

**Before the Panel of Hearing Commissioners  
For the Queenstown Lakes Proposed District Plan**

**In the Matter** of the Resource Management Act  
1991  
**And**  
**In the Matter** of the Queenstown Lakes Proposed  
District Plan - Stage 2  
**And**  
**In the Matter** of Hearing Stream 14 - Wakatipu  
Basin

**Statement of Evidence of  
Tony Milne  
for D Hamilton & L Hayden (Submitter  
2422)**

Dated: 12 June 2018

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## **INTRODUCTION**

### **Qualifications and Experience**

1. My full name is Tony Douglas Milne. I reside in Christchurch. I am a Landscape Architect and director of Rough and Milne Landscape Architects Limited, which is a Christchurch based consultancy established in 2010. I am also a director of Rough and Milne Central Otago Limited, which is a Wanaka based landscape architecture consultancy established in 2015.
2. I hold a Bachelor of Arts degree from the University of Canterbury and a Bachelor of Landscape Architecture degree from Lincoln University. I am a Registered Member of the New Zealand Institute of Landscape Architects Inc.
3. I have been practising as a landscape architect since 1995. Our consultancy is involved in a wide range of landscape design and land planning projects throughout New Zealand. Many projects have involved preparing reports and evidence, which address matters of visual impact and landscape effects concerning proposed developments.

### **CODE OF CONDUCT**

4. I confirm that I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note dated 1 December 2014. I agree to comply with this Code. This evidence is within my area of expertise, except where I state that I am relying upon the specified evidence of another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **SCOPE OF EVIDENCE**

5. My evidence will deal with the following:
  - (a) Background;
  - (b) A discussion of relevant landscape issues; and
  - (c) Conclusions.

## BACKGROUND

6. My evidence is based on a submitter that owns land at 76 Hunter Road, Wakatipu Basin (Lot 2 DP 27832).
7. The Landscape Character Unit (LCU) boundary, on Schedule 24.8 within the Proposed Queenstown Lakes District Plan (PQLDP), passes through the northern part of the property in an east west alignment.
8. Land to the north of the boundary is within LCU1 (Malaghans Valley) and is identified as part of the Wakatipu Basin Rural Amenity Zone (RAZ), and land to the south of the boundary line is within LCU6 (Wharehuanui Hills), identified as being part of the Wakatipu Basin Lifestyle Precinct (Precinct).
9. The submitter in part supports the Precinct on their land, and the associated minimum and average lot sizes, however, seeks that all of their property is included within the Precinct, specifically the northern part within LCU1. The submitter queries why the northern part is excluded when there appears to be no logical reason with regard to the landscape, in particular topography. The submitter believes the northern part of the property is capable of further subdivision and development without compromising the landscape character and visual amenity of the surrounding area.
10. Of relevance to the above landscape and visual matters, the submitter also opposes:
  - (a) Rule 24.5.5 that requires buildings to be located a minimum of 50m from a landscape feature as identified on the planning maps. The submitter wants to delete Rule 24.5.5.
  - (b) The 75m setback requirement from roads within Rule 24.5.4 for the Precinct, and seeks to amend this to 20m, which is required for the RAZ; and
  - (c) Rule 24.4.29 for the Precinct, which includes a resource consent requirement for any clearance of exotic vegetation, works within the root protection zone of exotic vegetation and significant trimming of exotic vegetation taller than 4m. The submitter seeks to delete Rule 24.4.29.

## LANDSCAPE ISSUES

11. I have read the Queenstown Lakes District Council (QLDC) landscape evidence prepared by Ms Bridget Gilbert, which responds to the submission.
12. Her evidence states that the boundary line between LCU1 and LCU6, corresponds with the geomorphological pattern in the form of the hill slope and escarpment features of the broader area surrounding the property.
13. This is correct at a broad planning scale (1:16000 scale at A3), where the boundary line generally follows the crest of the Wharehuanui Hills based on a 5m contour accuracy.
14. At a closer examination, it is evident that the submitters' property is located within a plateau area of gently sloping topography, and includes a flat area between two separate but interconnected hilly landforms, making up the Wharehuanui Hills.
15. The boundary line has been drawn along the crest of the two hilly landforms either side of the plateau taking in the property. The two lines have then been connected across the flat area between the two hills, refer to **Figure 1: Planning Map under Annexure A**.
16. Consequently, the boundary line through the submitters' property does not follow any topographical feature and is an arbitrary line drawn as a means of connecting the centre lines of the more defined topographical pattern to the east and west.
17. The boundary line could be shifted 100m either side of its current alignment without affecting the delineation between the two LCU's in this location. However it is my view that logically the boundary line should follow the northern cadastral boundary of the submitters' property and avoid a cumbersome split zoning within a single title, particularly when the boundary line is only some 20 to 80m away from the cadastral boundary.
18. In effect the Precinct boundary would shift 20 to 80m to align with the cadastral boundary, coinciding with a driveway, off Hunter Road, providing access to 5 residences. The planning map shows that it is unlikely that the

driveway access will change, so in my view, it provides a defensible boundary similar to that provided by a road.

19. Under the PQLDC, LCU1 is described as having a relatively open character, and therefore the capability for LCU1 to absorb additional development is considered to be low. The key views to be protected relate to Malaghans Road (scenic route) which is approximately 800m from the proposed Precinct boundary. Refer to **Figure 2, Google Maps Photograph in Annexure A**, which shows a Google Maps Street View image (December 2012), illustrating what is visible from Malaghans Road.
20. The (20 to 80m) subject area, proposed for rezoning to Precinct, is made up of two topographical parts: (1) a flat area to the east, and (2) a hilly area to the west.
21. The flat area to the east is located immediately south of a block of mature vegetation occupying a group of neighbouring properties to the north. The vegetation includes mix of densely planted exotic evergreen and deciduous trees. Refer to **Figure 3, Site Photographs in Annexure A**. Views of the flat area from Malaghans Road are obscured from view by the dense vegetation, as illustrated in the Google Maps photograph.
22. The hilly area to the west, has land gently sloping to the north, as shown in the Google Maps photograph. From Malaghans Road, the western half of the slopes would be obscured by the vegetation pattern of an existing neighbouring residence immediately to the north of the subject area. While the eastern half of the hilly area would be partly visible from Malaghans Road, it is anticipated that foreseeable development would follow the existing pattern of development along the top of the hills and would be subject to the QLDC planning rules relating to building design, external appearance and landform/ vegetation modification. The relocation of the Landscape Feature line to along the boundary would mean that a 50m setback for buildings and access would be required as outlined in the later part of my evidence (Paragraph 25).
23. Ms Gilbert's evidence states that a Precinct delineation approach using cadastral boundaries has only been adopted in a 'very limited' number of locations within the Basin. I think this is misleading because the Precinct delineation by cadastral boundary has occurred more frequently than what

her evidence suggests. There are a number of straight boundary line sections of the LCU's relating to cadastral boundaries.

24. Ms Gilbert's evidence goes on to say that a cadastral delineation approach has only been used where a 'more robust' method such as geomorphological features, ONLs, ONFs, Special Zones or land use patterns are not available. This might have been acceptable at a broad scale, but at a closer scale, relative to the submitter's property, the most robust method of Precinct delineation is the northern cadastral boundary of the property.
25. With regard to Rule 24.5.5, which requires buildings to be located a minimum of 50m from a landscape feature identified on the planning map. A landscape feature is shown on the planning map following the boundary of the Precinct. As explained above the Precinct the boundary does not follow any topographical feature and is an arbitrary line connecting the centre line of the more distinctive topographical landform to the east and west of the submitters' property. Certainly, the Landscape Feature Line should be removed from the planning map for the flat area to the east of the subject area. For the hilly area to the west, I support the retention of the Landscape Feature Line along the proposed Precinct boundary on the cadastral boundary. This will ensure that foreseeable development, particularly in the more open area in the eastern half of the hilly area, does not compromise the landscape character and visual amenity experienced from Malaghans Road.
26. While I support the inclusion of the entire property within the Precinct, I don't support a reduction to the Precincts 75m setback requirement from a road, which in this case, is Hunter Road. The 75m setback requirement ensures that future development in proximity to the road is consistent with the existing pattern of development along this road corridor, maintaining the landscape character and amenity currently experienced from Hunter Road.
27. I partly support Rule 24.4.29 for the Precinct, which includes a resource consent requirement for any clearance of exotic vegetation, works within the root protection zone of exotic vegetation and significant trimming of exotic vegetation taller than 4m. However I think this should be amended to include only exotic vegetation within the 75m setback requirement from

a road. It should be noted that I have taken a wider view on this matter. There is currently no exotic vegetation taller than 4m within 75m of the road boundary for 76 Hunter Road.

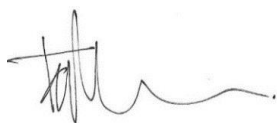
28. Refer to **Figure 4 in Annexure A** for a Summary Plan illustrating the proposed changes. This includes (1) the relocation of the Precinct boundary to the cadastral boundary of the submitters' property; (2) the relocation of the western part of the landscape feature line to the cadastral boundary; and (3) the 75m setback line from Hunters Road which will exclude buildings and mature vegetation clearance (over 4m tall).

## CONCLUSION

29. The Precinct boundary extending through the submitters' property is arbitrary and should be amended to take in the entire property and avoid an unnecessary split zoning within a single title.
30. Precinct delineation by cadastral boundaries has been used in other locations within the Wakatipu Basin where an alternative robust method of delineation by landscape feature or landscape categorisation is not available. This is consistent with those other locations and in effect is not dissimilar to a road boundary.
31. The landscape feature line on the planning map should be realigned to match the proposed Precinct boundary on the northern cadastral boundary of the submitters' property. However it should only apply in the hilly part of the proposed re-zoned section of the property to protect views from Malaghans Road. The flat part of the subject area should exclude a landscape feature line.
32. The Precincts 75m setback requirement from a road should be retained and the rules around the protection of exotic vegetation taller than 4m should be restricted to the 75m road setback only to maintain the landscape character and amenity experienced within the Hunter Road corridor.



Tony Milne

A handwritten signature in black ink, appearing to read 'Tony Milne', with a horizontal line extending to the right.

12 June 2018

## **ANNEXURE A – GRAPHIC ATTACHMENTS**

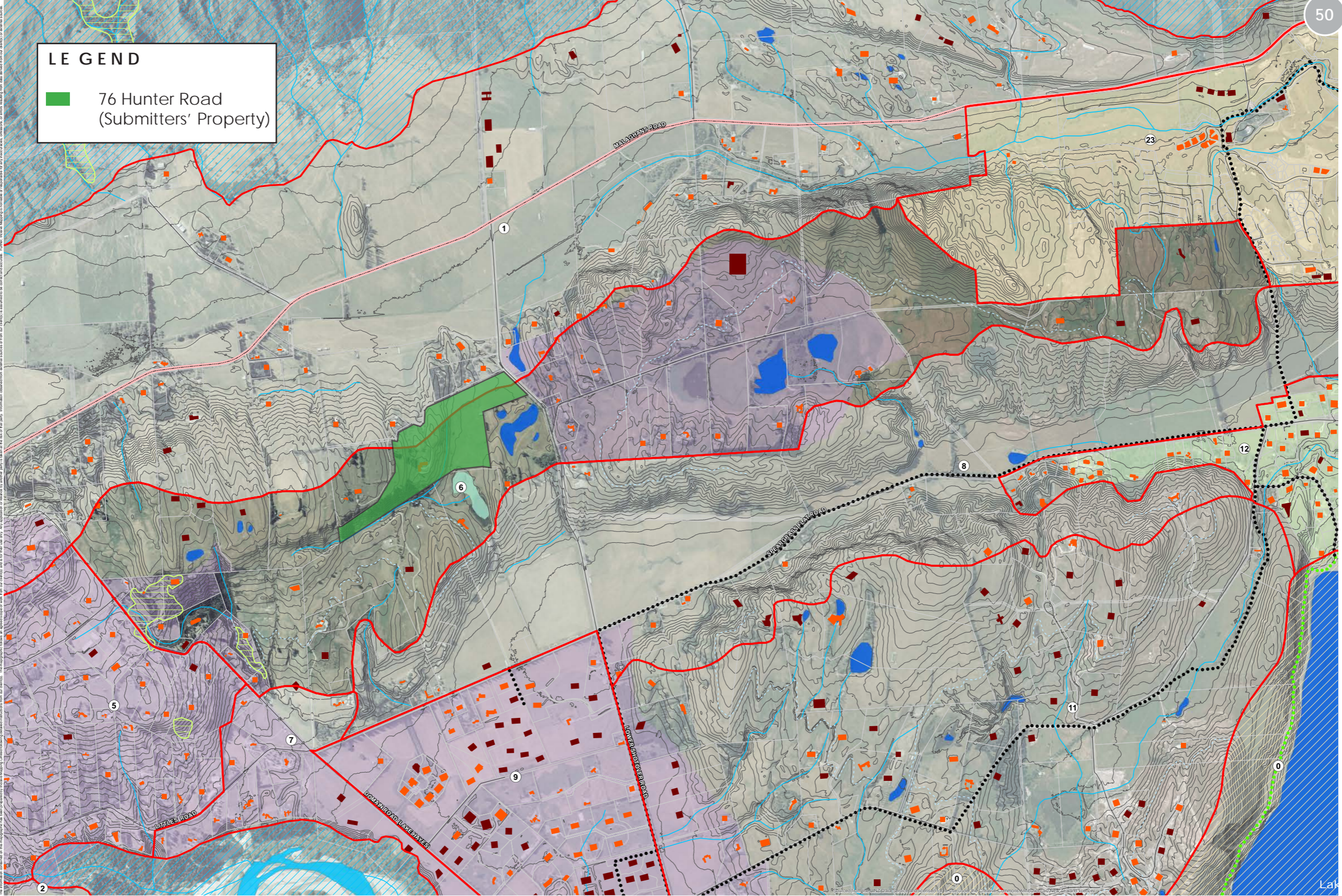
**Figure 1:** *Existing Planning Map with Site Boundaries Overlay*

**Figure 2:** *Google Maps Photograph*

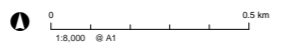
**Figure 3:** *Site Photographs*

**Figure 4:** *Summary of Proposed Revisions to Planning Maps*

**LEGEND**  
 76 Hunter Road  
 (Submitters' Property)



**INCISIVE MAPPING**  
 Author: Matt Daniels (matt.daniels@incisivemapping.co.nz) | Reviewed: Bridget Gilbert  
 Data Sources: LINZ/Eagle (Aerial), LINZ (NZTopo Database, Crown Copyright Reserved),  
 Landscape Research (Landscape Character Unit, District Council (Shading, SML, Landscape  
 Units, Zones, OML/ONF, Contours, Recreation, Lake, Roads), Bridget Gilbert, Incisive Mapping  
 File Ref: 2016-13\_Wakatipu\_Basin\_Landscape\_Character\_Unit\_2016\_Map\_Series\_A1\_Rev01.mxd



- Landscape Character Units (2016) ● Council Walkways and MTB Trails
- Contours (5m) ● Other Walkways and MTB Trails
- RAMM Carriageway Centrelines ● DOC Walkways
- Rural Scenic Roads
- Lot Boundaries
- Special Zones
- Rural Lifestyle
- Rural Residential
- Road Zones
- Approved SHAs
- Approved SHAs & Resource Consent Issued
- Rural Building Status
- Existing Dwellings
- Consented Platforms
- Urban Growth Boundary
- Waterfall
- Water Race
- River
- River (Wide Channel)
- Lake / Pond
- Swamp
- Indigenous Forest
- Outstanding Natural Feature
- Outstanding Natural Landscape

Wakatipu Basin Landscape Study  
 Landscape Character Unit (2016)  
 6 Wharehuanui Hills  
 Date: 16 December 2016

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**Do not Scale**  
 Base plan taken from the Wakatipu Basin Landscape Study (Nov 2016). It has been scaled to fit on sheet.

**WAKATIPU BASIN - HEARING STREAM 14 - 76 HUNTER ROAD (SUBMISSION 2422)**  
**Figure 1: Existing Planning Map with Site Boundaries Overlay**

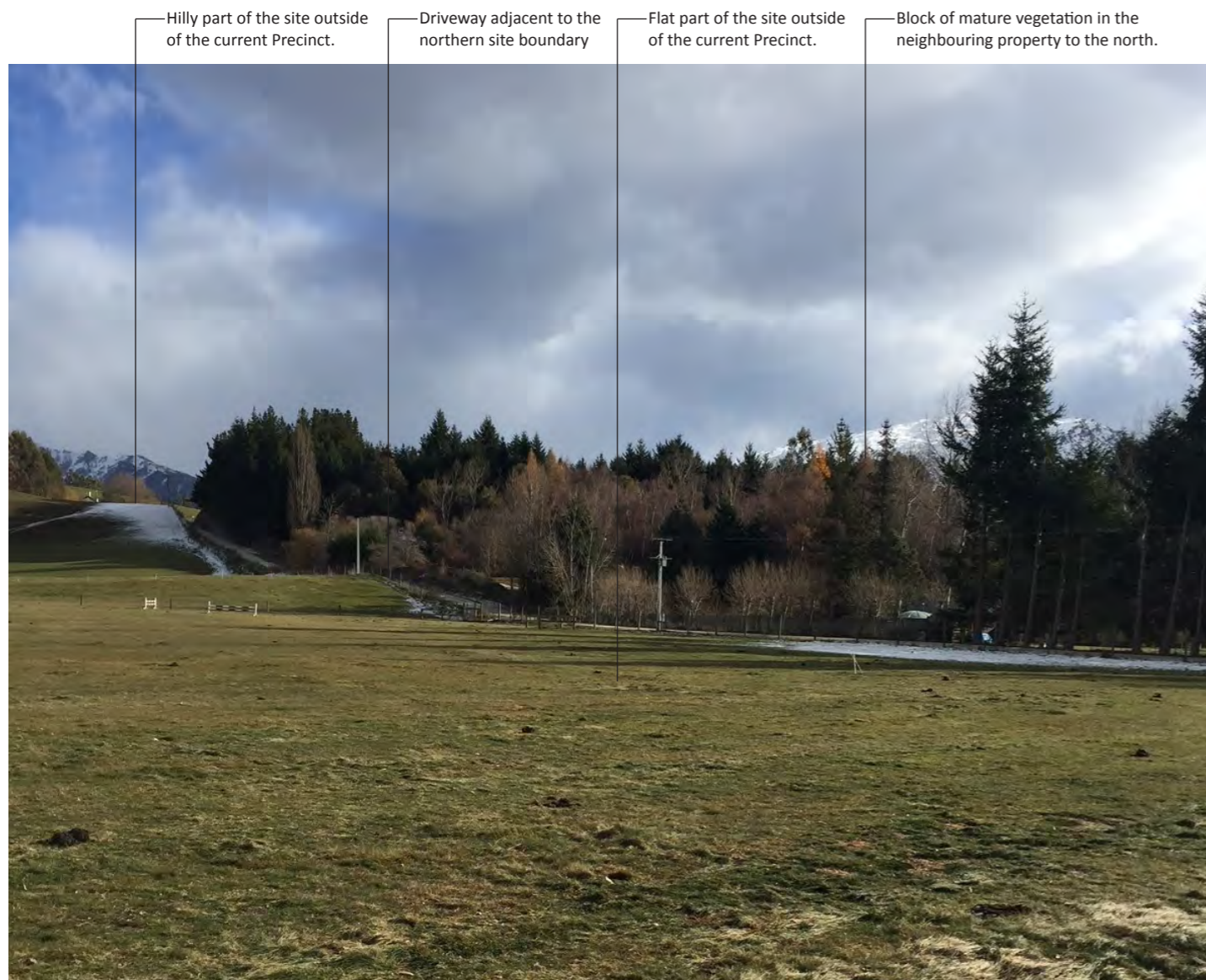
Date: June 2018 | Revision: 1  
 Project ID: 18051

Block of mature vegetation obscuring views of the flat part of the site

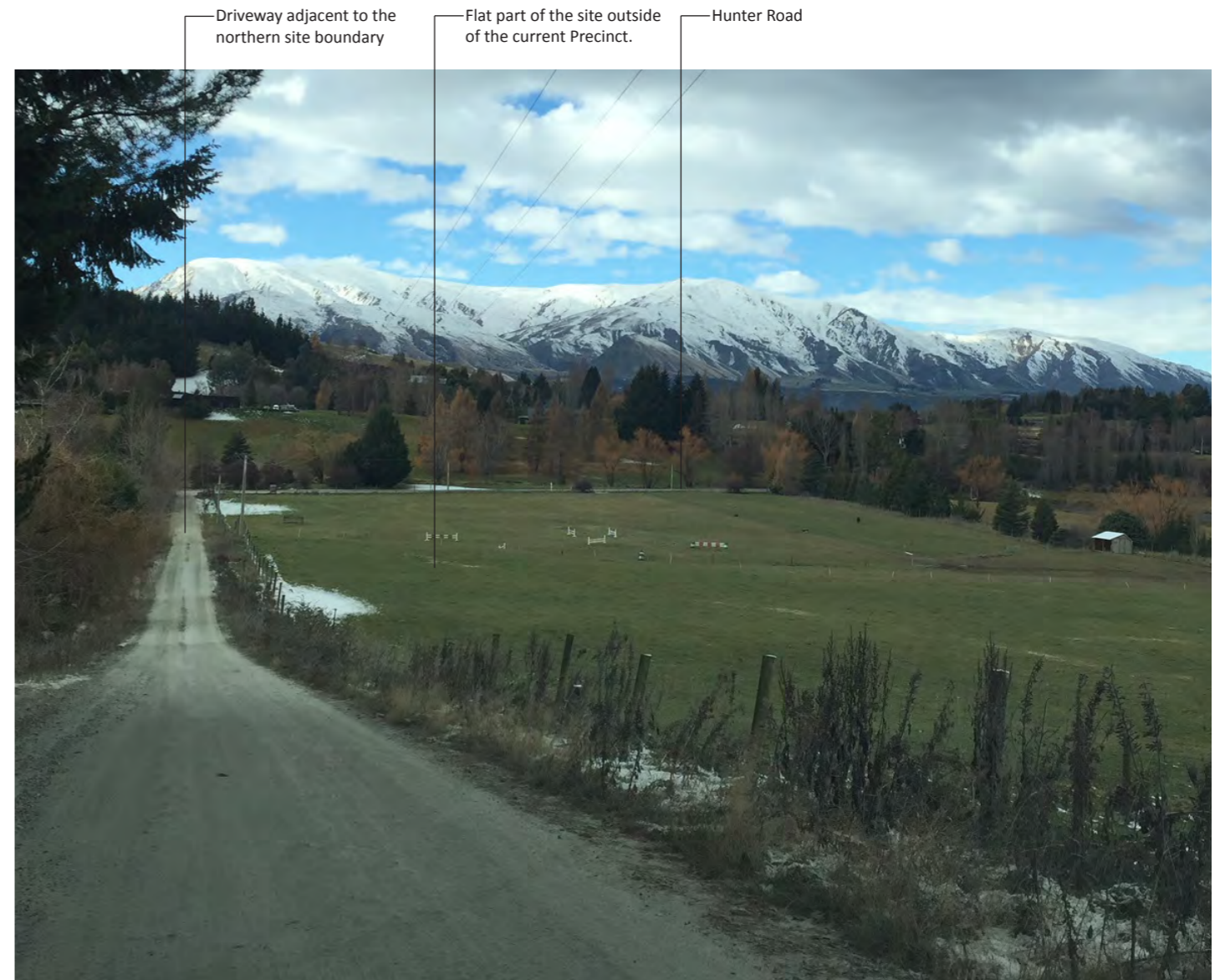
Hilly part of the site visible between the neighbouring residence to the west and the mature vegetation to the east.



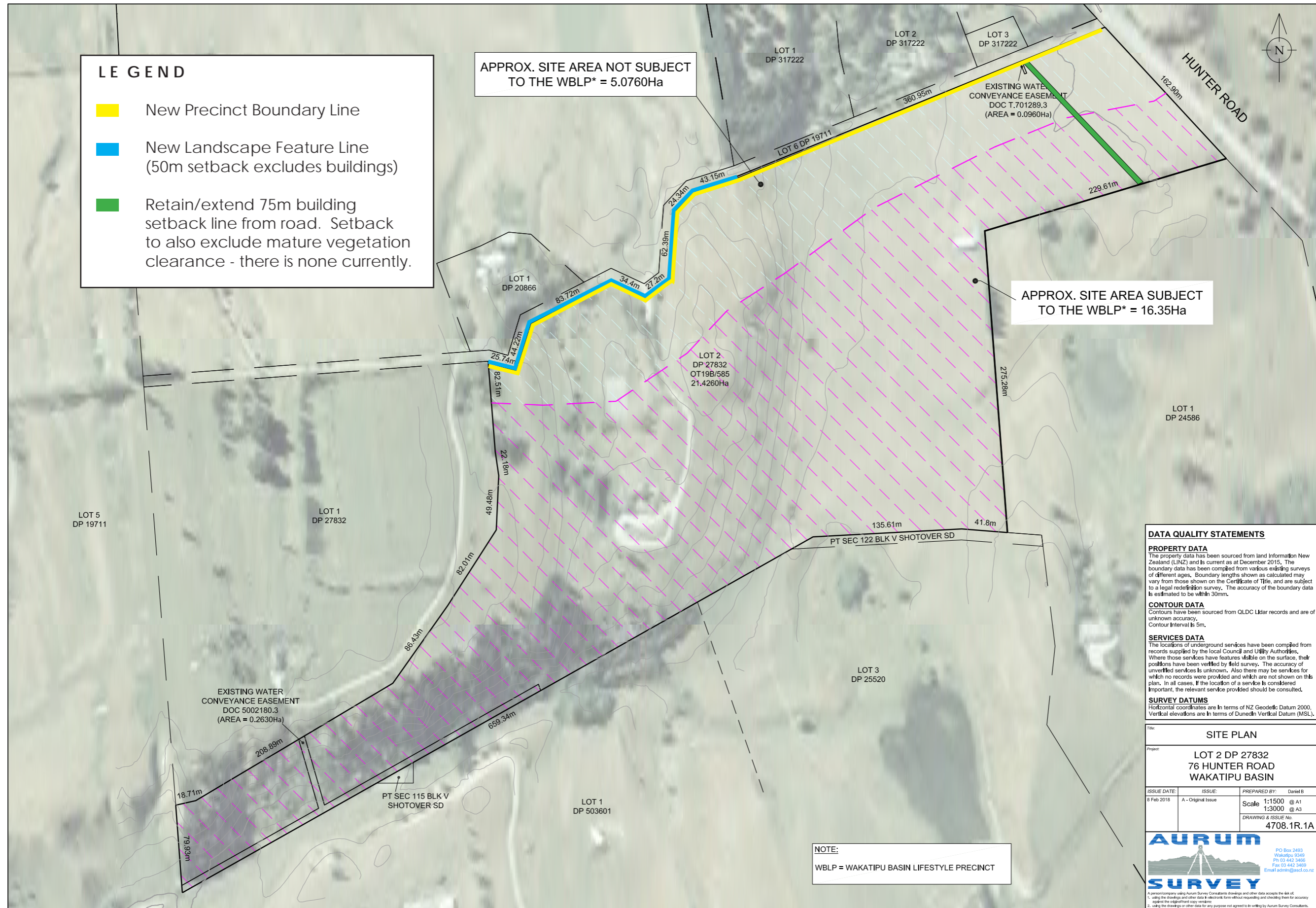
Photograph 1) From Malaghans Road, looking south towards the submitters property.



**Photograph 2)** From the submitters property, looking northwest across the flat area currently excluded from the Precinct.



**Photograph 3)** From the driveway looking southeast across the flat area within the submitters property, currently excluded from the Precinct.



**LEGEND**

- █ New Precinct Boundary Line
- █ New Landscape Feature Line (50m setback excludes buildings)
- █ Retain/extend 75m building setback line from road. Setback to also exclude mature vegetation clearance - there is none currently.

APPROX. SITE AREA NOT SUBJECT TO THE WBLP\* = 5.0760Ha

APPROX. SITE AREA SUBJECT TO THE WBLP\* = 16.35Ha

**DATA QUALITY STATEMENTS**

**PROPERTY DATA**  
The property data has been sourced from Land Information New Zealand (LINZ) and is current as at December 2015. The boundary data has been compiled from various existing surveys of different ages. Boundary lengths shown as calculated may vary from those shown on the Certificate of Title, and are subject to a legal redefinition survey. The accuracy of the boundary data is estimated to be within 30mm.

**CONTOUR DATA**  
Contours have been sourced from QLDC Lidar records and are of unknown accuracy. Contour Interval is 5m.

**SERVICES DATA**  
The locations of underground services have been compiled from records supplied by the local Council and Utility Authorities. Where those services have features visible on the surface, their positions have been verified by field survey. The accuracy of unverified services is unknown. Also there may be services for which no records were provided and which are not shown on this plan. In all cases, if the location of a service is considered important, the relevant service provided should be consulted.

**SURVEY DATUMS**  
Horizontal coordinates are in terms of NZ Geodetic Datum 2000. Vertical elevations are in terms of Dunedin Vertical Datum (MSL).

File: <b>SITE PLAN</b>			
Project: <b>LOT 2 DP 27832 76 HUNTER ROAD WAKATIPU BASIN</b>			
ISSUE DATE:	ISSUE:	PREPARED BY:	Daniel B
8 Feb 2018	A - Original Issue	Scale:	1:1500 @ A1 1:3000 @ A3
DRAWING & ISSUE No:		4708.1R.1A	

**AURUM SURVEY**

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**NOTE:**  
WBLP = WAKATIPU BASIN LIFESTYLE PRECINCT

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Base plan provided by Aurum Survey Ltd, and has been scaled to fit on sheet.

**WAKATIPU BASIN - HEARING STREAM 14 - 76 HUNTER ROAD (SUBMISSION 2422)**  
**Figure 4: Summary of Proposed Revisions to Planning Map**

Date: June 2018 | Revision: 1  
Project ID: 18051