

**BEFORE THE HEARING COMMISSIONERS
AT QUEENSTOWN**

IN THE MATTER of the Resource Management Act 1991
(RMA or the Act)

AND

IN THE MATTER of proposed Private Plan Change 44 to
the Queenstown Lakes District Plan
pursuant to Part 2 of the First Schedule to
the Resource Management Act 1991

BETWEEN RCL Queenstown PTY Ltd

Requestor

AND Queenstown Lakes District Council

Local Authority

STATEMENT OF EVIDENCE OF BENJAMIN ESPIE

26 June 2015



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INTRODUCTION

1. My name is Benjamin Espie. I reside in Queenstown. I hold the qualifications of Bachelor of Landscape Architecture (with honours) from Lincoln University and Bachelor of Arts from Canterbury University. Since 2007 I have been the Chairman of the Southern Branch of the New Zealand Institute of Landscape Architects and I am a member of the Resource Management Law Association. Since November 2004 I have been a director of Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown. Between March 2001 and November 2004 I was employed as Principal of Landscape Architecture by Civic Corporation Limited, a resource management consultancy company contracted to the Queenstown Lakes District Council (QLDC).
2. The majority of my work involves advising clients regarding the protection of landscapes and amenity that the Resource Management Act 1991 provides and regarding the landscape provisions of various district and regional plans. I also produce assessment reports and evidence in relation to proposed development. The primary objective of these assessments and evidence is to ascertain the landscape and visual effects of proposed development.
3. Much of my experience has involved providing landscape and amenity assessments on consent applications and plan changes, including advising on the avoidance, remediation or mitigation of the effects of proposed plan provisions or activities in rural areas, both to District Councils, and to private clients. I have compiled many assessment reports and briefs of Environment Court evidence relating to the landscape and amenity related aspects of proposed regimes of District Plan provisions to provide for development in the rural areas of a number of districts. I provided Environment Court evidence in relation to the landscape categorisation of the Coneburn Valley and have prepared many assessments in relation to developments within the Jacks Point Resort Zone (JPRZ).
4. I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2014, and agree to comply with it. I have complied with it in the preparation of this evidence. This evidence is within my area of expertise and I confirm I have not omitted to consider

material facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF EVIDENCE

5. This evidence relates to the landscape and amenity effects that would result from the approval of proposed Plan Change 44 (PC44) that effectively seeks to create an amended layout of development within the Hanley Downs part of the JPRZ. The details of PC44 will be explained in the evidence of other witnesses.
6. Since the time of lodgement, PC44 has changed considerably. I prepared a Landscape and Visual Effects Assessment Report in relation to PC44 in January 2013 (my 2013 report), which accompanied the private plan change request. My assessment report sets out the landscape and amenity related aspects of the existing environment, describes the proposed plan change (as it was then) and sets out the parts of the relevant statutory documents that relate to an assessment of landscape and amenity issues. My 2013 report then goes on to report on the landscape and amenity related effects of the proposed plan change and to relate those effects to the relevant statutory documents.
7. PC44 was then somewhat amended and presented to a QLDC hearing in late 2013. I prepared evidence in relation the amended PC44 for that hearing but the hearing was adjourned prior to my evidence being presented.
8. PC44 has now been amended considerably and the ownership of the relevant land has also changed. I append a land ownership plan to this evidence as Appendix 1.
9. Although PC44 has now changed considerably, I consider that much of my 2013 report is still relevant and useful to the decision makers. I have now been engaged by RCL Queenstown PTY Ltd (RCL) to give evidence regarding landscape and amenity issues as they relate to development that PC44 would enable on the RCL land (i.e. on the land shown in yellow on my Appendix 1). Particularly, I will comment on issues raised by submitters and the QLDC officers, as they relate to the RCL land.
10. This evidence relates to how the proposed amended zoning will sit within the surrounding landscape and how it will be experienced from outside the zone area itself. I do not address issues relating to the internal functionality, suburban

character, pleasantness and ease of use of the future development that would be enabled by PC44, which I understand are to be examined by other experts.

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT REPORT

11. In relation to the current PC44 proposal, the most relevant findings of my 2013 report can be briefly summarised as follows:
 - (a) The Activity Areas of the JPRZ occupy the floor of the Coneburn Valley which is part of a visual amenity landscape. The PC44 seeks to reconfigure the Activity Areas within Hanley Downs.
 - (b) In some areas, the PC44 will enable development where the existing zoning does not. I have labelled these areas on Appendix 9 of my 2013 report as Areas 1 to 9 (I attach a marked-up version of my 2013 report's Appendix 9 as Appendix 2 to this evidence).
 - (c) Observers in the landscape that are potentially affected by PC44 can be divided into a number of groups. My 2013 report analyses potential effects on each of these groups.
 - (d) Ultimately, my 2013 report found that landscape and amenity effects of development enabled by PC44 (as it was then) would be appropriate provided that:
 - An appropriate landscaped edge treatment was done in relation to my identified Areas 2 and 3.
 - An appropriate landscaped edge treatment was done in relation to the northern edge of the zone (in my identified Area 4).
 - An appropriate landscaped edge treatment was done in relation to the southern edge of my Areas 7 and 8.
 - Area 7 was developed at a lower density than was proposed.
 - (e) In an overall sense, my 2013 report found that the Coneburn Valley and any development contained within it is in a location that has a higher capacity to absorb change than most locations within the rural

landscapes of the district; it is particularly well suited to accommodate development. While PC44 (as it was then) would extend the development footprint that is enabled by the existing zoning, the overall pattern of development that it would bring about would be well contained in terms of its effects and no development would be highly visible. The treatment of some of the edges of development areas and details of some layout aspects would need to be designed carefully in order to be appropriate and this was recognised by the proposed provisions.

THE AMENDED PROPOSED PLAN CHANGE AS IT RELATES TO THE RCL LAND

12. I attach a marked-up version of the currently proposed Structure Plan to this evidence as Appendix 3 that shows the outline of the RCL land. As can be seen on my Appendix 2, existing approved Outline Development Plans (ODPs) cover much of the RCL land. Only in my identified Areas 3, 4 and 9 will significant new development be enabled. Additionally, the pod-like configuration of development enabled by the approved OPPs will be replaced by a more uniform development pattern.
13. Regarding the amended proposal, I understand that PC44 would enable Area 3 (as marked on my Appendix 2) to be developed to a suburban density such that lot sizes would be roughly between 455m² and 667m² (proposed Activity Area R(HD)-C). I discussed the suburbanisation of this area to this density in my 2013 report and generally concluded that landscape and visual effects could be appropriately accommodated provided that:
 - (a) Appropriate treatment of mature vegetation to the east of Development Areas A and B (now to the east of Activity Areas R(HD-SH)-2 and R(HD-SH)-1) is ensured and successional planting is provided for to mitigate visual effects as seen from SH6. Some deferment of the development of this development area until this vegetative treatment reaches some maturity may be appropriate
 - (b) Appropriate treatment of the eastern edge of this development area is ensured to integrate with the vegetative treatment of the gully between this

development area and the Chubbin Drive neighbourhood and to mitigate visual effects as seen from that neighbourhood.

14. I understand that PC44 would enable Area 4 (as marked on my Appendix 2) to be developed to a suburban density such that lot sizes would be roughly between 385m² and 588m² (proposed Activity Area R(HD)-A). I discussed the suburbanisation of this area to this density in my 2013 report and generally concluded that landscape and visual effects could be appropriately accommodated provided that a well-designed, high-amenity entrance experience that forms the transition from rural to urban is ensured. At the time of my 2013 report, this area was to form the northern edge of the zone.
15. I understand that PC44 would enable Area 9 (as marked on my Appendix 2) to be developed to a relatively high village-centre or urban density, with lot sizes roughly between 222m² and 400m² (proposed Activity Area R(HD)-E). I discussed the use of this area for development at this density in my 2013 report and generally concluded that landscape and visual effects could be appropriately accommodated provided that the steep, south-facing slopes and peak of the hill landform in this area are appropriately treated.
16. Following on from the above, the specific development outcomes that PC44 will enable within the RCL land (particularly in my identified Areas 3, 4 and 9) have not significantly changed since the time of my 2013 report. However, some of the planning mechanisms that are proposed to bring about the development outcomes have changed. Most relevantly:
 - (a) Fewer changes to the Resort Zones Objectives and Policies are now proposed. Hanley Downs will remain part of the JPRZ and hence, while new additional Objectives and Policies are proposed, the existing Objectives and Policies will continue to apply, including the Policy that residential development is not readily visible from the State Highway.
 - (b) The provisions will no longer include an ODP process. I understand that matters that were previously to be considered at ODP stage will now be considered through other rules and assessment matters, particularly at the subdivision stage.

- (c) The Structure Plan is now more detailed in that it includes public access routes, indicative road connections and indicative open space areas.

THE LANDSCAPE EFFECTS OF THE AMENDED PROPOSED PLAN CHANGE AS IT RELATES TO THE RCL LAND

17. As set out above, the specific development outcomes that are provided for on the RCL land are practically the same as those that I assessed and reported on in my 2013 report. Above, I note that I found the outcomes to be acceptable, provided some mitigation measures are included. A relevant question now is; will my recommended mitigation measures be ensured by the currently proposed provisions?

Treatment of the Eastern Edge of R(HD)-C and Mitigation of Visual Effects as Experienced from SH6

18. My paragraph 13 above notes that my 2013 report recommends appropriate treatment of mature vegetation to the east of Activity Areas R(HD-SH)-2 and R(HD-SH)-1) to mitigate visual effects of R(HD)-C as seen from SH6. Considerable mature trees exist in this area that will assist in ensuring that development in R(HD)-C can meet the "not readily visible from SH6" Policy that forms part of the zone. The trees will also assist in screening R(HD-SH)-1 and R(HD-SH)-2 in this regard. There are numerous Douglas fir and larch in this area that cause wilding spread problems and these could be removed without negating the screening effect that the rest of the trees in this area have. If all trees in this area were removed, then R(HD)-C would be considerably more exposed to SH6 than it currently is. Again, the same applies to R(HD-SH)-1 and R(HD-SH)-2. In practical terms, I consider that the treatment of this large stand of trees would most usefully involve removing the Douglas fir and larch and then planting new mixed trees in and amongst the remaining trees so as to provide ongoing screening and succession into the future.
19. In addition to retaining useful existing trees, considerable new landscape treatment will be required between R(HD-SH)-1 and the highway, as is discussed in my 2013 report.
20. In my understanding, subdivision of the R(HD)-C area will be a controlled activity pursuant to provision 15.2.7.1 (Mr Wells now recommends a restricted discretionary status). One of the matters of control (or discretion) is "mitigation measures

to ensure that no building will be highly visible from SH6 or Lake Wakatipu". I consider that this is appropriate, given the "not readily visible from SH6 Policy". The relevant area of trees is within the Open Space Landscape Protection / Farming Activity Area (OSL) and also has a Highway Landscape Protection Area overlay. I understand that the landscape treatment of this area is a controlled activity pursuant to provision 12.2.3.2 (x).

21. Given the provisions set out above, I consider that the consent authority will have the ability at the stage of subdivision and at the stage of dealing with the controlled activity landscaping of the OSL Highway Landscape Protection Area to ensure the appropriate vegetative treatment of the relevant area to bring about suitable mitigation of visual effects of R(HD)-C as experienced from SH6. With a restricted discretionary activity status, the consent authority can be assured that development will not proceed in R(HD)-C if satisfactory landscape screening is not in place.
22. My paragraph 13 also highlights that suitable vegetative treatment of the eastern edge of R(HD)-C is required to mitigate visual effects as seen from the existing Chubbin Drive neighbourhood of Jack's Point. A small, rounded gully runs north-south between R(HD)-C and the Chubbin Drive neighbourhood that accommodates scattered remnant native grey shrub species. Approximately the eastern half of the gully is within the boundaries of the Chubbin Drive neighbourhood, while the western half lies within proposed Open Space part of R(HD)-C. I understand that the subdivision consent associated with the Chubbin Drive neighbourhood includes an approved landscape plan for the gully that requires the bolstering and expansion of existing native vegetation.
23. In practical terms, I consider that the western half of this gully (i.e. the half within the proposed Open Space part of R(HD)-C) should be treated in a way that compliments the treatment of the part within the Chubbin Drive neighbourhood and that provides a pleasant and soft eastern edge to the R(HD)-C area. Design would be likely to involve bolstering the sweeps of grey shrub species and scattered stands of higher tree species.
24. As mentioned, the relevant area is within the identified Open Space part of R(HD)-C. I understand that the treatment of

open space areas is one of the matters of QLDC control (or discretion as now recommended by Mr Wells) at the time of subdivision. I consider that this discretion can and should be used to bring about the type of result I have described and suggest assessment matters can draw attention to the expected outcomes.

Treatment of the Northern Edge of R(HD)-A and the Creation of a Suitable Northern Entrance to the Zone

25. My paragraph 14 above notes that my 2013 report recommends appropriate treatment of the northern edge of the area now known as R(HD)-A in order to mitigate visual effects as experienced from SH6 and to create a suitable northern entrance to the zone. At the time of my 2013 report, this area was to be the northernmost area of development provided by the proposed zoning. This is no longer the case as Activity Areas R(HD-SH)-1, R(HD-SH)-2 and EIC are now proposed to provide for development to the north of this. The pleasantness and appropriateness of the northern edge will now depend on how these northern Activity Areas are designed. I understand that Ms Pfluger addresses landscape matters associated with these areas in her evidence.
26. I note that the northern edge of the R(HD)-A Activity Area is defined by a watercourse. On the amended Structure Plan, the corridor of this watercourse is identified as an area of Open Space and it accommodates a public access route. I consider that this is an appropriate treatment in that detailed design that is done (and scrutinised by the QLDC) at subdivision stage will be able to create an appropriate green corridor that allows a riverside public access route and creates a soft edge to this particular Activity Area.

The Treatment of R(HD)-E and the Hill Landform in this Area

27. My paragraph 15 above notes that my 2013 report recommends appropriate treatment of the steep, south-facing slopes of the hill landform within the R(HD)-E Activity Area.
28. The existing situation can be seen on my Appendix 2, the existing Henley Downs Village Activity Area (V(HD)) practically abuts the Jack's Point Village Activity Area (V(JP)), with my identified Area 9 being an area of Golf Course, Open Space and Recreational Facilities Activity Area (G/F) between them. This G/F area is roughly 4 hectares

and takes in the relatively flat land to the south of the hill landform but also takes in its steep south-facing slope. The more gentle north facing slopes are within the V(HD) Activity Area which provides for high, dense built development right up to the ridge of the hill landform.

29. The proposed situation can be seen on my Appendix 3. It shows that the V(JP) Activity Area would adjoin and be contiguous with the R(HD)-E, although a road connection would separate them. A roughly 1.6 hectare square (or similar shape refined through the detailed subdivision stage) of Open Space would sit within the R(HD)-E area with an east-west running public access route bisecting the R(HD)-E area in a way that connects the Open Space area to a wider public access network. Importantly, the 1.6 hectare area of open space is centred on the hill landform so that the entire high part of the hill is taken in, not just the steep south facing slopes. I attach as Appendix 4 two images that show the existing and proposed situations from a useful indicative viewpoint within Jack's Point.
30. As discussed in my 2013 report, I understand that there are some urban design advantages in minimising the separation between the Jack's Point and Hanley Downs urban areas in that this will allow a more comprehensive design approach to be taken. Again, I have not examined issues of internal functionality, suburban character and ease of use. These issues have been examined by urban design experts.
31. In relation to landscape and visual effects, and considering the images of my Appendix 4, I do not consider that there will be adverse effects if the hill landform is treated in the proposed way rather than the currently operative way. Under the proposed situation, controls at subdivision stage could be used to ensure that the topographically proud part of the hill landform is kept free of built development and is appropriately treated to provide a useful greenspace.

Summary Regarding the Amended Proposed Plan Change as it Relates to the RCL Land

32. Overall, I consider that the provisions of the amended PC44 appropriately deal with the mitigation of effects in the way that I recommended in my 2013 report. The RCL land is low-lying valley floor land in the centre of the Jack's Point area. In terms of broad scale landscape planning issues, it is an area of the district that is suited to suburban development.

The pod-like configuration of the existing activity areas has not been guided by landform in the way that is the case in the Jack's Point part of the zone. The existing activity area shapes essentially sit on a flat valley floor. The proposed, more detailed Structure Plan locates Open Space areas that correspond with landform features and provide public access routes through the site. The Objectives and Policies and matters of control (or discretion) at the time of subdivision ensure that all relevant matters will be taken into account when considering subdivision designs, including appropriate mitigation of visual effects and suitable edge treatment.

LANDSCAPE AND AMENITY ISSUES THAT HAVE BEEN RAISED BY PUBLIC SUBMISSIONS

33. A number of issues have been raised through the public submission process, some of which relate to landscape and amenity matters. I have commented on a number of the issues raised in the previous sections of this evidence. In this section I will comment on relevant issues raised in submissions that have not already been discussed. Obviously, the issues raised have been in response to PC44 as notified and not the amended proposal. I will structure my comments under the following headings, which reflect the issues raised that have not already been discussed:
- (a) Effects on elevated landforms within the proposed Hanley Downs area.
 - (b) Effects on the Hensman and Scope properties.

Effects on Elevated Landforms Within the Proposed Zone Area

34. The submission of the QLDC raised the issue that the notified PC44 did protect not existing natural landforms within the development area. As discussed, the amended proposal includes the identification of specific landforms and provisions that require consideration of their treatment at the time of subdivision. One such landform is the previously discussed hill within proposed R(HD)-E, which is specifically mentioned in the QLDC submission.
35. The development of the Hanley Downs part of the zone will ultimately be done via a number of subdivisions. At the time of subdivision consent applications being assessed by the QLDC, control is reserved in relation to a number of matters including the location and suitability of proposed open

spaces and consistency with the Structure Plan. The Structure Plan shows a public access route that roughly circumnavigates the RCL land. It also shows Open Space areas that follow:

- The gully at the eastern edge of R(HD)-C,
- The tree-lined watercourse that follows the northern edge of R(HD)-C, R(HD)-A and R(HD)-D.
- The escarpment at the western edge of R(HD)-C,
- The dry watercourse or shallow swale that separates R(HD)-D and R(HD)-F,
- The hill landform within R(HD)-E.

36. I consider that these are all of the relevant landform features within the RCL land and that the abovementioned provisions allow consideration of their proposed treatment and suitable scrutiny by the QLDC at the time of subdivision.

Effects on the Hensman and Scope Properties

37. The submissions by G Hensman and Scope Resources Ltd raise issues concerning effects on the visual amenity that is experienced from the Hensman and Scope properties.
38. The Hensman and Scope properties are located on the eastern side of State Highway 6, north of the intersection with Woolshed Road (as can be seen on Appendix 5 of this evidence). I visited both of these submitters' properties on the 28th June 2013.
39. The Scope property accommodates a large area of gravel extraction and quarrying activity. Some parts of this area are currently being worked while other areas have been retired. I understand that existing resource consents also provide for residential use within an area that has been retired from quarrying. The Scope property also contains two approved building platforms at a relatively high elevation (approximately 460masl).
40. The Hensman property includes a yard based industrial site (Lot 1 DP375832 adjacent to the Scope property) and a larger rural site containing a dwelling and a number of sheds/barns (Lot 2 DP26733 adjacent to the Remarkables Ski Area access road).

41. I refer to the views that can be gained from these properties and their neighbours in paragraph 55 and Appendices 11.1, 12.1, 12.2 of my 2013 report. Visibility of the plan change area is only available from the elevated parts of these sites. It is relevant to note that the two Scope building platforms and the Hensman dwelling are oriented to gain views to the north and to be sheltered from the south by significant mounding and/or vegetation. As such, the view to the JPRZ is relatively difficult to gain from these house sites.
42. The only new development within the RCL land that PC44 will bring that will be realistically visible from the Hensman and Scope properties will be within R(HD)-C. I consider that given:
 - (a) the extent of development that is already provided for by the existing zoning,
 - (b) the distance of views to the development area being at least two kilometres,
 - (c) the scale and breadth of views that are available from the relevant parts of the submitters' properties, being panoramas that stretch from the north, through the west, to the south,

the relative importance of the new development in views from these properties is low, and the alterations to the visual pattern of this zone that will be brought by PC44 will be of a slight degree only.

LANDSCAPE AND AMENITY ISSUES THAT HAVE BEEN RAISED BY QLDC OFFICERS REPORTS

43. Dr Marion Read prepared a report dated 28th July 2013 regarding landscape and amenity issues associated with PC44 as it was then. More relevantly, Dr Read has prepared a report dated 19th June 2015 that comments on the current proposal.
44. In her June 2015 report, Dr Read raises a number of issues and makes some suggestions regarding the proposed Plan Change. In relation to the RCL land, I make the following comments in response to Dr Read's findings.

R(HD)-A

45. Dr Read is comfortable with the proposed treatment of this area, as am I.

R(HD)-B and R(HD)-C

46. Dr Read is relatively comfortable with development that would be provided for by PC44 in these areas although raises the issue of views from Frankton and Remarkables Park. A viewer in the Remarkables Park area is at least 3.5 kilometres from the development areas that would be enabled by PC44. Dr Read included a photograph in her July 2013 report. I include a photograph from the same location as Appendix 6 of this evidence. In these views, I consider that development in the plan change area will ultimately be visible but will form a very minor element in the overall composition of the views that are available. I consider that it will be difficult to notice.
47. The treatment of the northern edge of the development areas (i.e. R(HD-SH)-2 and the EIC Activity Area) will ultimately be particularly important in creating a pleasant entry experience into the zone. It is this northern edge that is potentially visible in the views from Remarkables Park that are illustrated by my Appendix 6.

R(HD)-D

48. Dr Read is comfortable with the proposed treatment of this area, as am I.

R(HD)-E

49. Dr Read has some concern regarding the treatment of the hill land form within this area. I have discussed this issue above.

Open Space Areas

50. In relation to the RCL land, Dr Read has some concern that there is no specific definition of use of the Open Space areas identified on the Structure Plan that are within the urban or suburban areas. She suggests that there should be some link to existing provision 12.2.5.1(n) that states the purpose of existing Open Space Residential Amenity Areas (OSA) within the JPRZ is to provide "recreational amenities/playgrounds, landscaping, pedestrian and cycle trails, lighting, storm-water retention and underground services". I generally agree and suggest that some wording of this sort could be added to the matters of control in relation to the relevant subdivision rule.

Summary Regarding Dr Read's Conclusions

51. In relation to landscape and visual amenity issues, I understand Dr Read to be comfortable with the development that PC44 will enable over the RCL land. However, she raises the following issues that I have discussed above:
- (a) The appropriate landscape treatment of the area between SH6 and the northernmost Activity Areas in order to suitably mitigate visual effects.
 - (b) The appropriate treatment of the hill landform in R(HD)-E.
 - (c) Further definition what is anticipated in the identified Open Space Areas.

CONCLUSIONS

52. My 2013 report assessed the effects of proposed PC44 in the form that it was publicly notified. Since the time of public notification the proposal has been considerably amended, however, development that is provided for within the RCL land has not significantly changed since the time of notification and my 2013 report.
53. I am comfortable with the effects of development on the RCL land that is enabled by PC44 and I understand that Dr Read is also generally comfortable (subject to some relatively minor points that I have discussed in this evidence). The PC44 provisions adequately provide for the mitigation measures that I recommended in my 2013 report.
54. Elevated landforms within the RCL land have been identified as Open Space areas on the amended Structure Plan. The appropriate treatment of these areas is a matter over which QLDC retains control at the time of subdivision.
55. Development enabled by PC44 within the RCL land will have only a slight degree of effect in relation to the Hensman and Scope properties.
56. In an overall sense, I consider that the RCL land is suitable for suburban development of the sort enabled by proposed PC44. There will not be a significant increase in effect if the proposed situation is compared to the existing. The RCL land is flat valley floor land that is well contained by topography and represents a part of the district in which considerable

density can appropriately be absorbed without significantly affecting broad scale landscape quality.

Ben Espie (Landscape Architect)

26 June 2015