### APPENDIX B

3	Strategic Direction
3.1	Purpose
	<ul> <li>A district providing a variety of lifestyle choices.</li> </ul>
3.2	Goals, Objectives and Policies
3.2.1.6	<b>Objective -</b> Recognise the potential for rural areas to diversify their land use beyond the strong productive value of farming, provided a sensitive approach is taken to adverse effects on rural amenity, landscape character, healthy ecosystems, and Ngai Tahu values, rights and interests are avoided, remedied or mitigated.
3.2.5	Goal - Our distinctive landscapes are protected from inappropriate development.
3.2.5.2	Objective - Minimise the adverse landscape effects of subdivision, use or development in specified Rural Landscapes. Maintain and enhance the landscape character of the Rural Landscape Classification, whilst acknowledging the potential for managed and low impact change.
3.2.5.3	[Objective - Direct new urban subdivision, use or development to occur in those areas
	which have potential to absorb change without detracting from landscape and visual amenity values.]
3.2.5.4	<b>Objective</b> – Recognise there is a finite capacity for residential activity in rural areas if the qualities of our landscape are to be maintained.
Policies	
3.2.5.4.1	Give careful consideration to cumulative effects in terms of character and environmental impact when considering residential activity in rural areas.
3.2.5.4.2	Provide for rural living opportunities in appropriate locations.
3.2.5.5	<b>Objective -</b> Recognise that agricultural land use is fundamental to the character of our landscapes.
Policies	
3.2.5.5.1	Give preference to farming activity in rural areas except where it conflicts with significant nature conservation values.
3.2.5.5.2	Recognise that the retention of the character of rural areas is often dependent on the ongoing viability of farming and that evolving forms of agricultural land use which may change the landscape are anticipated.
6	Landscape

#### 6.2 **Values**

The District's landscapes are of significant value to the people who live in, work in or visit the District. The District relies in a large part for its social and economic wellbeing on the quality of the landscape, open spaces and environmental image.

The landscapes consist of a variety of landforms created by uplift and glaciations, which include mountains, ice-sculpted rock, scree slopes, moraine, fans, a variety of confined and braided river systems, valley floors and lake basins. These distinct landforms remain easily legible and strong features of the present landscape.

Indigenous vegetation also contributes to the quality of the District's landscapes. Whilst much of the original vegetation has been modified, the colour and texture of indigenous vegetation within these landforms contribute to the distinctive identity of the District's landscapes.

The open character of productive farmland is a key element of the landscape character which can be vulnerable to degradation from subdivision, development and non-farming activities. The prevalence of large farms and landholdings contributes to the open space and rural working character of the landscape. The predominance of open space over housing and related domestic elements is a strong determinant of the character of the District's rural landscapes.

Some rural areas, particularly those closer to Queenstown and Wanaka town centres and within parts of the Wakatipu Basin, have an established pattern of housing on smaller landholdings. The landscape character of these areas has been modified by vehicle accesses, earthworks and vegetation planting for amenity, screening and shelter, which have reduced the open character exhibited by larger scale farming activities.

While acknowledging these rural areas have established housing, a substantial amount of subdivision and development has been approved in these areas and the landscape values of these areas are vulnerable to degradation from further subdivision and development. It is realised that rural lifestyle living development has a finite capacity if the District's distinctive rural landscape values are to be sustained.

The Rural Landscapes C\_classification (RLC) makes up the remaining Rural Zoned land and has varying types of landscape character and amenity values. Specific policy and assessment matters are provided to manage the potential effects of subdivision and development in these locations.

# 6.3 Objectives and Policies

- 6.3.1 Objective The District contains and values Outstanding Natural Features, Outstanding Natural Landscapes, and Rural Landscapes that require protection from inappropriate subdivision and development.
- That subdivision and development proposals located within the Rural Landscape be assessed against the assessment matters in provisions 21.7.2 and 21.7.3 because subdivision and development is inappropriate in many locations in these landscapes, meaning successful applications will be, on balance, consistent with the assessment matters.
- 6.3.1.65 Enable rural lifestyle living through applying Rural Lifestyle, Zone and Rural Residential and Resort Zone plan changes in areas where the landscape can accommodate change.
- 6.3.1.44<u>10</u> Recognise the importance of protecting the landscape character and visual amenity values, particularly as viewed from public places.

# **Policies**

- 6.3.2.1 Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.
- 6.3.2.2 Allow residential subdivision and development only in locations where the District's landscape character and visual amenity would not be degraded.
- Recognise that proposals for residential subdivision or development in the Rural Zone that seek support from existing and consented subdivision or development have potential for adverse cumulative effects. PicB1]particularly where the subdivision and development would constitute sprawl along roads.
- Have particular regard to the potential adverse effects on landscape character and visual amenity values from infill within areas with existing rural lifestyle development or where further subdivision and development would constitute sprawl along roads.

- 6.3.2.5 Ensure incremental changes from subdivision and development do not degrade landscape quality, character or openness as a result of activities associated with mitigation of the visual effects of proposed development such as screening planting, mounding and earthworks.
- 6.3.5 Objective Ensure subdivision and development does not degrade landscape character and diminish visual amenity values of the Rural Landscapes (RLC).

#### **Policies**

- 6.3.5.1 Allow subdivision and development only where it will not degrade landscape quality or character, or diminish the visual amenity values identified for any Rural Landscape.
- 6.3.5.2 Avoid adverse effects from subdivision and development that are:
  - Highly visible from public places and other places which are frequented by members of the public generally (except any trail as defined in this Plan); and
  - Visible from public roads.
- 6.3.5.3 Avoid planting and screening, particularly along roads and boundaries, which would degrade openness where such openness is an important part of the landscape quality or character.
- 6.3.5.4 Encourage any landscaping to be sustainable and consistent with the established character of the area.
- 6.3.5.5 Encourage development to utilise shared accesses and infrastructure, <u>and</u> to locate within the parts of the site where they it will be least visible, and have the least minimise disruption to the landform and rural character.
- 6.3.5.6 Have regard to the adverse effects from subdivision and development on the open landscape character where it is open at present.
- 6.4.1.2 The landscape categories apply only to the Rural Zone. The Landscape Chapter and Strategic Direction Chapter's objectives and policies are relevant and applicable in all zones where landscape values are at issue.

# "OPENNESS" - Further Case Extracts

Fordyce Farms Ltd v QLDC (C39/2002) Para 33

One other policy matter looks obscure initially, and that is the relationship between the discussion of the plan in respect of 'open-ness' as a quality of landscapes, and other policies that relate to 'open space'. Since the land is in a Visual Amenity Landscape ('Y/AL") the policies in Part 4 of the February 2002 reprinted plan as to landscape require us to consider and enhance not the openness of the landscape but its naturalness. Rather surprisingly (at least at first sight) the requirements of Parts 5 and 8 of the plan require us to maintain and enhance not only the rural (including visual) amenities but also "open space" in the area. However "open space" is not an absence of trees and other taller vegetation but an absence of buildings because the definition of "open space" in the February 2002 reprinted plan states that it is

. . . any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.

# JOLL v QLDC (C147/2003)

[40] She also relied on a photograph of the site from the beach but since she was not sure of the lens with which that was taken we have preferred to rely on the views as shown in other photographs taken by her and Mr Miskell. More importantly we are troubled by her opinions on this assessment matter as relating to "open space values ... due [to] a loss of a perception of privacy and naturalness" since none of those is immediately what springs to mind in connection to the phrase "effects on openness of landscape".

[41] Ms Kidson raised the issue of "openness" again in her supplementary evidence. She referred first to the definition of "open space" in the proposed plan. It means '

... any land or space which is not substantially occupied by buildings and which provides benefits to the general public as an area of visual, cultural, educational, or recreational amenity values.

She pointed out that this definition does not refer to the presence or absence of vegetation.

[42] Next Ms Kidson referred to the introduction to the Landscape and Visual Amenity part of the plan that states" (relevantly):

... The District is a series of landscapes distinctive in their formation. Buildings, tree planting and roading can all change the character of an area and provides for social, recreation and economic activity. Whilst the built environment is significant, important elements are those related more to the non-urban environment and the open space areas. These are generally: the rural hinterland:

the semi-enclosed rural valleys and basins;

the hill and mountain slopes:

the ridgelines; and

the lakes and rivers.

# Ms Kidson states of this:42

This definition is also not based on vegetative patterns and includes complex Topography forms such as valleys, basins, and hill or mountain slopes.

We respectfully disagree - there is no new definition here, only reliance on the existing definition of "open space".

[43] We consider that the other references in Part 4 of the revised plan (as further amended by this Court's decisions) make it clear that when discussing the "open character" of landscapes something different from "open space" is in view. This is revealed by following through the argument about "open character" of landscapes in the first Queenstown landscape decision." The Court there stated that the issue was:

(9) Whether there is a need to maintain the open character of outstanding natural landscapes and of visual amenity landscapes?

That re-statement arose partly out of the reference then being considered and partly out of the issue identified in the revised plan as being."

• a significant part of the District's visual character comes from the open expanse of its landscapes and the views these afford.

Passing by, as irrelevant for present purposes, the fact that no issue is clearly identified in that statement, what is straightforward is that the Court held in the first Queenstown Landscape decision;

The key parts of the stated issue are its references to:

- · 'open character'
- 'open expanse of... landscapes and the views these afford. ...

[44] We conclude that:

- (1) "open character" is different from "open space";
- (2) that "open character" is characterised by lack of trees as well as lack of structures (whereas "open space" is primarily a lack of buildings).

Thus in our view Ms Kidson is incorrect to use the terms interchangeably and in particular to conclude" that they are all used in the plan as meaning "... large expanses of land that has [sic] no obvious human influence with regard to built form ".



Wakatipu Basin Residential Subdivision and Development: Landscape

Character Assessment

Marion Read Principal Read Landscapes June 2014

# Introduction

This report has been commissioned by Queenstown Lakes District Council's (QLDC) policy team as a part of its District Plan Review process. It has been identified that the review of the existing rural zones and the landscape provisions within the District Plan is to be a significant part of this larger review process. Particularly, it is considered that the cumulative effects of development in the Wakatipu Basin have not been well managed. This report aims to examine the landscape of the Basin, determine areas in which further development could occur, areas in which further development would threaten the landscape character and quality of the Basin as a whole, and examine the means by which its future management could be more effectively undertaken.

# **Background**

The landscape management provisions of the Queenstown Lakes District Plan (the District Plan) were included in the District Plan as a direct consequence of an appeal to the Environment Court undertaken by a number of residents and organisations. The decision in the case (C180/99) established the landscape classification regime, objectives and policies and assessment matters by which the landscapes of the District has been managed since. This case, and the provisions based upon it, was based upon the analysis of the landscape of the Wakatipu Basin.

As the landscape management provisions of the District Plan have been implemented over the intervening years (since 2000) issues have arisen, particularly in regard to the management of development within the landscapes classified as Visual Amenity Landscapes. The 2009 District Plan Monitoring Report identified that the cumulative effects of development pressure within the Wakatipu Basin were not being effectively managed. It identified a disjuncture between the objectives and policies of the landscape categories identified within the Plan and the assessment matters and considered that these could more explicitly outline the desired landscape outcome, particularly for the Visual Amenity Landscapes.

The provisions of the District Plan with regard to landscape have two key characteristics. The first is that, like most planning documents in New Zealand, it is based on a picturesque aesthetic<sup>1</sup>. In essence this aesthetic is based on the assumption that a landscape should appear as a painting and be susceptible to the same analysis and critique. A consequence of the dominance of this picturesque aesthetic is that landscape is considered to be primarily a visual resource, or put another way, landscape is valued almost exclusively as scenery. This approach ignores the importance of landscape as place, and the central contribution that the character of the landscape makes to this

<sup>&</sup>lt;sup>1</sup> See Read, M. (2004). Planning and the Picturesque: A Case Study of the Dunedin District Plan and its Application to the Management of the Landscape of the Otago Peninsula. *Landscape Research*, 30(3), 337 – 359.

aspect. The Queenstown Lakes District Plan (the District Plan) landscape management provisions focus almost exclusively on managing the visibility of proposed development.

The landscape management provisions of the District Plan were based on the then best practice of the Landscape Architecture profession. The early training in this country focused strongly on ecology and on classical (picturesque) aesthetics and landscape assessment practice focused intensely on the visual, with some consideration given to ecology and to the promotion of healthy environmental systems. This approach derived from that developed by the American Forest Service whose primary goal was to avoid adverse effects on scenery of the clear felling of forests. In recent years the focus of the profession has changed slightly, largely stimulated by developments in Europe.

The prime driver of these developments has been the drafting and ratification of the European Landscape Convention (ELC)<sup>2</sup>. This Convention was ratified by Britain in 2006 and came into effect there in 2007. Its content is having an increasing influence on the practice of landscape assessment and landscape management in this country. The Convention defines 'landscape' as:

'an area, as perceived by people, whose character is the result of the action and interaction of natural and/or human factors;'

and this definition has been widely accepted by practitioners in this country. It also, usefully, defines landscape management as"

'action, from a perspective of sustainable development, to ensure the regular upkeep of a landscape, so as to guide and harmonise changes which are brought about by social, economic and environmental processes;'

and landscape planning as:

'strong forward-looking action to enhance, restore or create landscapes.'

Member states of the European Union are required to implement the Convention and in Britain this has been achieved by the process of undertaking a national landscape character assessment. Every area of Britain, including urban areas, has been included in this process and these character assessments form the basis on which local government is expected to base their landscape planning and landscape management processes.

As a consequence of these changes the practice of landscape assessment itself has also undergone scrutiny and reconsideration in Britain. This has recently culminated in the third edition of the 'Guidelines for Landscape and Visual Impact Assessment' being published and adopted by the British Landscape Institute<sup>3</sup>. This document explains its relationship with the European Landscape Convention stating:

http://www.coe.int/t/dg4/cultureheritage/heritage/Landscape/default\_en.asp
 Landscape Institute and Institute of Environmental Management & Assessment. (2013). Guidelines for Landscape and Visual Impact Assessment, Routledge: Oxford.

The importance of the ELC definition is that it moves beyond the idea that landscape is only a matter of aesthetics and visual amenity. Instead it encourages a focus on landscape as a resource in its own right.

While not formally adopted by the New Zealand Institute of Landscape Architects, it has been promoted by that organisation. It provides, what some of us feel, to be an answer to disquiet both within the profession and within the broader planning realm as to the robustness of landscape assessment practice. It does so by clearly separating the issues of landscape as a resource in its own right and as a visual resource. It is my intention to apply its framework and principles to this study so as to present a clear, consistent and robust approach to the management of the landscape of the Wakatipu Basin into the future.

The GLIVA approach to landscape assessment examines the potential effects of proposed development in terms of two principles. The first is that landscape is a resource in its own right. That resource can be identified and described though the process of landscape character assessment. Landscape character is defined as:

A distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another.

Clearly this definition can be applied at many different scales, which is commensurate with the approach that landscapes can be nested, a theme which has been expressed in a number of Environment Court decisions regarding the Wakatipu. In terms of this definition, the landscape effects of potential development are those things which would disrupt (or enhance) that distinct, recognisable and consistent pattern.

Visual effects are defined as 'the effects of change and development on the views available to people and their visual amenity'. These can be weighted according to the degree of sensitivity to change which people will experience with residents, recreational users of the landscape, and visitors desirous of experiencing scenery being the most sensitive groups. It is entirely possible, therefore, that a proposal could have significant adverse effects on landscape character but not significant visual effects. It is less likely, but also possible, that a proposal could have significant effects on visual amenity but not on the landscape resource.

⁴ ibid P98

# Wakatipu Basin: Current Condition

The first goal of this project is assess the condition of the landscape of the Wakatipu Basin to determine of its ability to absorb further landscape change. In order to fulfil this goal it is necessary to establish some principles on which to base the assessment.

# Methods

Firstly, it is considered that the Wakatipu Basin is a landscape character area in its own right. It is contained by significant mountains on all sides, and by significant rivers on three. Its original glacial origins are readily legible, and include moraine features and roche moutonnee. Its overall geomorphological pattern is one of a network of reasonably confined valleys interspersed with hummocky ridges and punctured by roche moutonnee. The majority of it retains a rural character typified by pastoral uses with open pasture of varying quality over most of the land area. Hawthorn hedges, Lombardy poplars, conifer shelterbelts and willows along waterways form the characteristic tree palette, with scattered remnant indigenous scrub present, mainly on steep and elevated landforms. This character is becoming less coherent as residential development spreads and intensifies in pockets.

In summary the following are considered to be the key characteristics of the Wakatipu Basin rural landscape:

- predominance of natural features over human made features
- high ratio of open space relative to the built environment and to the presence of trees
- significant areas in pasture, crops
- scattered indigenous vegetation
- presence of large numbers of farmed animals (sheep, cattle, deer, goats)
- low population densities relative to urban centres
- narrow, unsealed roads
- absence of urban infrastructure
- narrow range of tree species utilised for shelter
- amenity tree species restricted to the immediate vicinity of dwellings.

# Conversely the major threats to rural character are:

- predominance of human made features, particularly buildings and structures
- high density of built form
- loss of pastoral/cropping activities;
- loss of indigenous vegetation
- lack of farmed species and preponderance of 'lifestyle' animals (horses, donkeys, llamas, alpaca)

- increased road formalisation by sealing, construction of kerb and channel, culverts etc
- presence of urban infrastructure (kerb and channel, sealed footpaths, street lighting)
- spread of amenity tree species across the landscape

The presence, or otherwise, and the quality of these characteristics was assessed for landscape units across the Basin. Landscape units, in this context are areas with similar character and generally, some degree of visual containment.

In order to undertake the assessment a desk top study was undertaken first in order to gain some familiarity with the following:

- geological foundations of the Wakatipu Basin
- hazard areas
- existing zoning
- consented development
- District Plan provisions.

Site visits to the Wakatipu Basin were then undertaken and a standardised landscape character assessment template was used as a basis for field notes.

It was found, in practice, that this template, taken from 'Landscape Character Assessment: Guidance for England and Scotland'<sup>5</sup> was of limited value, but it did enable the determination of landscape character sub-areas, referred to in this report as landscape units, throughout the basin in a systematic manner. An evaluation of the rural character of these areas was then undertaken and these given a numeric score which enabled the ranking of these areas. The absorptive capacity of the landscape in each landscape unit was then assessed in terms of the vulnerability of the landscape character to further change, and the vulnerability of the visual amenity provided by and within that landscape character area to degradation by further development. In the latter case that means that landscape units adjacent to major roads are immediately more vulnerable as they have more viewers.

A key assumption is that the maintenance of rural character and landscape quality is important for the tourism industry.

#### Results:

### General:

The overall finding is that the level of rural character remaining within the Wakatipu Basin is variable ranging from high in a few areas to more or less extinguished in others<sup>6</sup>. The level of subdivision and development which has already been consented is such that a rural lifestyle character has already

<sup>&</sup>lt;sup>5</sup> Swanwick, C. (2002) Landscape Character Assessment: Guidance for England and Scotland. The Countryside Agency and Scotlish Natural Heritage.

<sup>&</sup>lt;sup>6</sup> This is not to say that these areas do not, arguably, provide high amenity for their occupants and visitors.

spread over much of the Basin. In many areas the density of dwellings approximates one every 4ha or so. The southern end of Morven Ferry Road, Jeffry Road, Eastburn Road and Glencoe Road on the Crown Terrace seem to be the only remaining unsealed roads in the Basin. Amenity trees have been planted in swathes in previously open pasture as well as in association with residential development in the Hawthorn Triangle, Dalefield and other parts of the Basin. These trees in all of these locations diminish the rural character of the landscape; diminish the openness of the landscape; and have a domesticating effect which will increase dramatically as they mature. This will alter the landscape character of much of the Basin.

Key to providing a remaining sense of rurality and of local character in the Basin are the outstanding natural landscapes which surround and enclose the it, and the outstanding natural features which puncture its floor. While some of these, notably Mount Dewar, the face of Coronet Peak, and the Crown Terrace escarpment are all heavily infested with wilding exotic trees, they nonetheless retain the predominance of natural features, high ratio of open space (without buildings), significant areas of vegetation, and low population densities which enable them to be seen as the rural context of the Basin. It is the case that the District Plan seems to have been effective in managing the spread of residential development in these areas. It appears that this is a result of the performance standard which requires development in these landscapes to be 'reasonably difficult to see'. In addition to these outstanding natural landscapes other, more rural, areas of the Basin floor also contribute the rural context to areas which have little remaining rural character within them.

**Recommendation:** Continue to ensure the protection of the Outstanding Natural Landscapes and Features of the Wakatipu Basin from inappropriate subdivision, use and development.

A summary of the results of the analysis on an area by area basis is attached as Appendix 1 to this report. It is to be noted that the analysis was not restricted to the Rural General zone, treating the landscape of the Basin Floor as a continuous unit. On the basis of this analysis I consider that there are a number of areas of the Basin in which future development could be focused without detracting from the landscape character and visual amenity of the Basin as a whole, and a number of areas which are extremely vulnerable.

# Areas for further residential development:7

In my opinion future residential development within the Basin should be concentrated in the areas where it would have the least impact on the existing landscape character and visual amenity of the overall Basin landscape. Within the Basin these areas have mainly been identified because the level of existing development has diminished the rurality of the landscape character area already, and

<sup>&</sup>lt;sup>7</sup> Each area is identified by a number on the map attached as Appendix 2.

**Recommendation:** Consider the rezoning of the area as Rural Lifestyle within 10 to 15 years depending on development pressure.

The area to the immediate north of the Hawthorn Triangle is another area where a moderately high level of rural character has been retained, and which provides moderately high visual amenity to surrounding areas (area 11). It is also the case here, however, that the loss of this rural character and visual amenity would have fairly limited consequences on the rural character of the Basin as a whole, provided the slopes to the north east remained rural in character.

**Recommendation**: Manage further subdivision and development by increasing the rigour of the relevant assessment matters.

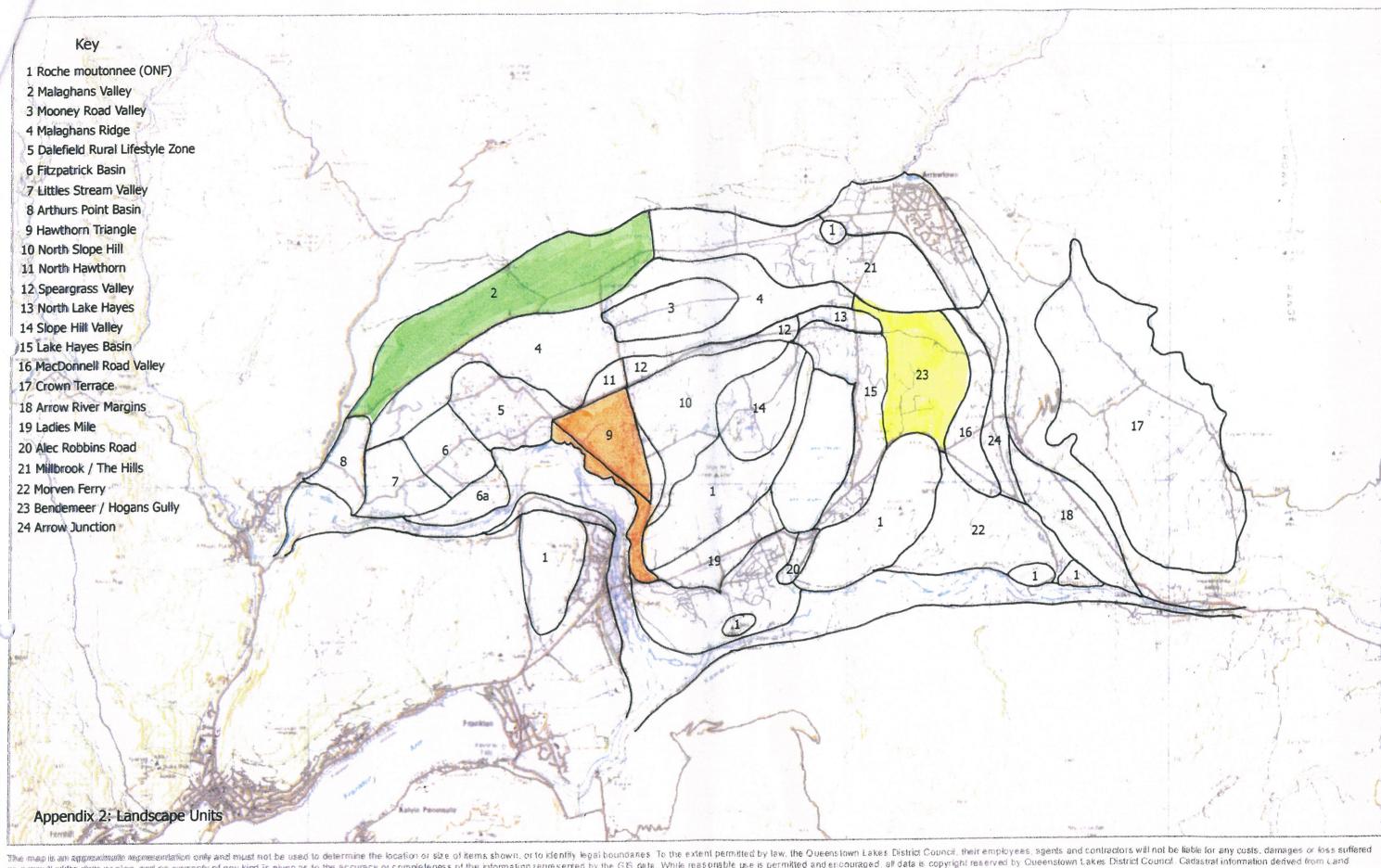
**Recommendation:** Consider the rezoning of the area as Rural Lifestyle within 10 to 15 years depending on development pressure.

Ladies Mile, between Lake Hayes and the Shotover River (area 19), provides an important introduction to the Wakatipu for visitors travelling from Cromwell and Wanaka. While the rural character of the area has been compromised by the fragmenting and domesticating effects of residential development on the northern side of the road, the extent of these effects on the southern side has been considerably less. Consequently expansive views to Cecil and Walter Peaks are possible over open pasture providing high visual amenity. It is considered that the protection of the remaining rural character and visual amenity of this landscape unit is of high importance to the maintenance of the remaining rural character and visual amenity of the Basin and that further development in this area should be avoided.

**Recommendation:** Avoid further subdivision and residential development of the Ladies Mile landscape unit by specific provision in the District Plan.

The balance of the Wakatipu Basin could be said to be in an intermediate zone, where landscape character and visual amenity are moderately vulnerable. This includes most of the elevated areas of Malaghans Ridge (area 4); the Slope Hill Valley (area 14 on Appendix 2) and North Slope Hill (area 10 on Appendix 2); Arrow Junction (area 24); the McDonnell Road Valley (area 16) and the eastern end of Malaghans Valley (area 21). In all of these areas the relatively complex topography is central to their localised landscape character and its vulnerability to change is limited. The lack of visibility from public and private locations limits the potential effects of further development on the visual amenity of the Basin as a whole. This is not to say that subdivision and development proposals in these areas do not require active management to ensure that this is the outcome.





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0 0.6 1.2 1.8 2.4 Kilometres



