visual assessment matters, and I concur with the conclusions reached. I consider the assessment appropriate and adequate and therefore do not see a reason to provide rebuttal, however I provide the following statements in relation to the recommended revised provisions.

- 4.4** Mr Milne states at paragraph 83 that a revision to Rule 46.5.1 should *"allow for a building height of 7m within Primary Development Area 1 and 3"*. I agree with this recommendation because, in my opinion, given

the visually contained location upon the upper terrace and the context within which future buildings will be located, the difference between a 6m building and 7m will be barely discernible.

- 4.5** Within paragraph 84, Mr Milne states that he supports *“inclusion of policies associated with roading and infrastructure to ensure rural character is maintained”*. I agree with this statement and the recommended associated provisions outlined within the attachment to the planning evidence of Mr Brett Giddens.
- 4.6** Mr Milne goes on to describe the appropriateness of the Wakatipu building materials and colours standard, however he states that they should allow for *“sympathetic design, cladding, materials and colour to enhance the landscape character of the zone”*. I concur with this recommendation as it will assist in maintaining and enhancing landscape and rural character. A provision to this end should be included within the RVZ.
- 4.7** In relation to the potential effects on the Gibbston Valley landscape and the Gibbston Character Zone (**GCZ**), Mr Milne provides a sound and coherent assessment. I concur with the conclusions found in relation to the identified Primary Development Areas being setback from the valley floor and elevated upon the upper terrace. These areas also do not prevent viticulture activities within the northern extent of the site.
- 4.8** I change the assessment conclusion reached at paragraph 3.15 of my EIC and now **do not oppose** the rezoning relief sought for this site, subject to the changes to the provisions discussed above in relation to building height, roading and infrastructure and building materials and infrastructure that I support.

5. REBECCA LUCAS FOR MATAKAURI LODGE LTD (31033)

- 5.1** Ms Lucas has filed landscape assessment evidence in relation to the RVZ sought for this site. The information provided includes information I recommended be provided at paragraphs 15.8 – 15.10 and Section 16 of my EIC.

5.2 Ms Lucas' statement provides detailed and comprehensive analysis and assessment of the site and surrounding environment in relation to:

- (a) The surrounding landscape context;
- (b) Identification of the landscape attributes and character;
- (c) Identification of the site specific landscape opportunities and constraints (including future development opportunities);
- (d) Landscape sensitivity; and
- (e) Visual assessment matters.

5.3 Ms Lucas' statement provides sound reasons and justification for the RVZ rezoning of this site in relation to landscape and visual assessment matters, and I generally concur with the conclusions reached.

5.4 In relation to the identification of the 'High' landscape sensitivity areas and the ensuing potential building development areas ('Appropriate land for development'),² I concur with Ms Lucas' statement at paragraph 36 that *"this plan (or something similar) represents the maximum level of development that the site is capable of absorbing."* The anticipated building development areas are appropriately located to complement the existing development pattern on the site.

5.5 Ms Lucas states at paragraph 48 that the site should have a *"building footprint limit of 500m² per building"* and a *"maximum building site coverage of 2,500m²"* (Bullet points 2 and 3 respectively), which is contrary to the recommended provisions.

5.6 In my opinion, the 2,500m² limit is inappropriate in this setting. It is my understanding that the existing site coverage is currently 1634m² ³, therefore allowing some 866m² of further development onto the site. The existing 1634m² is split across six buildings and two car parking areas. A more appropriate maximum building site coverage limit would be 2000m².

2 Refer Drawing LA4A 'Opportunities for Development' Plan appended to Mr Lucas evidence.
3 Refer paragraph 40 of the planning evidence in chief of Mr Scott Freeman.

- 5.7** I concur with the other recommendations within paragraph 48 of Ms Lucas' evidence in relation to a 10m building separation and the requirement for native vegetation to screen and soften built form and to break up and avoid a continuous built form. However, I recommend that a site specific provision be included which requires native vegetation to be planted in the areas between buildings. This will offset potential visual effects of future building form and assist in their integration into the surrounding environment.
- 5.8** I change my assessment conclusion and agree and **do not oppose** the rezoning relief sought for this site, although that is subject to the imposition of the 2000m² building coverage standard and planting requirements (between buildings) as stated above.

REZONING REQUESTS - GENERAL INDUSTRIAL ZONE

6. BENJAMIN ESPIE FOR UPPER CLUTHA TRANSPORT LIMITED (3256)

- 6.1** Mr Espie has filed landscape assessment evidence in relation to the GIZ for this site. The statement includes information I recommended be provided at paragraph 6.11 of my EIC.
- 6.2** Mr Espie's statement provides thorough and comprehensive analysis and assessment of the site and surrounding environment in relation to:
- (a) Landscape character;
 - (b) Views and visual amenity;
 - (c) Identification of the Opportunities and Constraints; and
 - (d) Landscape sensitivity.
- 6.3** Mr Espie's statement provides sound reasons and justification for the GIZ rezoning of this site in relation to landscape and visual assessment matters, and I generally concur with the conclusions reached.
- 6.4** Within paragraphs 6.2, 6.4, 6.5, 6.14 and 6.15 Mr Espie outlines the relative visibility of the site, and within paragraphs 6.6, 6.9, 6.15 he outlines the importance of the landscape treatment of the Church Road and Clutha River frontages. However, there are no specific provisions

provided within the zone in order to ensure that landscape treatment is undertaken.

- 6.5** In my opinion, a specific provision should be included that will ensure landscape treatment along both the Church Road and Clutha River margins within the setback areas. In general, the main focus of the view will be along Church Road (from the west) and to the Clutha River (from the east), however the landscape treatment will provide visual softening of the future built form anticipated within the site and zone (should the zoning sought be upheld).
- 6.6** At paragraphs 6.3 and 6.5 Mr Espie discusses the existing pine trees on the site and their importance in preventing views into or across the site (in relation to visual amenity). However, under the existing provisions there is no protection provided for these trees. This provides further emphasis on the necessity for a planted buffer within the building restriction area along the Church Road and along the Clutha River margins.
- 6.7** A Building Restriction Area (**BRA**) is proposed within the northern part of the site and there is no discussion of this within the landscape evidence of Mr Espie. However, in my opinion, this area will provide an extensive building setback from the northern boundary and contain future built form within the southern part of the site proximate to the neighbouring property zoned Rural Industrial Sub Zone.
- 6.8** I also recommend that the 20m setback identified along the Church Road and Clutha River frontage become BRAs. This will provide more certainty and restriction of built elements along these margins and it should be dedicated to providing the landscape treatment buffer as outlined above.
- 6.9** It is unclear within Mr Espie's evidence as to whether the 20m setback along the eastern boundary (to the Clutha River) is from the property boundary or from the edge of the identified ONL (which extends into the site)⁴. In order to provide further protection, in my opinion, the 20m setback should be from the edge of the ONL.

4 Refer paragraph 6.5(g) of my GIZ EIC.

6.10 This submission also seeks the land be considered for rezoning to either GIZ or to Rural Industrial Sub Zone (**RISZ**). In my opinion, the provisions within the RISZ provide Council a greater level of control in relation to matters such as building design (external appearance), size (ground floor area coverage) and height.

6.11 I change the assessment conclusion reached at paragraph 6.12 of my EIC and now **do not oppose** the GIZ or RISZ rezoning relief sought for this site, **subject to** the recommended additions to the provisions I outline above in relation to BRAs and the requirement for planting along the respective site boundaries (namely Church Road and the Clutha River margin).

A handwritten signature in black ink, appearing to read 'M Jones', with a stylized flourish extending downwards.

Matthew Stuart Bentley Jones

12 June 2020

Appendix A
Extent of Building Setback (within Low Sensitivity Area) related to Submitter
31014: Heron Investments Ltd.



**Appendix A: Extent of Building Setback (within Low Sensitivity Area)
TO THE REBUTTAL EVIDENCE OF MR MATTHEW JONES**

Drawing Status INFORMATION ONLY	Sheet Title LANDSCAPE SENSITIVITY PLAN	Revision: 01
Scale 1:5000 @ A3	Sheet Number 02	Revision 01
HERON INVESTMENTS LIMITED	Drawn By: JM	Date: 26-05-20