

To: Vicki Jones, Vision Consulting
From: Marion Read, Landscape Architect
Subject: Plan Change 44 – Hanley Downs. Landscape and visual amenity issues relating to the amended plan change proposal.
Date: 19th June 2015

1.0 Introduction

- 1.1 In February 2013 a private plan change request was made to Queenstown Lakes District Council with regard to the Hanley Downs area of the Jacks Point Resort Zone. I reported on this proposal. I do not resile from any of the general principles stated in that report, and this report, consequently focuses on the specific changes to the proposal which have landscape implications.
- 1.2 The proposal progressed as far as a hearing later that year which was adjourned indefinitely without any evidence being presented.
- 1.3 In the intervening time the proposed plan change has been revised and the revised proposal has now been presented to Council to be considered at a reconvened hearing in July of this year.
- 1.4 The new proposal encompasses a slightly larger area than that notified. The south western edge has been moved so as to incorporate the Jacks Point quarry and some further land in its vicinity within the plan change area. Proposed provisions have changed including the creation of a new activity area, while the basic theme of the proposal remains intact. That is, to increase permissible residential densities, expand the urban footprint, and reduce the compliance costs to individual house builders.
- 1.5 The new proposal does not include any new landscape assessment. It is my understanding that the promoter has relied heavily on the Coneburn Area Resource Study (the Coneburn study) prepared by Darby Partners in 2002 and more recently updated. It is important to keep in mind that this, often quoted, study has no statutory authority and thus the

management regimes which it proposes for various parts of the area are no more than good intentions unless they are enshrined within the District Plan as objectives, policies and rules.

1.6 The previous proposal relied on the development of an Outline Development Plan to manage the finer details of future development within the zone. The use of such a tool, classified as a controlled activity in the previous proposal, has been deemed *ultra vires* by the Environment Court and so no such process or document is now proposed.

1.7 I remain of the opinion that the three key issues in the assessment of this proposal are the effects on the internal amenity of Jacks Point; the maintenance of a consistent character throughout the zone; and the protection of the Peninsula Hill Outstanding Natural Landscape from inappropriate subdivision, use and development.

2.0 Absorption capacity of amended activity areas

2.1 Introduction

2.1.1 Under the existing ODP four residential neighbourhoods are anticipated and one village neighbourhood. The notified plan change proposal eliminated the pod form of these neighbourhoods and replaced the village with a residential neighbourhood. This proposed structure remains in the modified proposal but with modifications to the proposed residential areas.

2.1.2 Comparisons between the areas in which development is anticipated by the current ODP and that now proposed show that a more flexible outcome than that originally proposed is intended, but that the total number of dwellings possible within the urban areas has been reduced.

2.1.3 Several new areas for development were proposed in the notified plan change proposal. These have been altered spatially and in terms of the proposed development capacity and a new Education Innovation Campus (EIC) is proposed.

2.1.4 It is now proposed to replace the open space areas as provided for by the Henley (*sic*) Downs Structure Plan with new areas:

Existing area	Development area	Open Space
Open Space (Highway Protection)	Development areas A, B and EIC.	Open Space Landscape Protection
Open Space and Passive Recreation (O/P)		Open Space
Golf Course and Open Space	FP-1	

Open Space (Tablelands)	FP-1	
Open Space (Peninsula Hill Landscape Protection Area)	FP-2	

The use of Open Space areas is limited by 12.2.5.1(q) to pastoral and arable farming and endemic revegetation. The use of Open Space Landscape Protection is limited by 12.2.5.1(m) to farming, trails, tracks and recreation. The Highway Landscape Protection overlay makes the construction of buildings in this area discretionary.

- 2.1.5 The boundary of the Outstanding Natural Landscape (Wakatipu Basin) established by the Environment Court in C90-2005 which extends over Jacks Point, the lake margin and Peninsula Hill includes the more northern third of FP-1 and the entirety of FP-2 within this landscape classification.

2.2 Development areas

2.2.1 R(HD-SH)-1

- 2.2.1.1 R(HD-SH)-1 is approximately equivalent to notified activity area B, and is intended to be screened from views from SH6 by landscaping between its eastern margins and the road corridor. I noted in my original assessment of Area B:

It is located within the area determined in the Coneburn Study to have a high potential to absorb development. In my opinion it is largely screened from views from the north only by intervening vegetation and is potentially prominent in public and private views from Remarkables Park. Development is anticipated at a density of approximately 15.5 dwellings per hectare (average lot size of 450m²) and I consider that this is high and would likely result in adverse effects on the landscape owing to the inability to mitigate built form by significant planting within the lots.

- 2.2.1.2 While the potential visibility of development in this area from Remarkables Park remains, I no longer consider it to be problematic. The density now proposed is between 12 and 22 units per hectare and these more variable lot sizes would allow for greater planting on some sites with a mitigating effect on built form. I consider that the development of the new proposed area (R(HD-SH)-1) would have fewer adverse visual effects than that of the notified area B.

- 2.2.1.3 R(HD-SH)-1 is located partially within an area determined by the Coneburn study to have a high potential to absorb change and partially in an area determined to have a medium to low potential.

2.2.2 R(HD-SH)-2

2.2.2.1 R(HD-SH)-2 is approximately equivalent to notified activity area A but is significantly expanded in area and in development potential. This area includes two existing dwellings and under the amended plan change provisions could encompass between 10 and 44 dwellings. This represents a significant departure from the notified version of the proposed plan change.

2.2.2.2 In my assessment of the notified Area A I said:

...It is the case that the vicinity has many mature trees on it and that it has a somewhat hummocky terrain. I consider that it is likely that this area could absorb two further residences without adversely affecting the character of the landscape in the vicinity, but this is largely dependent on the maintenance of the existing, or equivalent, tree cover, and on the maintenance of the surrounding open space between Area A and the flanking roadways...

2.2.2.3 The now proposed density of development in this area appears to be intended to form a sort of rural residential fringe to the zone, something which is reproduced on the western fringe of the urban area as now proposed. It is my opinion that this attempted blurring of the edge of urban areas is not best practice, preferring a hard edge to urban areas. This preference has also been adopted by Council as expressed by Plan Changes 20, 21 and 29 which all sought to establish hard boundaries to the townships of Wanaka, Queenstown and Arrowtown respectively. Further, Lake Hayes Estate was designed and established with a band of Rural Residential zoning wrapping around it, almost all of which has since been subdivided to Low Density Residential sizes by resource consent, altering its intended blurred edge to a hard one.

2.2.2.4 There are two dwellings present within this area. It is my opinion that the new proposed subdivision density would tip the character of the area from rural to urban and would have a significant adverse effect on the amenity enjoyed by the occupiers of these existing dwellings. This would not be the case under the notified proposal.

2.2.2.5 R(HD-SH)-2 is located in an area deemed to have a medium to low potential to absorb change, and assessment with which I agree.

2.2.3 EIC

2.2.3.1 The EIC is a new area proposed to the north of the development proposed in the notified plan change. It is located on the floor of the Coneburn valley in an area which is currently flattish pasture land.

2.2.3.2 The EIC is 'To enable the development of education, business innovation and associated activities...' (12.1.4 Policy 3.19) The proposed policies also require that 'the visual impacts of subdivision and development...are appropriately mitigated through landscaping and the provision of open space' (12.1.4 Policy 3.20). Site Standard 12.2.5.1(i)(c) states that the EIC 'is restricted to technology based activities including commercial and medical research, laboratories, training, educational facilities, specialist health care and associated administrative, office accommodation, retailing and recreation facilities'. Commercial activities, community activities and visitor accommodation within the Campus are to be restricted discretionary activities. Zone Standard 12.2.5.2(c)(ii) sets a building height limit in this activity area of 10m and 12.2.5.2(e)(d) up to 15m if the building is commercial. It would seem from this that residential development is a permitted activity which does not appear to be consistent with the purposes of the area and does not appear to be appropriate.

2.2.3.3 The EIC is surrounded to the north by the proposed Open Space Landscape Protection / Farming activity area overlain by the Highway Landscape Protection Area. There does not appear to be any requirement that the mitigation which is required by the proposed structure plan be completed. It is my opinion that this should be required to be completed and established prior to any development occurring within the EIC.

2.2.3.4 As with the extension to notified area A within R(HD-SH)-2, the EIC is located within an area assessed by the Coneburn study as having medium – low potential to absorb change. I agree with this assessment.

2.2.4 R(HD)-A

2.2.4.1 R(HD)-A is approximately equivalent to activity area D in the notified plan change. As I noted of notified area D, development in this area would increase the urban form visible from Frankton to a small degree. This is not considered to be a significant adverse effect, however. This area is within an area determined by the Coneburn study to have a high potential to absorb change, and I agree with this assessment.

2.2.5 R(HD)-B

2.2.5.1 R(HD)-B is substantially similar to activity area E in the notified plan change. As noted with regard to area E, development in this area would be readily visible in public and private views from the southern parts of Frankton and Remarkables Park. The increase in density over that of the approved ODP for this area would mean that this would have an adverse effect on these views. It is likely, however, that mitigation landscaping to the north of the EIC would

reduce the prominence of development in this area in these views also. This area is similarly within an area determined by the Coneburn Study to have a high potential to absorb change. I do not agree with this assessment, considering it to be high medium.

2.2.6 R(HD)-C

2.2.6.1 R(HD)-C is substantially similar to activity area C in the notified plan change. In my assessment of the notified plan change I opined that development in this area would be readily visible from Frankton and Remarkables Park and would have an adverse effect on views from these locations. I consider that this remains the case with the amended plan change proposal, but consider the extent of the adverse effect to be relatively small. R(HD)-C is located within an area determined by the Coneburn study to have a high potential to absorb change. I do not agree with this assessment considering it to be more in the realm of medium.

2.2.7 R(HD)-D

2.2.7.1 R(HD)-D encompasses an area which approximates activity area F of the notified plan change. It is mainly located on the valley floor. As previously assessed I consider that residential development within this area would have few effects either outside of Jacks Point or on the internal amenity of the zone. It is within an area assessed as having high potential to absorb change, according to the Coneburn study, and I agree with this assessment.

2.2.8 R(HD)-E

2.2.8.1 R(HD)-E is substantially similar to activity area G in the notified plan change proposal. Both are medium density residential areas intended to replace the village centre included in the approved structure plan. The average residential density now proposed is slightly less than that proposed in the notified plan change (1 unit per 201m²) at between 1 unit per 222m² to 400m² but the maximum possible has increased to 908. I consider that this would allow for more variation of built form within this part of the zone which would reduce the adverse effect on the internal amenity of Jacks Point which concerned me in regard to the notified plan change. Also it is appropriate to have higher density residential use adjacent to the Jacks Point Village area.

2.2.8.2 This area incorporates a significant hillock which is provided for in the approved ODP as a part of the Open Space / Recreation zone to be managed as 'traditional parkland' with exotic amenity trees for active and passive recreation. The concern expressed in my assessment of

the notified application remains with regard to this amended proposal with regard to this hillock. That is, that the level of protection which the proposed structure plan provides for it covers little more than the southern face of the hillock and I remain of the opinion that the area currently set aside under the approved ODP should be retained.

2.2.9 R(HD)-F

2.2.9.1 This area encompasses a small area which was a part of activity area F in the notified proposal, activity area H in that proposal, and an area which was a part of the Agriculture Conservation Recreation Area (ACRA). It is predominantly located within the area deemed to be a part of the ONL(WB) of Peninsula Hill.

2.2.9.2 Development within the portion of this area which is located on the valley floor (previously the north western portion of activity area F) is unlikely to have any adverse effects on the internal amenity of Jacks Point and would not have any adverse effect on any public views from outside of Jacks Point.

2.2.9.3 The more northern extension of the R(HD)-F area is onto a low, gentle escarpment falling to the east and to the north. This area is actually slightly lower than parts of activity area F in the notified proposal which are now part of area R(HD)-D. Consequently I do not consider that development in this area would have any significant adverse effects.

2.2.9.4 The most westerly extension of the R(HD)-F area encompasses activity area H from the notified version of the plan change and extends beyond it to encompass a larger area extending into the Outstanding Natural Landscape (Wakatipu Basin). When reporting on the proposed activity area H I agreed that one dwelling was potentially acceptable within area H and I recommended that area H be managed in the same manner as the Homesites within Jacks Point are managed. This would, in my opinion, have a similar effect to applying the policies appropriate to development within an ONL(WB). I do not consider that this area has the ability to absorb the level of development which is now proposed, and I consider that area H should be reinstated and managed as I originally proposed.

2.2.10.5 This area is predominantly located in an area considered to have a medium potential to absorb change by the updated Coneburn study, but extends into an area which that updated study acknowledges has a low potential to absorb development. I consider that the entire western extension is within a sensitive location.

2.2.10 R(HD)-G

2.2.10.1 R(HD)-G is located so as to encompass activity area I from the notified application, but extending further to the south so as to cover a larger area (4.65ha rather than 3ha). Seven dwellings were proposed for area I and now between 7 and 32 are proposed. The area is entirely contained within the Open Space and Open Space / Golf activity areas of the operative structure plan.

2.2.10.2 In my original assessment of the notified proposal I determined that the original development area had the potential to absorb 8 dwellings at a density that approximated Rural Residential, that is 2 dwellings per hectare. It is now proposed to allow for a range of densities over the increased area of between 2 dwellings per hectare up to 10 dwellings per hectare, which approximates low density residential development. In my opinion this location is not suitable for such dense development which would, in my opinion, have an adverse effect on the internal amenity of Jacks Point. I am less concerned about the slight increase in area and continue to consider that 8 dwellings could be absorbed into the landscape in this area.

2.2.10.3 R(HD)-G is located within an area deemed to have a medium ability to absorb development by the Coneburn study. I am in agreement with this assessment.

2.2.11 FP - 1

2.2.11.1 FP – 1 encompasses the eastern slopes of the area known as the Tablelands and which is entirely activity areas Open Space and Open Space / Golf under the approved structure plan. It replaces, and subsumes, activity areas J and K from the notified proposal. Activity area J extended up the slope to the west of the significant wetland area. The notified proposal intended 100 dwellings for this area, approximately equivalent to low density residential development. I considered that this proposed level of development was too great and would have a significant adverse effect on the amenity of Jacks Point Residents who currently anticipate that this area remain open and semi-rural in character. Area K was further to the west and further elevated than area J but with more complex topography. It was proposed to allow for 4 dwellings in this area which is a density of 1 per hectare. It was my conclusion, with regard to the notified proposal, that areas J and K could potentially absorb development at the density of one dwelling per hectare.

2.2.11.2 Proposed FP – 1 is now to encompass an area of 69.46ha. It is located so that the western extent of the proposed area is within the ONL(WB). It is intended that a total of 34

dwellings be enabled within this area. This compares with a total of 13 which I considered to be the maximum which the areas J and K could effectively absorb. The land incorporated within this area is elevated and gently rolling country with little relief within which the scale of development proposed could be nestled. Two slight gullies within the area, running west to east, are identified as open space. I consider that the inclusion of 34 dwellings across this proposed area would be well beyond the capacity of the landscape to absorb development without significant adverse effects on the amenity of Jacks Point residents, and on the character and integrity of the ONL of Peninsula Hill.

2.2.11.3 The Coneburn study considered that the area on which FP-1 is proposed had a mix of high medium and medium ability to absorb change, the higher potential being on the higher land. I am in agreement with this assessment.

2.2.12 FP – 2

2.2.12.1 FP – 2 is located entirely within the ONL(WB) of Peninsula Hill. It encompasses an area of 243.49 hectares spread over the higher parts of the step forms which are present on the southern side of Peninsula Hill. It is intended that 6 dwellings be enabled within this area. In the notified proposal activity area L was located at the western margin of this area. It encompassed a shallow gully which runs from east to west across the Table Lands, and three dwellings were proposed for this location. It was my opinion that dwellings in this location would not be visually prominent, but that three were too many and that they would have a significant adverse effect on the amenity of the occupiers of Home Sites 34, 35, and 36 which are close by. I recommended that a single dwelling would be more appropriate and that development in this location should have to comply with the same requirements as exist for the existing Home Sites. It is now proposed that 6 dwellings be enabled over the entire FP – 2 area.

2.2.12.2 It is my opinion that it is not possible to determine, at this stage, whether or not the area in question is able to absorb 6 dwellings. The Coneburn study noted that two gullies which run west to east across this massif contain areas which are not visible from either the lake or the State Highway. It may be possible to locate dwellings within these areas. I consider, however, that the integrity of Peninsula Hill as an Outstanding Natural Landscape is extremely important, and I consider that the best way to maintain that integrity but also enable development would be to apply the same regime to FP-2 as is currently the case in the Rural General zone. That is, a fully discretionary regime for residential development could be imposed with the requirement to determine building platforms at the subdivision stage and the requirement that, in this landscape, future dwellings be reasonably difficult to see.

2.2.12.3 Most of FP-2 is located over an area determined by the Coneburn study to have a low potential to absorb change. The more southerly part of the FP-2 area encompasses areas deemed to have a medium low and high medium ability to absorb development. While I agree that there are areas which might absorb a dwelling or two, I consider that protecting the integrity of the Peninsula Hill ONL should be the priority. I note that the areas identified as having the higher ability to absorb development are identified as areas of grey shrubland on the updated Ecology / Vegetation analysis but that the context of these areas has not been identified.

3.0 Farm / Preserve (FP) Activity Areas

3.1 The FP activity areas proposed in the amended application replace the Agriculture, Conservation and Recreation Activity Area in the notified proposal. They are located over three open space areas in the existing structure plan. These are the Golf Course and Open Space (G), The Table Lands Open Space area (O/S) and the Peninsula Hill Landscape Protection Area Open Space (O/S).

3.2 As noted in my previous report, the District Plan imposes a number of restrictions on these open space areas as follows:

12.2.5.1 of the District Plan includes the following rules regarding the use of these areas:

- (d) Golf Course and Open Space (G) - the use of this area is restricted to outdoor recreation activities and open space provided that up to two residential units may be established on Lot 6 DP 22166.*
- (k) Open Space (OS) - the use of this area is restricted to pastoral and arable farming and endemic revegetation.*

In addition to these site standards rule 12.2.3.4(xii) extends further controls over the planting of vegetation within the zone as follows:

- (b) Within the Peninsula Hill Landscape Protection Area (refer Structure Plan) - the planting and/or cultivation of any tree or shrub which is not indigenous and characteristic of the Peninsula Hill escarpment.*
- (d) Within the Tablelands (refer Structure Plan), the planting and/or cultivation of any exotic vegetation, with the exception of:
 - (i) grass species if local and characteristic of the area; and*
 - (ii) other vegetation if it is:
 - less than 0.5 metres in height; and
 - less than 20 square metres in area; and
 - within 10 metres of a building; and
 - intended for domestic consumption.**

Together these controls combine provide a strong direction to the character and management of the open space areas within the zone. Buildings which do not comply with the Structure Plan are non-complying (12.2.3.5(vii)(b)) and this would include any residential development within these areas. This is a stronger level of control than that exerted by the District Plan over residential development in Outstanding Natural Landscapes within the Rural General zone.

3.3 A new policy is proposed to direct the management of the Farm / Preserve areas:

12.1.4 Objective 3 Policy 3.21

To provide in the Farm Preserve activity Area for farming and rural living recognising historical and continued rural land management which acts as a transition between the higher density urban areas and the tablelands landform, while ensuring that:

- (i) within the Farm Preserve 1 Activity Area, subdivision and development incorporates mechanisms for the protection and management of open space and native vegetation.*
- (ii) within the Farm Preserve 2 Activity Area, development is not visible from Lake Wakatipu and State Highway 6.*

I find the wording of the preamble very unclear and confusing. With regard to FP1, there is nothing in the proposed plan change to prevent the subdivision of the entire area into 2ha blocks in which case the development would be over the tablelands, rather than providing a transition. If a lower density transition zone is considered desirable then it should be restricted in area to the less sensitive parts of the area, approximately the areas J and K in the notified plan change.

3.4 Farm buildings, which are currently non-complying, are to become a controlled activity under the new proposal. Control is to be limited to:

- i the external appearance of buildings with respect to the effect on visual and landscape values of the areas;*
- ii infrastructure and servicing;*
- iii associated earthworks and landscaping;*
- iv access and parking;*
- v bulk and location;*
- vi exterior lighting; and;*
- vii visibility of the building from State Highway 6 and Lake Wakatipu*

These matters of control have been adopted from the current District Plan where they are the elements of control over residential development, and in my opinion they are not necessarily appropriate for real farm buildings. It is worth considering the status of farm buildings in the Rural General zone in which farming is anticipated to be the main activity. 5.3.3.2(i)(d) makes farm buildings a controlled activity in the RG zone with Council's control limited to location, appearance and provision of services. The site standards, however, at 5.3.5.1(xi) limits this controlled activity status as follows:

- (a) No farm building shall be replaced, extended or constructed:*
 - (i) On any holdings (as defined) less than 100 hectares in area; or*

- (ii) *At a density of more than one farm building per 50 hectares; or*
- (iii) *On any land above 600 masl; or*
- (iv) *Within the Outstanding Natural Landscape - Wakatipu Basin or an Outstanding Natural Feature within the Wakatipu Basin as identified in the appropriate schedule of the District Plan; or*
- (v) *On an Outstanding Natural Feature outside of the Wakatipu Basin as identified in the appropriate schedule of the District Plan, if:*
 - *there is already a farm building within that holding (as defined) or if there is land within that holding (as defined) that is not on an Outstanding Natural Feature; or*
 - *the site containing all or part of the Outstanding Natural Feature was not contained in a separate certificate of title prior to 10 June 2005.*
- (b) *The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.*

It can be seen that what is being proposed is a very much more liberal regime than that of the Rural General Zone, and even more liberal than the current Jacks Point zoning anticipates. It is also a concern that there is no restriction proposed on a farm building forming a part of the permitted baseline for a possible future dwelling.

3.5 15.2.6.2(iv) identifies average lot sizes for the subdivision of FP-1 and FP-2 which would result in 6 lots within the FP-2 area and 34 within the FP-1 area. Nowhere, however, is there any limitation on the number of residential units which may be developed on these future lots. It is common place within the District to include a residential flat for staff accommodation along with a dwelling, and it is becoming common place with high end developments to include separate residential units for guests as well. Consequently the number of residential units which could be enabled by the current proposal could be more in the realm of 120 rather than 40, and this is not necessarily a limit either. Residential units in FP-1 are to be permitted, subject to performance standards, provided the area has been previously subdivided in accordance with 15.2.17.2(ii) (which only controls the location and management of open space, not the actual subdivision design). Residential units in FP-2 are to be a restricted discretionary activity, which does provide some level of control. With no limit on the number of dwellings anticipated within the activity area it seems to me that this level of control is very weak and given that this area is a part of the Outstanding Natural Landscape of Peninsula Hill I consider that it is inadequate.

3.6 My concerns regarding the actual numbers of dwellings which may be anticipated within FP1 and FP2 are exacerbated by the fact that it is proposed that visitor accommodation within these activity areas would be restricted discretionary also.

3.7 A further concern regarding the FP1 and 2 activity areas is that the only limits on the size of future buildings relate to height, with farm buildings being limited to 10m and other buildings 8m. There is no limit on the footprint of any building and so potentially enormous lodges or hotels (not to mention houses) could be possible. The only potentially pass/fail aspect of

Council's control, as I read the detail of discretion listed in 12.2.3.3(c), is 'visibility of the building from State Highway 6 and Lake Wakatipu' supported by Policy 3.21(ii) which requires that development not be visible from SH6 or from the Lake. This ignores the potential impact of development on the character of the landscape.

- 3.8 Open space areas are indicated within activity area FP-1 on the proposed structure plan. These basically follow two gullies which run approximately west to east, and the western margin of the wetland area (W on the proposed Structure Plan). Rule 15.2.17.2(iii) requires that, in order that residential development within the activity area be permitted, that these areas have to be either subdivided as lots in their own right or protected by covenant. While I consider that it is positive to require these open spaces I consider that, as there is now to be no Outline Development Plan stage, that they should be defined within the structure plan. (This applies to all Open Space areas within the plan change area). Further, while 15.2.17.1 requires that, for a controlled subdivision, 'Measures to provide for the establishment and management of open space, including native vegetation, within the open space areas shown on the Hanley Downs Structure Plan' be provided. The activities intended within areas of 'Open space' at 12.2.5.1(q) remains unchanged as '...restricted to pastoral and arable farming and endemic revegetation'. As these areas appear to be intended as a buffer, in the case of the area adjacent to the wetland, and as green space within residential development, it seems that their main function should be for native revegetation and I consider that 15.2.17.1 should be rewritten to that effect. I do note that there is a proposed assessment matter (15.2.17.4(x)) which requires an assessment of the extent to which the subdivision of areas FP-1 and FP-2 restrict grazing from areas sensitive to browsing; prevent the loss of grey shrubland habitats, remove woody pests, and 'Improves the connectivity between the network of ephemeral wetlands and swamps and adjacent Jacks Point and Lakeside public conservation land'. While overall this is positive I consider that the maintenance of the vegetation cover, particularly in FP2, is of such importance that the protection and promotion of the indigenous vegetation requires greater emphasis. Further, I find (x)(d) a bit perplexing – is it the ecological connections between these areas that are to be improved or the public access through them to the conservation land? If it is the former better wording would be: 'Maintains and develops ecological corridors between the network of ephemeral wetlands and swamps and adjacent Jacks Point and public conservation land'.

4.0 Design controls / performance standards

- 4.1 It is currently the case that development within Jacks Point and Henley Downs must comply with a fairly complex range of design controls which have been established as a part of the ODP process for the zone. The notified plan change proposal left open the possibility to retain

similar controls within the ODP which was anticipated by that proposal. Now that it has been ruled that an ODP cannot be required, any design guidelines need to be included within the plan itself.

4.2 The current proposal includes two performance standards only, relating to the design of built form (other than height limits). These are found at 12.2.5.1(xvi) and are as follows:

In the Hanley Downs area of the Jacks Point Resort zone any building shall result in:

- a) At least 70% of the total painted or galvanised external surface of buildings (excluding roofs and windows) with a reflectance value of between 0 and 35%.*
- b) Roof colours shall have a light reflectance value of 20% or less, and in the range of browns, greys and black.*

I am concerned that these standards would allow for a dwelling to be constructed within the ONL(WB) portion of FB-1 or within FB-2 which was 30% white. Also, it would allow the use of a wide range of colours which, while they would probably be entirely appropriate within the urban part of the site, would not be appropriate in the elevated parts of the landscape. The following are colours, for example, which would comply:



Resene Adrenalin Lrv 33%



Resene Affair Lrv 19%



Resene Alibi Lrv 31%



Resene Anchor Lrv 25%



Resene Ayers Rock Lrv 22%

I consider that limiting the range of colours, as well as the reflectivity, would be necessary in order for residential development within elevated parts of the site to blend into their context and to appear recessive and in keeping with the established character of Jacks Point. Further, I consider that if residential development is to be allowed within the ONL(WB) portions of the site that it should be managed in a similar manner to the Home Sites. I also consider that roof colours could be in the range of browns, greens and greys, but that black should not be included. True black very rarely occurs in the landscape and is more prominent than dark greys.

5.0 Peninsula Hill Landscape Protection Area

5.1 Under the notified plan change proposal the area of open space currently identified in the approved structure plan as the Peninsula Hill Landscape Protection Area was to have been subsumed into the Agriculture, Conservation and Recreation Activity Area. The policies guiding the management of the ACRAA emphasised conservation and recreation and buildings relating to these functions, and to the provision of infrastructure, were to become a discretionary activity. In the amended proposal the Peninsula Hill Landscape Protection Area is restored, but only in part. The more highly visible areas of the FP-2 area have this overlay remaining, but the less visible, at least in the terms of the Coneburn study, have been removed. Along with the other landscape protection areas, built development becomes discretionary where it is currently non-complying. This means it is proposed that the Peninsula Hill Landscape Protection Area is effectively watered down from the current situation where the level of protection is greater than that of the Rural General zone to something much less. Given the importance of Peninsula Hill to the landscape of the Wakatipu basin (for its size, proximity to Queenstown, and relative lack of development when compared with the other roche moutonnee of the basin) I do not think that watering down the protections provided that landscape is appropriate.

6.0 State Highway mitigation

6.1 Subdivision within the R(HD-SH) areas 1 and 2 is controlled by 15.2.3.2(v). This limits Council's control to the visual effects of subdivision and development on landscape and

amenity values as viewed from State Highway 6. 15.2.7.1 includes the following specific items of control:

In addition to the District-wide matters of control above, within the R(HD) Activity Areas of the Jacks Point Resort Zone, the Council reserves control over the following matters:

- *Consistency with the Hanley Downs Structure Plan*
- *The development and suitability of public transport routes, pedestrian and cycle trail connections within and beyond the Activity Area.*
- *Mitigation measures to ensure that no building will be highly visible from State Highway 6 or Lake Wakatipu*
- *Road and street designs*
- *The location and suitability of proposed open spaces*
- *Commitments to remove wilding trees*

15.2.7.3 leaves the existing zone-specific assessment matters intact as follows:

(viii) In the Jacks Point Zone, within any Residential (State Highway) Activity Area R(SH), the council shall consider the extent to which subdivision, the location of building platforms and proposed development and landscaping.

(a) Ensures that buildings and other structures are not readily visible from State Highway 6;

(b) Maintains and enhances the important landscape values associated with the southern entrance to Queenstown.

(c) Maintains and enhances the landscape and visual amenity values of the Jacks Point Zone and surrounding environment, particularly when viewed from State Highway 6; and

(d) Maintains and enhances any significant view corridors from State Highway 6 through and beyond the Jacks Point Zone.

State highway mitigation is only required to be assessed in relation to development in the EIC.

6.2 The design of the highway landscape protection area is a controlled activity under 12.2.3.2(ix) with control limited to:

All landscaping;

- *Species proposed;*
- *Long term management considerations;*
- *The maintenance of view shafts;*
- *Integration with adjoining land uses;*
- *Mode of access, i.e. walking, cycle or motor vehicle;*
- *Alterations to the alignment of the public access route shown on the structure plan*

- 6.3 R(HD-SH)–1 extends a little closer to SH6 than activity area B in the notified plan change, and is as close, or possibly slightly closer, to the highway than the adjacent, most northern, development area within Jacks Point. R(SH-HD)–2 does not extend as close to the highway along most of its eastern frontage as area A in the notified plan change. It seems that in the latest proposal the existing vegetation surrounding the Paterson dwelling is being relied upon to provide mitigation for the plan change area from which the dwelling and trees are excluded. State Highway mitigation is proposed along the northern boundary of the zone adjacent to the new EIC.
- 6.4 Most problematic, in my opinion, is the fact that while the intention is to ensure that 'buildings and other structures are not readily visible from State Highway 6' in fact, the development of Jacks Point has resulted in a reasonably extensive number of buildings which are, in my opinion, 'readily visible'. While it seems that this indicates a failure of the Plan provisions it is now a part of the local environment and I believe that it has altered the southern entrance to Queenstown and has not particularly enhanced the visual amenity provided by the Jacks Point zone to travellers on the state highway.
- 6.5 As a consequence of these landscape changes I consider that the proximity of R(HD-SH)–1 to the state highway is not problematic. I do consider that the highway mitigation proposed should have to be undertaken and established prior to any development occurring within that area, however.
- 6.6 I do consider that it is problematic that the proposal relies on existing trees to provide mitigation for R(HD-SH)–2. I consider that the overlay of State Highway Mitigation should extend right around this development area so that, should those trees be removed at some point in the future, mitigation can be provided. (Any mitigation of views from the State Highway will have a positive effect on the privacy of residents within the future subdivision, and will assist in reducing the noise experienced from the State Highway.)

7.0 Education Innovation Campus

- 7.1 The EIC is to be located at the northernmost extent of the development area west of area R(HD-SH)–2 and north of area R(HD)–D. It encompasses an area of valley floor which is virtually flat, declining gently to the north west. Policies 3.19 and 3.20 give its purpose and require that 'the visual impacts of subdivision and development within the State Highway and Education Innovation Campus Activity Areas are appropriately mitigated through landscaping and the provision of open space'. The Explanation and Principal Reasons for Adoption under 12.1.4 Objective 3 states that 'buildings set within a spacious landscaped setting are

anticipated'. Rule 12.2.5.2(ii) provides a maximum height of 10m within the area, but 12.2.5.2(ii)(e)(d) allows a maximum height of 15m for commercial buildings. Rule 12.2.5.1(xv)ii allows for a site coverage of 70% when the use is not residential.

- 7.2 The location of the EIC is such that it is readily visible in views to the Bayonet Peaks from State Highway 6 when travelling south. Shelter belts running across the valley obscure it in more distant views but from approximately the location of the contractor's yard to the south of the Remarkables Ski Field Road until Woolshed road is reached it is readily visible, a distance of approximately 750m. It is my opinion that it is very unlikely that landscaping and planting would be able to obscure 15m high commercial buildings in this location from view. I think that the EIC would be readily apparent to travellers heading south, and that I think it would appear surprising, being a complex of large buildings in what appears to be a rural landscape. The degree to which this visibility could be said to detract from the view is much harder to determine. My thinking is that the landscape of Peninsula Hill, the Remarkables and the more distant mountains is so awesome that the degree to which the intrusion of this development would detract from the view would be relatively small.
- 7.3 In my opinion it is difficult to reconcile the idea that the EIC will be a collection of buildings in a spacious landscaped setting with a maximum 70% site coverage. This, combined with the potential for 15m high buildings gives the impression of an urban centre, rather than a special character or use area. A maximum site coverage of 50% would be more likely to produce a landscaped setting, though after car parking is taken into account even this is unlikely to be 'spacious'.
- 7.4 The biggest adverse impact which the EIC would be likely to have would be on the amenity of the existing dwellings which are located within and adjacent to R(HD-SH)-2, the Lloyd/Troon residence and the Paterson dwelling. Rather than having a rural outlook with the amenities that go with that they would have an essentially urban centre within 225 and 180m respectively. While the built form would not impact significantly on views to Peninsula Hill for either of these residences, the EIC would utterly alter the character of the area in a manner likely to be considered significantly adverse.

8.0 Coordination of Hanley Downs with Jacks Point

- 8.1 In my assessment of the notified plan change proposal I noted that the strong character, and high amenity, which has been achieved within the Jacks Point zone is largely the result of a high level of regulation. The existing ODP for Hanley Downs would result in a similar

character. There is very little within the modified plan change proposal which would achieve this, and less than in the notified.

- 8.2 It was proposed that the notified plan change should be amended to require the main access through the site to be a green corridor, effectively of the type and character of Maori Jack Road, as a means of coordinating the two areas. This is complicated now, by the EIC area which, being the most urban part of the proposal, should address the road most directly. The principle, however, that this road corridor should be treated as a green space and have high amenity should, in my opinion, be maintained.
- 8.3 Problematic in achieving the co-ordination of Hanley Downs with Jacks Point is the Plan Change 19 ruling that a requirement for outline development plans is *ultra vires*. The Plan should provide a broad scale structure for future development – the role of the ODP was to ensure that Council had input into the finer details. There is little in the proposed plan change which could be considered to be 'finer detail' and while the current landowners / developers may have the best intentions in the world these intentions cannot be relied upon until they are a part of the Plan requirements.

9.0 Open Space Areas

- 9.1 The new proposed structure plan provides indicative Open Space areas throughout the plan change area. To the north of the development area and along the eastern boundary with State Highway 6 this is overlain with a Highway Landscape Protection Area. The use of Open Space areas is limited by 12.2.5.1(q) to pastoral and arable farming and endemic revegetation. The use of Open Space Landscape Protection is limited by 12.2.5.1(m) to farming, trails, tracks and recreation. The Highway Landscape Protection overlay makes the construction of buildings in this area discretionary.
- 9.2 Of concern is the lack of definition, both spatially and in terms of rules, of the open space within the residential development areas. The proposed structure plan and the new proposed site standards include an Open Space Residential Amenity (OSA) in which land use is restricted to, 'recreation amenities/playgrounds, landscaping. Pedestrian and cycle trails, lighting, stormwater retention and underground services'(12.2.5.1(n)). It is my opinion that the areas of indicative open space within the plan change area should also be so designated. This would ensure that a high amenity context would be provided to the residential development within the Hanley Downs area, and would assist in the coordination of Hanley Downs with Jacks Point. Further, the open space areas within the plan change area should all be defined, spatially, within the structure plan so as to ensure that this amenity is achieved.

9.3 The open space areas located within FP-1 similarly lack spatial definition and this should be required as a part of the structure plan so that it can be ensured that the level of amenity anticipated is achieved. The definition provided by 12.2.5.1(q) should be applied to these areas as it should be adequate to ensure the character of these open spaces are appropriate for their context, the more northern one being located on the boundary of the ONL(WB) of Peninsula Hill.

10.0 Extensions to the Plan Change Area

10.1 The new plan change proposal encompasses three areas of land which were not included in the notified proposal. These are all located within areas anticipated to remain open space under the operative structure plan. These are numbered 1, 2, and 3 on the plan in the Planner's report.

10.2 Area 1 is a reasonably large area encompassing approximately 9ha and including the Jacks Point Quarry. This area is to become a part of FP-1 where the development of 34 lots is anticipated. The quarry is prominent in views from the elevated parts of Jacks Point. I understand that, currently, there is a requirement that this area be rehabilitated once the quarry is no longer operational. Under the operative structure plan this would be anticipated to be rehabilitated as open space. While a view of residential development might be more appealing than a view of the quarry to some, a view of open landscape, particularly as a foreground to the lake and distant mountains would be more appealing to most. The inclusion of this area within the plan change would move the possibility of residential development further south to an area which is much more visible from the existing residential areas in Jacks Point than the areas J and K were in the notified proposal.

10.3 Area 2 is located on the summit of the Tablelands area. It bisects a site, excluding a homesite located at its western end, but incorporating all of the higher, more easterly land. Its inclusion within the plan change could potentially result in further dwellings being located adjacent to this homesite in some sort of cluster, which could have an adverse effect on the amenity of other homesite owners and residents.

10.4 Area 3 is located close to the northern end of Preserve Drive in an elevated location to the north of a cluster of four homesites. The inclusion of this area in the plan change area makes sense when it is considered that leaving it out would result in a sliver of land between the road and the plan change area becoming a sort of island. It is the case, however, that the

sort of development rights which would apply to this area could enable residential development which could have adverse effects on the homesite owners adjacent.

Conclusion

- 9.1 The Hanley Downs Plan Change, originally proposed in 2013, has been amended and resubmitted. The fundamental intentions of the plan change remain as increasing the possible density of residential development in those areas already identified for future development; expanding the areas in which development can occur; and the removal of the requirement for a commercial centre (the Village activity area) and its replacement with residential development. In addition a new activity area is proposed, the Education Innovation Campus, which is to be so located as to extend the plan change area to the north.
- 9.2 The expanded and intensified development areas R(HD)SH-1; R(HD)-A; R(HD)-B; R(HD)-C; R(HD)-D and R(HD)-E are all in areas which are assessed as able to absorb the level of proposed development with no more than slight adverse effects on the landscape and internal amenity of Jacks Point.
- 9.3 The expanded area R(HD)SH-2 has been designed as a rural residential fringe to the more urban development to the south which is contrary to the practice of identifying hard urban edges. Development of the area at the density now proposed would have a significant adverse effect on the amenity of the residents of the two dwellings currently located within this area. The area is assessed as potentially absorbing two further dwellings as proposed in the notified plan change.
- 9.4 The Education Innovation Campus is to be located on the northern edge of the development area. It is assessed that the vicinity has the ability to absorb the type of development described as a collection of buildings within a spacious landscaped setting. The proposed height limits (of up to 15m) and site coverage (of up to 70%) are much more suggestive of an urban centre. In either case, the alteration to the character of the landscape in the vicinity would have a significant adverse effect on the amenity of the existing neighbours although it could be absorbed into the wider landscape.
- 9.10 The Farm / Preserve activity areas are proposed to incorporate most of the elevated land within the western portion of the plan change area. Under the operative Plan residential development within these areas would be a non-complying activity. It is proposed that it would become permitted within FP-1 and restricted discretionary within FP-2 outside of the (modified) Peninsula Hill Landscape Protection Area (and discretionary within it). Height limits

and design controls are proposed but no limit on building footprint. A limit on the number of lots is proposed for each area but no limit on the number of residential units on each lot. It is acknowledged that there are areas with FP-1 and FP-2 where residential development could occur, but not at the density proposed. The proposed controls over the subdivision and development of these areas are assessed as not adequate to protect their important landscape qualities, particularly in regard to those areas contained within the Outstanding Natural Landscape (Wakatipu Basin) of Peninsula Hill. The imposition of the subdivision and development regimes of the Rural General zone (a fully discretionary regime) would provide such protection while liberalising development rights over the operative Plan provisions.

- 9.11 The construction of farm buildings is proposed to be a controlled activity within the Farm Preserve activity areas. It is considered that the regime for farm buildings within the Rural General zone would better ensure both the ability to construct buildings necessary for farming and the protection of this landscape.
- 9.12 Design controls are proposed to apply to the entire plan change area. These are assessed as being inadequate to ensure development within the FP areas is adequately recessive to protect the important landscape qualities of the area and the visual amenity of existing development in Jacks Point. They are assessed as appropriate for the urban portions of the plan change area.
- 9.13 State highway mitigation should be extended to provide for the replacement of existing trees, and its completion should be required before any development within activity areas R(HD-SH)-1, R(HD-SH)-2, and the Education Innovation Campus.
- 9.14 Open space areas are noted as indicative only on the proposed structure plan. This is assessed as being inadequate to ensure that they contribute to the amenity and character of the development. These areas should be defined spatially on the structure plan, and their management for ecological enhancement, recreation and amenity ensured by way of rules within the Plan.
- 9.15 All three areas over which it is proposed to extend the plan change area from that notified could give rise to adverse landscape effects on persons who would not anticipate them from the notified plan change.

Read Landscapes:

A handwritten signature in blue ink that reads "Marion Read." The signature is written in a cursive style with a period at the end.

Marion Read