

**BEFORE THE QUEENSTOWN LAKES
DISTRICT COUNCIL**

IN THE MATTER of the Resource Management
Act 1991

AND

IN THE MATTER of Plan Change 44 of the
Queenstown Lakes District Plan

**STATEMENT OF EVIDENCE OF YVONNE PFLUGER
FOR HENLEY DOWNS FARM LIMITED AND HENLEY DOWNS FARM LAND
HOLDINGS LIMITED
Date 30 June 2015**

ANDERSON LLOYD
LAWYERS
QUEENSTOWN

Solicitor: M Baker-Galloway
(maree.baker-galloway@andersonlloyd.co.nz)

Level 2,
13 Camp Street,
PO Box 201,
QUEENSTOWN 9348
DX ZP95010
Tel 03 450 0700
Fax 03 450 0799

QUALIFICATIONS AND EXPERIENCE

- 1 My name is Yvonne Pflüger. I am employed as a Principal Landscape Planner for Boffa Miskell Limited (“BML”), an environmental consultancy specialising in planning, design and ecology. I have been employed at BML’s Christchurch office for ten years and am a Principal in the company.
- 2 I hold a Masters degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Masters degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). I am a Full Member of the Resource Management Law Association and a registered member of the New Zealand Institute of Landscape Architects, as well as a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand.
- 3 I have practised as a landscape planner for over 13 years on a wide range of projects including environmental and visual effects assessments, nature conservation and river restoration, and recreation planning. As part of my professional career in Austria, I have been involved as a project co-ordinator in several projects funded by the European Union, which involved the preparation of management plans for designated protected areas.
- 4 During my time at Boffa Miskell I have played a key role in preparing several landscape studies for various territorial authorities throughout New Zealand’s South Island, including studies for Banks Peninsula, the Southland Coast, the Te Anau Basin, which included the assessment of the landscape’s capacity to absorb future development. I was the project manager and key author of the Canterbury Regional Landscape Study Review (2010) and Ashburton, Invercargill, Hurunui and Christchurch District landscape studies (2009-2015). The preparation of the above mentioned studies involved evaluating landscape character and quality for these regions and districts and advising councils on objectives and policies for the ongoing management of the landscape.
- 5 I have also prepared a large number of landscape and visual assessments for development projects of varying scales within sensitive environments, including preparation of landscape evidence for Council and Environment Court hearings. Relevant projects I was involved in within the Queenstown Lakes District included Treble Cone gondola,

Parkins Bay resort and golf course, a number of gravel extraction operations, the Queenstown airport runway extension and several consent applications for private rural subdivisions.

- 6 I have also provided expert landscape and visual effects evidence on a range of land uses for district, regional and Environment Court hearings.
- 7 I prepared an assessment report of the landscape and visual effects of the proposed changes to the Jacks Point Zone for Darby Partners in April 2015, which informed the District Plan Review process, which is happening contemporaneous to this plan change.
- 8 In preparing this evidence I have reviewed:
 - (a) The reports and statements of evidence of other experts giving evidence relevant to my area of expertise, including:
 - (i) Landscape evidence for PC44 prepared by Ben Espie landscape architect on behalf of RCL
 - (ii) Master planning/ design evidence for PC44 prepared by Richard Tyler on behalf of Henley Downs
 - (iii) Planning evidence for PC44 prepared by Chris Ferguson on behalf of Henley Downs
 - (b) Landscape effects assessment report for PC44 prepared by Ben Espie landscape architect (Vivian + Espie, dated January 2013)
 - (c) Original Coneburn Area Wide Resource Study, which was co-ordinated by Darby Partners (October 2002) and used to inform the land use planning for the original Jacks Point design
 - (d) Recent updates to the Resource Study, provided by Darby Partners as part of PC44 for Henley Downs
 - (e) Updated Jacks Point structure plan and provisions now proposed.
 - (f) Technical landscape report accompanying S42a report prepared by Marion Read landscape architect
 - (g) Summary of submissions and other material associated with PC44.
- 9 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note. This evidence has been prepared in

accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

SCOPE OF EVIDENCE

- 10 I have reviewed the report I prepared in April 2015 for the District Plan review referred to in paragraph 6. The configuration of PC44 and associated provisions differ slightly and I have, therefore, reviewed the findings of the report in the light of these changes.
- 11 My evidence for PC44 addresses the anticipated landscape and visual amenity effects, avoidance and mitigation measures in the Plan Change (PC44) for the Jacks Point Zone. I will identify the differences between the outcomes that would result from the PC44 provisions as now agreed between RCL and Henley Downs for areas R(HD-SH)-1 and 2, R(HD)F and G, FP1 and 2, and EIC compared to the PC 44 provisions as notified, and the operative District Plan. The remainder of areas within Henley Downs that form part of PC44 are covered by Ben Espie in his evidence, prepared on behalf of RCL.
- 12 The Coneburn Area Wide Resource Study (2002) contains an in-depth analysis of the underlying resource of Jacks Point and Hanelly Downs, including hydrology, vegetation, landscape character area descriptions, visibility analysis and a landuse strategy that was based on the landscape's ability to absorb change. I will refer to the findings that I have relied on from the study and the more recent updates, which were provided as part of PC44 (see Appendices to Mr Tyler's evidence), as appropriate throughout my evidence.
- 13 I have undertaken a site visit to the Jacks Point area, including the existing residential areas and the new areas proposed under PC44 on 15/06/2015 accompanied by Richard Tyler from Darby Partners. I am generally familiar with the area from a number of previous occasions, but have focussed on the visibility of the potential development proposed under PC44 from SH6 and a number of other viewpoints, such as Frankton and the Remarkables access road. As part of my site visit I also had the opportunity to walk to the higher lying areas of Peninsula Hill, including the areas where FP-2 is proposed. I also visited a range

of public viewpoints along roads and walkways within the existing Jacks Point development.

- 14 I have provided advice regarding design amendments of PC44 over the past several months to ensure that potential landscape effects can be appropriately avoided or mitigated. I have also been involved in further recent amendments, which were undertaken in response to issues raised in the landscape report prepared by Dr Read for QLDC. I will describe these amendments in my evidence as they relate to landscape effects.
- 15 The proposal under PC44, including all relevant design details for each of the individual areas have been described by other witnesses and I will not repeat the description of the proposal in my evidence. I will refer to the evidence of other witnesses throughout my evidence as appropriate.

EXECUTIVE SUMMARY

- 16 The key changes that are included in the amended Jacks Point structure plan and provisions for PC44 can be summarised as follows:
 - (a) Changes to medium density residential housing in the Hanley Downs Residential areas in terms of density and extent (refer to Me Espie's evidence for areas R(HD)A-E)
 - (b) Introduction of Farm Preserve Areas (FP-1 and FP-2) with comparatively large rural lots to provide rural living and management of open space around Peninsula Hill
 - (c) Inclusion of an Education Innovation Campus in Hanley Downs
 - (d) Provision for an additional entrance to Hanley Downs along Woolshed Road
- 17 Following the review of the s42a and technical landscape reports, a number of changes to the proposal were agreed between RCL the applicant and Hanley Downs the submitter (and major landowner) to further avoid and mitigate adverse landscape and visual effects identified by QLDC. The key amendments relate to areas R(HD-SH)2, R(HD)F, FP1 and 2 and the height and site coverage for buildings in the EIC.

- 18 In my view, the currently proposed design and opportunity for council control will ensure that significant visual amenity effects can be avoided on neighbouring properties, submitters, owners/ occupants of Jacks Point properties and users of SH6 and Lake Wakatipu.

EXISTING ENVIRONMENT

- 19 The Jacks Point Resort Zone (JPRZ) is located on the eastern side of the Wakatipu Basin between the shores of Lake Wakatipu (Jacks Point) and the Remarkables mountain range. The roche moutonnee of Peninsula Hill visually contains the Coneburn Valley, where the JPRZ lies, to the north and rocky tablelands landform form the western landform boundary of the area. The Vivian & Espie report (dated January 2013) provides a description of the landscape context and existing environment, which can be relied upon and I will, therefore, not repeat this in my evidence.
- 20 The original Coneburn Resource Study was prepared to provide a robust analysis of the landscape resource in terms of its capacity to absorb the Jacks Point and Hanley Downs developments. Since the landscape has changed significantly over the past decade with large parts of the Jacks Point settlement developed, updates to the Resource Study have been prepared by Darby Partners (refer to Appendices Mr Tyler). The updates include a vegetation map, a refined visibility assessment (ZTV), analysis of the landscape's ability to absorb change and amended land use/ management plan.
- 21 The landscape characteristics were described in the Environment Court decision that considered the landscape categorisation of the Coneburn Valley¹. This categorisation has been included in the QLDC planning maps (see Map 3 of Appendix 8A of the Plan and overlay of ONL(WB) line on the Landuse Management Strategy, Appendix Mr Tyler, Figure 14). The landscape categorisation of the Coneburn Valley (VAL), the Remarkables (ONL Wakatipu Basin) and Peninsula Hill (ONL WB) have been determined as part of this decision. The outlines of the ONL/ VAL boundaries generally follow landform boundaries. The boundary outline on the northern side of the Peninsula Hill ONL reflects the exclusion of

¹ Environment Court decision C90/2005

consented residential subdivisions. The VAL includes the elevated landform of the tablelands, apart from a narrow band along the banks/slopes above Lake Wakatipu that extends south to the smaller roche moutonee landform of Jacks Point.

- 22 In my view, the Coneburn Area Resource Study (including updates) provides a comprehensive analysis of the landscape context of the JPRZ and Hanley Downs. The written statement that accompanied the updates issued to Dr Read (landscape architect on behalf of council) provided explanations around the updates that occurred as part of PC44 (see Attachment 1 to Mr Tyler's evidence). The key points of the analysis, which I have endorsed and relied on for the preparation of my evidence, in particular relating to the landscape's ability to absorb change, can be summarised as follows:
- 23 A number of landscape character areas have been defined as part of the resource study. The character of these areas has changed over the past years in terms of naturalness due to the development of the existing Jacks Point residential areas. The landscape character map (shown in Figure 11 of Mr Tyler's' graphic attachment), therefore, now identifies the Hummocks/Township as a distinct area.
- 24 Figure 12 in Mr Tyler's' graphic attachment shows a plan illustrating the landscape's change absorption capability. The findings are based on the Coneburn Study (2002), but the analysis has been refined and updated to provide more detail. The current refinements reflect landscape change that has occurred since 2002, such as change to the topography through mounding, vegetation and built form requiring an update of the resource assessment within the Coneburn Study.
- 25 The visibility analysis from the State Highway 6 corridor and Lake Wakatipu (shown in Figure 10) was originally formulated on the basis of landform only (i.e. without planting). The addition of mitigation has, however, altered visibility of development and the ability of the landscape to absorb change (Figure 12). This plan was based on an analysis of the visibility combined with landscape character sensitivity².

² The potential of a landscape to absorb change depends on two key factors:

- (a) Its landscape character sensitivity; and
- (b) Its visibility.

During the preparation of the original Coneburn Study the areas with lower landscape sensitivity (VAL areas) were assessed in detail regarding their visibility from the Lake

The key changes to Figure 12 relate to the areas of the Central Valley at the new entrance to the zone alongside Woolshed Road and in the two pockets located within the Peninsula Hill landforms. The existing and proposed highway mitigation has and will lead to an increased change absorption capacity along the northern part of Hanley Downs. The Peninsula Hill area has remained relatively unmodified since the original study but has been re-assessed in the context of the development that has occurred around it. A detailed desktop and on-site analysis of the small-scale terrain on the Peninsula Hill landform showed that two distinctive folds in the roche moutonee landform provide a significantly higher capacity to absorb development than the remainder of the landform with its generally highly visible slopes.

- 26 The changes in the Landuse and Landscape Management Strategy (shown in Figure 14) reflect the refinement of the SH6 Visual Corridor allowing for proposed visual mitigation treatment on the flat land at the north of Hanley Downs. It also shows the inclusion of areas with potential for rural living opportunities, which include areas along the base and within two higher-lying pockets of Peninsula Hill, while enabling custodian protection and enhancement of areas with high natural value.

or from State Highway 6 to determine the most suitable areas for development of Jacks Point Township. Due to the higher landscape sensitivity of the identified Peninsula Hill ONF, this area had not been analysed in more detail in the Study regarding the landform's ability to absorb change based on visibility. For PC44 a more detailed assessment has been carried out on site on Peninsula Hill, which allowed for a visibility analysis at a localised scale, taking the broader-scale findings from the Coneburn Study into account.

ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

- 27 In my evidence I will now provide an assessment of anticipated landscape and visual effects for the areas that fall on land owned by Henley Downs Farm Limited and Henley Downs Farm Land Holdings Limited ("Henley Downs") (see Scope of evidence and landownership map, Mr Tyler's graphic attachment). in particular the residential areas along SH6 (R(HD)- SH 1 and 2), the residential areas west of the RCL owned land in Hanely Downs (R(HD)- F and G), as well as the lower density farm preserve areas (FP1 and 2) and the Education Innovation Campus (EIC). Illustrative photos are shown in my graphic attachment.
- 28 Mr Espie's evidence provides a detailed assessment of the landscape and amenity effects of PC44 for the higher density residential areas proposed within the central area of Hanley Downs located within the Jacks Point Resort Zone. I consider his assessment to be comprehensive and will not address these effects.
- 29 In my evidence I will address landscape and amenity effects as experienced by users of SH6, the surface of Lake Wakatipu, Woolshed Road and other public places in the vicinity, such as the Remarkables access road. I will also comment on representative viewpoints for owners and occupiers of private land within and adjacent to the JPRZ, including submitters.
- 30 The proposal for the medium density Hanley Downs Area of the Jacks Point zone provides for an increase in the density of housing within defined limits, while at the same time allowing for a wider range of housing options than currently exist at Jacks Point. As mentioned above the Coneburn Study remains the guiding document for the land use planning within Jacks Point.
- 31 Several submissions referred to the Agriculture, Conservation and Recreation Activity Area (ACRAA) proposed in the notified PC44 (2013). Since this area spans across several of the now proposed activity areas, I will address the effects anticipated from the change to this area upfront. The ACRAA provided, in my view, blunt effects based policies that did not provide any certainty regarding anticipated landscape outcomes (discretionary activity status for buildings). The current form of the PC has been refined based on the Coneburn Resource Study to identify areas where development can be appropriately accommodated.

This has led to the identification of the EIC, FP-1 and 2 in areas that previously formed part of the ACRAA. The very low level of development anticipated within FP-2, in combination with the proposed landscape protection mechanisms and overlays provide a much higher degree of certainty around the maintenance of landscape values in this sensitive landscape (ONL) than the ACRAA as notified did. For FP-1, which includes the notified Areas J and K, the required preparation of a Spatial Layout Plan is proposed, which will allow for a review of subdivision design. The currently proposed level of development within FP-1 is also significantly lower than for former Areas J and K. The EIC would be located in a discrete location on the northern side of the PC area, which could be effectively screened from views from the highway. I do not anticipate that the development proposed within these three areas would have significantly adverse effects for high-lying properties near the Remarkables Road (such as submitters Scope and Hensman) due to the distance of the views which would include the comprehensive development of Hanley Downs as a whole. Jacks Point and Tablelands residents can, in my view, expect lower potential effects under the proposed FP-1 area than under the notified PC, and they will not be affected by the two proposed building platforms within FP-2. Overall, I anticipate the currently proposed design outcomes to have lower landscape effects than under the notified PC and that dwellings and associated uses (eg ancillary or farm buildings) will not have adverse effects on neighbouring properties. The certainty of management and use of farm and rural land in Jacks Point based on identified Home Sites (FP-2) or a Spatial Layout Plan (FP-1) combined with the protection of open space and revegetation are, in my opinion, appropriate design outcomes for protecting the landscape in comparison to the Operative District Plan rules (discretionary status for subdivision and development)..

- 32 The following sections of my evidence address the potential landscape and visual effects for each of the proposed PC areas individually and cumulatively (see statutory section for cumulative effects of proposal). I will respond to relevant submissions and comments in the Section 42a report³ and technical landscape report⁴ under each of the proposed

³ Prepared by Vicki Jones, Vision consulting

⁴ Prepared by Marion Read, Landscape Architect

development areas and highlight if changes have been made to the proposed PC to address issues raised.

Henley Downs Residential Areas along Highway (R(HD-SH) 1 and 2)

- 33 The two areas proposed along the northern side of Hanley Downs are located on large alluvially formed areas in relative proximity to State Highway 6 (SH6). Currently these areas are within the Open Space Activity Area. Similar areas already exist within the Jacks Point zone to the south of the proposed Hanley Downs areas R(HD-SH) 1 and 2⁵.
- 34 A policy relating to the JPRZ requires that residential development is not readily visible from SH6. In practice, this has meant that although a number of residential dwellings are visible, they are set back from the highway and screened by topography and vegetation and are generally visually unobtrusive.
- 35 A similar design outcome will be able to be achieved for the proposed R(HD-SH) areas, as additional screening will be implemented as a requirement of the PC along the SH boundary of the development to provide for a continuous appearance of road side areas from the highway. In my view, it will be important to ensure that the quality of edge treatment of this area in terms of landscape design is to a high standard.
- 36 Currently existing landform undulation and vegetation provides considerable screening of the majority of R(HD-SH)-1. The vegetation along this stretch of highway is maturing and will over time achieve a high degree of visual separation of this area from the highway. Mr Ferguson refers in his evidence (para 98-101) to the relevant policies.
- 37 For R(HD-SH)-2 screening would be established at time of development in the form of mounding and planting, extending behind the existing Paterson Dwelling and across the currently open paddock to the east of Woolshed Road (see Photo 4 graphic attachment). The design of the mitigation will be in character with the landform and vegetation currently

⁵ R(HD-SH) 1 – near SH6, low density living opportunities with appropriate mitigation of visual impacts from State Highway 6 (12 – 22 dwellings per hectare);
R(HD-SH) 2 - near SH6, rural lifestyle living (2 –12 dwellings per hectare)

- already providing an effective screening buffer along the existing Jacks Point dwellings.
- 38 Existing dwellings already form part of the landscape to the south of Woolshed Road, such as the Troon dwelling, Hanley Downs Homestead (Paterson) and Jacks Point residences. These existing dwellings are partially visible from the highway and it is anticipated that the future homes parallel to the highway would be visible to a similar extent. The proposed State Highway Mitigation will buffer views of housing areas on the flats from the State Highway. The open space along the northern part of Woolshed Road will remain, which will continue to allow for long distance views to the mountain ranges beyond.
- 39 At a distance of 3-4km, I consider the potential partial views of the future development from Frankton and Remarkables Park to be inconsequential. From the Remarkables access road and high-lying building platforms in this area the buildings in this proposed area will be visible, but will visually merge with the adjacent higher density development areas of Henley Downs (see Photo 1). The extension of the urbanised and rural residential area would be most perceived from high-lying, more distant viewpoints. However, the change to what is currently anticipated under the Operative District Plan, would in my view not be adverse. From long-distance views, such as the Remarkables access road and submitters' properties (Scope and Hensman) the cumulative effects of the development would continue to form only a small part of the overall landscape, which is dominated by large-scale, natural landforms.
- 40 None of the changes within the Hanley Downs village will be visible from the lake surface due to the topography of the Tablelands that visually separate the village from the lake.
- 41 Response to S42a report and submissions: In the technical landscape report Dr Read raises concerns about the density proposed within R(HD-SH)-2 (10-44 dwellings), which may adversely affect the occupants of the existing dwellings in this area (Lloyd/ Troon and Paterson residences). Currently the landscape contains lots of approximately 1ha in size associated with these existing dwellings. I agree that the landscape character of this area could be maintained, if lots of a similar size were created instead of the proposed 1000-5000m²

lots. In order to address this issue, a reduction of lots in this area is now proposed to a maximum of 7 lots, which would result in a net density of approximately one dwelling per ha. This reduced density will, in my view, lead to landscape outcomes for this area that would not cause adverse effects for the neighbouring occupants. The mitigation from the highway will remain as proposed and will include additional mounding/ planting to be established between the Lloyd/ Troon and Paterson residences as shown on Figure 10.1 (Mr Tyler's evidence).

- 42 I agree with Dr Read that the visual effects of the proposed development areas from the highway can be effectively managed through screening. The design outcomes within R(HD-SH)-1 will be similar to the existing Jacks Point areas close to the highway, which form part of the existing environment. The design amendments in the northern R(HD-SH)-2 area will, in my view, ensure that the existing landscape character of this area can be maintained, since the low proposed number of dwellings would not lead to adverse cumulative effects.

Henley Downs Medium Density Residential Areas (R-HD) –F and G

- 43 While the Henley Downs residential areas adjacent to the highway described above are new additions to the existing Structure Plan (as per Operative District Plan), the residential areas within the village core are only slightly expanded to the west and their density increased in the notified PC. Mr Espie describes in his evidence his assessment of effects of the expansion of Hanley Downs areas R(HD) A to E in terms of their density increase. These areas are located close to the village core with low to medium density living (15 - 45 dwellings per hectare). Through the variation of residential density in the built form the range of residential options for future owners will be improved. By providing a denser village core area, a more cohesive character will be achieved.
- 44 For dwellings within the Jacks Point land, design controls through the covenants and the existing Design Review Board process will be retained, while it is proposed to remove blanket design control consents for all buildings within Hanley Downs. The effects on internal amenity within the Hanley Downs core are described in detail in Mr Espie's evidence (for users of Woolshed Road and public walking tracks, as well owners/occupiers within JPRZ).

- 45 I will cover Areas R(HD) F and G, which were proposed (in PC version provided to Council on 8 June 2015) to provide for low density rural residential type living on the lower slopes of the Tablelands (density range of 2 – 10 dwellings per hectare. These two areas are located along the toe of the east facing slopes of the Tablelands Character Area. The areas have a distinctive gradient rising from the flat Coneburn Central Valley floor to the high-lying Tablelands (see Photo 5). The hummocks and rock outcrops in this area, in particular within original area R(HD)-F, give it a visually diverse and varied appearance. In the June version of the PC it was intended to set some houses sensitively amongst the rock outcrops and gullies, while the majority of dwellings were to be located on the flat parts along the toe of the slopes. The proposal for this area has, however, been modified in response to the recommendations in Dr Read's landscape report, which means that the rocky slopes are now no longer included within R(HD)-F due to their higher landscape sensitivity (refer to Response to S42a report at the end of this section).
- 46 Area R(HD)-G will extend onto the toe of the landform, where the relatively smooth surface of the landform provides flexibility for the individual location of dwellings. The slopes currently contain an intensively grazed paddock, which does not contain the grey shrubs found within the areas of adjacent rock outcrops.
- 47 I have undertaken an on-site analysis of visibility from within the existing Jacks Point village to assess potential effects of the proposed areas R(HD) F and G from those private viewpoints. In general terms owners/occupiers of the north-eastern rows of dwellings within the more elevated neighbourhoods of Jacks Point would gain some views of the extended Hanley Downs residential areas. In my graphic attachment I have included photos from Jacks Point Rise and Orford Drive. The views from these residences extend across the Coneburn Valley to the east-facing slopes that form the toe of the Tablelands, as shown in the two representative photographs taken from Jacks Point (see Photos 9 and 10). The development on the slopes would be seen behind the proposed high density Hanley Downs area in the foreground. Given that the foreground view would be urbanised in the future, it is in my opinion unlikely that the lower density houses on the gently sloping toe of the tablelands would have any adverse visual effects.

- 48 The east-facing, low-lying slopes are not visible from outside the Jacks Point and Henley Downs area, apart from some high elevated viewpoints on the slopes of the Remarkables mountain range. From those more distant elevated viewpoints the Hanley Downs and Jacks Point development would be seen comprehensively, so the nature of the change along these specific areas would, in my view, not be adverse. The wider ONL values of Peninsula Hill would not be affected by dwellings in this location given the low-lying nature of the toe slopes in this area.
- 49 Response to S42a report and submissions: Dr Read has expressed concerns about the number of dwellings that may extend onto the rocky, elevated areas of R(HD)- F under the provisions proposed in June 2015. She accepted that one dwelling (as proposed in the notified PC Area H) could be appropriately sited in this area. I agree, that this area has a higher landscape sensitivity than R(HD)- G and that care would have to be taken when locating house sites between rock outcrops. Dr Read accepts that one dwelling (in notified PC referred to as Area H) could be accommodated. In recent discussions (following the review of the S42a report), I have advised that it would be preferable to divide R(HD)- F into two parts and to develop the low-lying flat area at a higher density (455-2500 m²). These lot sizes on the flats as currently proposed would, in my view, be in character with the adjacent area R(HD)- D (lot sizes 385-667 m²). In order to provide for a higher level of landscape protection, I consider it preferable to merge the rocky slopes, which were contained within R(HD)- F with area FP-1 instead.. The currently proposed Area R(HD)-F, following the base of the roche moutonee, would in its amended form provide for medium density residential living along the edge of the residential village. The urban edge would be more defined by landform boundaries under the current proposal and a more distinctive transition in landscape character would occur.
- 50 In relation to R(HD)-G Dr Read states that she considers only around 8 dwellings (similar to notified Area I) could be accommodated, based on the potential amenity effects for Jacks Point residents. In my view, she overstates this amenity effect, given that the area would be seen at a distance of over a kilometre from elevated viewpoints in Jacks Point (see photos 9 and 10) and that the majority of the proposed Hanley Downs urban area would be seen in the foreground of this view. The

proposed development will not affect occupants of homesites on the tablelands or users of Lake Wakatipu, as it is separated by topography. I consider that area R(HD)-G has the potential to absorb the proposed density of dwellings due to the lower landscape character sensitivity of the more modified slope that is set low between visually prominent rock outcrops.

Henley Downs Rural Living Farm Preserve Areas

- 51 Two areas to provide comparatively large lots for rural living are proposed in order to provide a wider range of options in terms of rural living character and lot size. This area on the north western side of Hanley Downs will act as a transition between the higher density urban areas in the core of the village and the Tablelands/ Peninsula Hill landform. The two FP areas differ significantly in character and proposed development, in response to the underlying landform and the landscape's absorption capability. As part of my site visit in June 2015 I had the opportunity to access these areas and gain a good understanding of the landform and visibility of the various areas (see photos 6-8).
- 52 FP-1 Activity Area is proposed on the relatively flat, low-lying southern toe slopes of Peninsula Hill to the east of the golf course and homesites located on the Tablelands. The northern boundary of this area has been amended to fall along the boundary of the Outstanding Natural Landscape (ONL (WB)) identified in the Operative District Plan. While the landform is elevated above the valley floor, it is flanked by the rocky hills of Jacks Point to the south and Peninsula Hill to the north. In my view, this means that the landform is suited to absorb some low density development (lot sizes of around 2ha). This density allows individual location of buildings on suitable building sites.
- 53 The south facing, lower slopes of Peninsula Hill have been modified by farming land uses in the past. Currently, some grey shrub can be found on the lower slopes, while more extensive stands occur on the upper slopes further north. In order to increase the native vegetation cover in this area, which is bounded by a wetland to the south east, the proposed rules require protection of open space and implementation of native planting. The Council would be restricted in its exercise of discretion

regarding the buildings in the FP-1 area to the creation of open space, creation of conservation benefits and effects on landscape and amenity values. Development which is not in accordance with the SLP would be discretionary.

- 54 Due to the landscape sensitivity of parts of this area, an integrated approach has been taken regarding the design outcomes for this area, which will provide for both subdivision and conservation benefits by requiring implementation/management of native vegetation. Due to some concerns raised by Dr Read, the proposal for this area has been amended to provide a higher degree of certainty regarding the anticipated design outcomes by requiring the preparation of Spatial Layout Plans (refer to Response to S42a report below for details). In my view, this approach will give Council the ability to ensure an appropriate, level of development within the area, with potential for some clustered development in suitable areas. At the proposed dwelling density for FP-1 (total number of buildings 34), which is much lower than within the originally proposed areas J and K (total 104 buildings in the notified PC44), I anticipate that the landscape effects across such a large and varied area could be effectively managed through a SLP.
- 55 FP-2 extends across a large area on the rising slopes of Peninsula Hill and falls within the ONL (WB) identified in the Operative District Plan. The ONL has been delineated by following landform boundaries of the roche moutonee that forms Peninsula Hill based on the Environment Court decision C90/2005. While it is considered that the delineation of the ONL has been undertaken correctly in terms of the landform and landscape character area differentiation, it does not take into account that some of the low-lying areas of the folded landform provide distinctively different visual characteristics.
- 56 In order to protect the landscape and visual amenity values of the ONL (WB), any development within this area would be directed into these two areas with high absorption capability. The proposal for this area has been substantially changed in response to Dr Read's landscape assessment (refer below) to allow for two areas for rural dwellings and ancillary farm buildings and related structures, while any further development would be fully discretionary.

- 57 Response to S42a report and submissions: The proposed development within FP-1 was addressed in several comments in Dr Read's report. While she considers the lower-lying, southern part of the area to have some ability to absorb change, she expressed concerns about the potential to develop evenly spread 2 ha lots across the entire area. I agree that careful design is important and consider the SLP will enable that to be achieved. As mentioned above the proposal is for 34 dwellings in total, which could be predominantly concentrated in areas suited to clustered development. An indicative subdivision layout would be provided through a Spatial Layout Plan (SLP), which would identify building platforms (no greater than 1000m² in size) and the location of open space. This amended design approach would also address Dr Read's justified concerns about the number of building platforms and the size of building footprints, which had not been limited through the most recent plan provisions for FP-1 (June 2015). It would, furthermore, provide greater certainty regarding the identification of open space, which has also been raised by several submitters, who had concerns about the changes proposed to the former ACRAA.
- 58 Some views to FP-1 may arise from the existing Jacks Point areas, where dwellings would be visible at a distance of over 1km in proximity to the existing access road to the tablelands homesites. The location of the existing quarry gives a good indication of the southern part of FP-1 (see photos 9 and 10). In my view, these potential views, which will depend on the exact location of buildings and viewpoint, would be in character with the feathered edge of development within Area R(HD) G, leading to a suitable transition the Open Space area behind FP-1.
- 59 While it is proposed to maintain the FP-2 activity area and the Peninsula Landscape Protection Area to manage the rural area of Peninsula Hill above the ONL-WB line, FP-2 has undergone substantial changes in response to the S42a report. It is now proposed to identify two Home Site Areas (FP-HS1 and FP-HS2), one in each of the two folds of the landform that have a higher ability to absorb change. Within these areas, all building development, farm buildings and visitor accommodation is provided for as a restricted discretionary activity (non-notified). All building development outside the home sites and the Peninsula Hill Landscape Protection Area is a discretionary activity (unrestricted). To ensure that the visually sensitive areas of the ONL are

adequately protected, status of any building development within the Peninsula Hill Landscape Protection Area would be non-complying. Additionally, the policy framework relating to this area has been strengthened to provide for a more robust protection of landscape values. As described in Mr Ferguson's evidence this provides more certainty for landscape protection of the more sensitive parts of the identified ONL than under the Operative District Plan.

- 60 The two pockets of enclosed hummock terrain that are available for development under FP-2 provide, in my view, opportunities for the location of suitable house sites, which would not be visible from the highway or short-distance viewpoints on the lake. When I accessed these two areas on foot during my on-site investigations, I had the opportunity to fully understand the terrain undulation and scale of the landform (see photos 7 and 8). In my view, the landform could easily accommodate one or more buildings without any adverse effects on the wider Peninsula ONL.
- 61 The Peninsula Hill Landscape Protection Area overlay which extends across the majority of the FP-2 activity area, includes the high lying parts of the rock outcrop that are readily visible from the highway and lake. Rules are in place to ensure that these visually sensitive parts of the landform will be protected from inappropriate development (Rule 12.2.3.5(xi)⁶). The outlines of the landscape protection area have been refined to protect the visually sensitive / prominent land with high visibility from the lake and state highway. I consider this appropriate in the light of Objective 3 of the Strategic Directions⁷. The Lake Shore Landscape Protection Area achieves the same landscape protection outcomes along the lake edge to maintain the natural character and visual amenity of the shores and adjacent slopes. Neither of the two pockets of potential development located in folds of the Peninsula Hill landform, would be exposed to views from Jacks Point, which means that the impressive natural backdrop of the landform to long-distance views from the residential areas will be maintained.

⁶ Any building within the Peninsula Hill Landscape Protection Area is a Non- Complying Activity and a Discretionary Activity in the Highway Landscape Protection Area or Lake Shore Landscape Protection Area (Rule 12.2.3.4 (xiii)).

⁷ To direct new subdivision, use or development to occur in those areas that have potential to absorb change without detracting from landscape and visual amenity values.

- 62 I agree with Dr Read that it would be appropriate to narrow the range of colours to be provided for buildings in areas FP1 and 2 to a range of browns, greens and greys. I also support her request to further reduce the allowable building surface with a reflectance value of 0- 35% to less than 30%.
- 63 In my view, adverse effects on existing visual amenity can be avoided or mitigated for adjoining property owners through the proposed council approval process for FP-1 (Spatial Layout Plan) and FP-2 areas (Restricted Discretionary within Home Sites). In addition, greater certainty is provided regarding the landscape outcomes for the visually sensitive parts of the ONL, compared to the notified PC and the currently operative District Plan (see Mr Ferguson's evidence).

Henley Downs Education Innovation Campus (EIC)

- 64 As part of the amendments to the Hanley Downs plan change an Education Innovation Campus has been included in the proposed Jacks Point Structure Plan and provisions. The area is located on the flat northern part of Hanley Downs area of Jacks Point. As shown on the maps provided as updates to the Coneburn Study, this area naturally has a medium to low ability to absorb change due to its proximity and visibility from SH6. I consider the landscape character sensitivity of the area, however, to be relatively low due to the intensive farming land use and the flat nature of the land. In order to increase the change absorption capacity of the area overall, new screening in the form of landform modulation and vegetation planting is proposed along the northern edge of the area to reduce its visibility from the highway. The proposed screening will be consistent, and an continuation of, the existing (Jacks Point) and future (Hanley Downs) screening along SH6 to ensure the currently experienced high quality design outcomes are achieved. This increase in absorption capacity through the introduction of screening is reflected in the updated Landuse and Landscape Management Strategy (Figure 14 Mr Tyler's attachment).
- 65 The proposed EIC is designed to act as a transition between the farm and residential areas. In order to achieve this design outcome, the provisions regarding site coverage and height of buildings have been amended recently (after consideration of Dr Read's report). The

updated provisions would allow for a maximum building height of 10m in this area and building coverage of 20%, with the ability to seek up to 30% as a restricted discretionary activity (from an initial proposal of 70% coverage and 15m height for commercial activities).

- 66 Activities will be restricted to technology based activities including commercial and medical facilities, training, educational facilities and specialist health care activities as controlled activities or commercial uses as a restricted discretionary activity. A community facility, such as a school with associated sport fields, would represent a transition between the intensive development in the core of the village and the rural surrounds. For commercial activities the council has discretion over the external appearance of buildings, location of built development and provision of open space as well as the scale of activity relative to the character of the receiving environment to manage the anticipated landscape outcomes.
- 67 This means that the scale of any proposed development and its potential landscape and visual effects will be assessed on a case by case basis depending on the mitigation proposed as part of the development. I consider this approach appropriate for this site, in order to ensure that any potential impacts can be assessed at the time. In my view, the modulation of buildings and provision/design of open space will be important design aspects to ensure that the buildings can be appropriately absorbed into the surrounding landscape.
- 68 Currently this area is partially screened from views from the highway by existing shelterbelts on neighbouring land. As part of the proposed development further screening is proposed along the northern boundary, which is oriented towards SH6. The screening along the northern edge of the EIC area would be undertaken by the future developer as a condition to build. Potentially the screening could be in the form of a hedgerow planted in fast growing evergreen species (eg macrocarpa) that fits into the rural landscape context. The planting would have to be accommodated on EIC land. It is acknowledged that planting would take several years to fully screen a development of 10m in height, but a softening effect from the vegetation on the built form would be noticeable much earlier. The rising terraces of the Peninsula Hill landform would form the visual backdrop to any development in this area, so that buildings can be more readily absorbed into the landscape.

- 69 I understand that there is a possibility that a storm water pond has to be accommodated within the area identified for the EIC. It is anticipated that the pond would have elevated banks and would be located on the western part of the site. I understand that the banks of the pond would be constructed from earth mounding, covered in grass or other low vegetation. While it is difficult to pinpoint the exact requirements at this point, I would not expect any adverse landscape effects from such a proposal, provided the pond will follow natural outlines and could potentially be planted with native species as a natural stormwater retention area. Like other waterbodies in Jacks Point, the stormwater retention area can be managed to provide an amenity feature in addition to its practical purpose.
- 70 A large area of Open Space Landscape Protection Area (approx. 600m wide) is proposed between the highway and the EIC, which will help to maintain the openness and rural character of the landscape without obstructions. The screening vegetation is proposed in proximity to the EIC to ensure that open long distance views to the Peninsula Hill tops and the mountain ranges (Cecil Peak and Bayonet Peaks) are maintained. Long-distance views from Frankton (Riverside Road) may be gained at a distance of over 3km, but existing intervening vegetation will obscure the majority of development and at this viewing distance, I consider the potential landscape change insignificant due to the urban context of the viewer location.
- 71 Response to S42a report and submissions: In the technical landscape report Dr Read raises concerns about potential adverse effects that the proposed EIC could cause for the occupants of the existing dwellings in this area (Lloyd/ Troon and Paterson residences). Dr Read's report preceded the significantly reduced site coverage and height limit now proposed, which was done as a result of considering Dr Read's comments. In my view, the proposed design amendments, which would only allow for a low site coverage and a reduced height of buildings would alleviate the potential visual and landscape character effects in relation to these properties. The EIC would not be perceived as an urban centre (as may have been the case under the original proposal). I agree with Dr Read's assessment that the effects as experienced from SH6 would not be adverse due to the scale of the surrounding

landforms, which would help to accommodate the proposal in this location.

- 72 I note that Dr Read requests in her report that all mitigation planting for R (HD- SH)1 and 2 and for the EIC should be undertaken prior to development. In my view, mitigation planting or other measures and development can occur contemporaneously so that those measures are tailored to the particular design of development proposed.

Henley Downs Woolshed Road Access

- 73 As part of the revised design for Henley Downs an alternative access road and entrance is proposed along the existing Woolshed Road. The landscape effects of this additional entrance would be confined to a very short stretch of SH6. This existing access road will be sealed and will form a logical extension from the village centre to eastern entrance from the highway. Currently, the road is lined with poplars on the neighbouring property, which have reached mature height and form a distinctive vertical element in the landscape. The road will serve as a secondary access into the Zone that will most likely become the primary connection for areas along the northern part of the zone with the existing access onto State Highway 6 through Maori Jack Road continuing to provide access to the southern area. There are function as well as amenity benefits in having a dual access into the zone as it will avoid increased traffic through the Jacks Point residential areas. This new north- south axis will be designed to the same high design standards as the existing access off SH6, which means that there will no adverse effects on amenity for residents within the development.
- 74 Response to S42a report and submissions: I reviewed Dr Read's comment regarding the treatment of Woolshed Road as a main access road to ensure it has a similar character to Maori Jack Road within Jacks Point. I agree that the design of the green space adjacent to the road should be undertaken to a high standard, using similar design elements and plants as within Jacks Point. However, the terrain along Woolshed Road is flat and differs in that sense from Maori Jack Road and the design of Hanley Downs is unlikely to occur in pods as with Jacks Point neighbourhoods. I would, therefore, anticipate that the more densely developed core of Hanley Downs has the potential to visually interact

more closely with Woolshed Road, which would give the area a more urban character and focus of a town centre.

RELEVANT STATUTORY MATTERS

- 75 The Queenstown Lakes District Plan addresses in its Section 4 matters that are relevant to the district as a whole. Section 4.2 of the Plan provides district wide guidance regarding landscape and amenity issues. Under this section of the Plan the following Policies are the most relevant to the PC44:

Outstanding Natural Landscapes (Wakatipu Basin)⁸

- 76 The Peninsula Hill ONL would only be affected by any buildings in FP-2. All other proposed areas fall outside the identified ONL (WB). The protection of landscape values within the ONL has been the key driver for design amendments within FP-2, which now contains only two identified homesites within areas that have a high ability to absorb change. Buildings within the remainder of these areas with high change absorption capacity would be discretionary, while they would be non-complying within the Peninsula Hill Landscape Protection Area. In my view, this high level of protection in combination with a high degree of certainty regarding potential building locations is a considerably better landscape outcome than the ACRAA, which formed part of the notified PC. I have visited the vicinity of the two proposed homesites within the ONL and I consider them to be suitable in terms of their location and ability to absorb dwellings without compromising the landscape values of the Peninsula Hill landscape. The homesites can be accessed through low-lying folds in the landform which would mean that the

⁸ (a) To avoid subdivision and development on the outstanding natural landscapes and features of the Wakatipu Basin unless the subdivision and/or development will not result in adverse effects which will be more than minor on:

- (i) Landscape values and natural character; and
- (ii) Visual amenity values - recognising and providing for:
- (iii) The desirability of ensuring that buildings and structures and associated roading plans and boundary developments have a visual impact which will be no more than minor, which in the context of the landscapes of the Wakatipu basin means reasonably difficult to see;
- (iv) The need to avoid further cumulative deterioration of the Wakatipu basin's outstanding natural landscapes;
- (v) The importance of protecting the naturalness and enhancing the amenity values of views from public places and public roads.
- (vi) The essential importance in this area of protecting and enhancing the naturalness of the landscape.

(b) To maintain the openness of those outstanding natural landscapes and features which have an open character at present.

(c) To remedy or mitigate the continuing effects of past inappropriate subdivision and/or development.

access roads and dwellings would be difficult or impossible to see from SH6 and Lake Wakatipu. There will be no visibility from Jacks Point or Hanley Downs residential areas.

Visual Amenity Landscapes⁹

- 77 None of the proposed development within the identified VAL would be highly visible from public places as described in my landscape assessment. The landforms around Hanley Downs, in particular Peninsula Hill and Jacks Point, block views from the north and the west (Lake Wakatipu). The additional screening of the development through mitigation planting and mounding, in particular for areas R (HD-SH)1 and 2 and the EIC are important aspects of the proposed development. With the mitigation that will be in keeping with the existing patterns of mounding and planting, the visual effects from SH6 will, in my opinion, be minor. The setback of the EIC from the road by 600m, and height controls will ensure that the valued long-distance views to the mountain ranges beyond Hanley Downs are maintained.

Avoiding Cumulative Degradation¹⁰

- 78 Jacks Point and Hanley Downs have been developed in a part of the Wakatipu landscape that is visually highly contained. The development of urban areas within the core areas of Hanley Downs will change the character of the landscape when viewed from within the Coneburn Valley, but development has already been anticipated under the Operative District Plan and the intensification will, in my view, not lead to adverse landscape effects in the context of existing development. I do not consider that the homogenous design of areas R(HD)A-G would lead to cumulative effects within the settlement, given that the presence of buildings would be expected within this contained visual catchment.

⁹ (a) To avoid, remedy or mitigate the adverse effects of subdivision and development on the visual amenity landscapes which are:

- highly visible from public places and other places which are frequented by members of the public generally; and
- visible from public roads.

(b) To mitigate loss of or enhance natural character by appropriate planting and landscaping.

(c) To discourage linear tree planting along roads as a method of achieving (a) or (b) above.

¹⁰ In applying the policies above the Council's policy is:

(a) to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by the adverse effect on landscape values of over domestication of the landscape.

(b) to encourage comprehensive and sympathetic development of rural areas.

- 79 The Tablelands character area currently contains a number of identified homesites (with Preserve Drive as an access road) and a golf course, which means that the landscape character of these areas is more manicured and domesticated than within rural areas. The introduction of 34 dwellings within FP-1 will lead to an extension of this level of development across a larger area. The intensity of development and individual site selection would, however, remain in character with the existing homesites. Due to the terrain undulation on the tablelands, the dwellings would not be perceived together in their entirety, apart from few elevated viewpoints, such as Peninsula Hill. I consider that through the proposed approach, requiring a spatial layout plan for this area, it can be ensured that there will not be any adverse cumulative effects for the occupants of homesites on the tablelands. Due to the varied surface and terrain undulation, I consider that it would be possible to avoid or mitigate these potential effects by careful siting of dwellings.
- 80 The location of the two homesites within FP-2 will, in my opinion, avoid cumulative effects, since they are visually separated from the remainder of Hanley Downs/ Jacks Point and will not be seen from any short or mid distance public or private viewpoints.

CONCLUSION

- 81 In my evidence I have addressed the landscape and visual effects of the most recent version of PC44, as it occurs on land owned by Henley/JPL entities (areas R(HD-SH)-1 and 2, R(HD)F and G, FP1 and 2, and EIC). I covered the design amendments that have been made following the notification of PC44 in 2013 and provided further suggestions for improvements in response to issues raised by Dr Read in her technical landscape report.
- 82 The areas that are proposed in closer proximity to the highway R(HD-SH)-1 and 2) will be effectively screened from views through mitigation planting and mounding, so that they will not be readily visible. In order to ensure that the existing landscape character can be maintained in R(HD-SH)-1 amendments to the proposed dwelling density have been made in response to Dr Read's report. The amended density will reflect the existing pattern of development and will therefore avoid any adverse effects on the owners of existing residential properties.

- 83 The amendments to the Hanley Downs residential areas with medium density are covered in Mr Espie's evidence. The amendments to area R(HD)F in response to Dr Read's suggestions will ensure that the sensitive rocky slopes will, in my opinion, not be developed to an inappropriate extent. The proposal for R(HD)G will, in my view, not lead to adverse visual effects, given that it would be predominantly seen from Jacks Point occupants at a distance of over one kilometre, with the urban area of Hanley Downs in the foreground of the view.
- 84 The rural landscape values currently found on the south facing, lower slopes of Peninsula Hill area will be preserved through a low density of dwellings and rules that require protection of open space and potential implementation of native planting within the Farm Preserve areas (FP-1). The requirement of a spatial layout plan for FP-1 will ensure that the proposed dwellings are sited in appropriate locations to avoid cumulative effects or adverse visual effects for occupants of Jacks Point or the Tablelands areas.
- 85 Within the ONL (WB), the development of two separate homesites within FP-2 would be directed into two areas with high absorption capability to ensure that the landscape and visual amenity values are protected, while the Peninsula Hill Landscape Protection Area overlay extends across the remainder of this activity area. Since visually sensitive parts of the landform will be protected from inappropriate development, the proposed two dwellings for this area are, in my opinion, acceptable when assessed against RMA s6(b), despite their location within an ONL. It is also worth noting that the lake shore and slopes will be protected under a separate landscape protection area, which means that the natural character values (under RMs S6(a)) can be maintained. The proposed approach, provides in my view, a higher degree of certainty regarding the protection of landscape values than the ACRAA proposed under the notified PC.
- 86 Another addition to the Hanley Downs area is the proposed Education Innovation Campus (EIC), where technology based activities including commercial and medical facilities, training, educational facilities and specialist health care activities are anticipated as controlled activities. This area on the northern side of Hanley Downs village, would be partially visible from the highway when approaching from the north. Therefore, mitigation measures are proposed to reduce the visual

amenity effects on the rural landscape. A large open space setback is proposed from the highway to ensure that buildings in this area would not encroach on views to the wider landscape.

- 87 An additional access road along the existing Woolshed Road will ensure that the residential amenity within Jacks Point and southern Hanley Down will not be affected from through traffic. The visual effects from this additional entrance off SH6 will be localised and, in my view, not adverse.
- 88 The proposed development for the Hanley Downs area allows for higher density residential activity in a landscape with relatively high change absorption capability. While the residential and commercial activity areas are in some cases new additions or extended in size, the development as whole is visually well contained and aims to protect the rural open space and landscape values of the sensitive parts of area.

APPENDIX 1 – PHOTOGRAPHIC RECORD IN GRAPHIC ATTACHMENT