

Before the Hearings Panel

In the Matter of the Resource Management Act 1991

And

In the Matter of the variation to Chapter 21 Rural Zone of the Proposed
Queenstown Lakes District Plan, to introduce Priority Area
Landscape Schedules 21.22 and 21.23

Brief of Evidence of **Paul Smith** for Second Star Limited (submitter 48)

Dated: 8 September 2023

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INTRODUCTION

Qualifications and Experience

1. My full name is Paul Andrew Smith. I am a Senior Landscape Architect employed by Rough Milne Mitchell Landscape Architects (**RMM**), which is a Christchurch-based landscape architect consultancy that was established in 2010.
 2. I hold a Bachelor of Landscape Architecture (Hons) degree from Lincoln University and am a Registered Member of the New Zealand Institute of Landscape Architects Inc.
 3. I have been practising as a landscape architect, primarily in the field of landscape planning, since 2012. I was employed by Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown from 2012 – 2017 and then by Beca Limited, as a landscape architect, specialising as a landscape planner from 2017 – 2019. Since 2019, I have been employed by RMM in the same role.
 4. The majority of my work involves advising clients regarding the protection of landscapes and amenity that the Resource Management Act 1991 (**RMA**) and District Plans require. I also produce Landscape and Visual Amenity Effects Assessment reports for Resource Consent Applications, Plan Changes and Submissions on District Plan Reviews, and provide evidence for local Council Hearings and Environment Court Hearings.
 5. Whilst working for Vivian and Espie and RMM I have worked on projects, individually and part of a broader team within the Damper Bay and West Wānaka areas, with the following projects being of most relevance:
 - (a) RM160579 – A Lodge for Visitor Accommodation at 402 Wānaka-Mount Aspiring Road.
 - (b) A cell phone tower within Lot 2 DP 375034, Wānaka-Mount Aspiring Road, opposite the formal carpark between Damper and Glendhu Bay.
 - (c) RM200375 – A mooring at 468 Buchanan Rise Glendhu Bay.
 - (d) RM210542 – A residential dwelling at 492 Wānaka-Mount Aspiring Road.
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- (e) RM210784 – A Lodge for Visitor Accommodation at Lot 1 DP337193, Wānaka-Mount Aspiring Road.
 - (f) RM230308 - A Farm Shed at Lot 2 DP 521651, Wānaka-Mount Aspiring Road.
6. I am familiar with the Damper Bay and West Wānaka areas as I resided in Queenstown and travelled through this area for recreation and work purposes between 2012 and 2017 and continue to holiday and work on projects in the area.

Code of Conduct

7. While this matter is not before the Environment Court, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and have complied with it in preparing this evidence. I confirm that the issues addressed in this evidence are within my area of expertise and I have not omitted material facts known to me that might alter or detract from my evidence.

Methodology

8. The methodology and terminology used in the Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines¹ (**TTatM**) has informed the way in which I have reviewed the Landscape Schedules and prepared my evidence.
9. The key documents I have read while drafting this Brief of Evidence are:
- (a) PDP Chapters 3, 6, and 21.
 - (b) The S.32 Report and the Methodology Statement and its Appendices included in Appendix C.
 - (c) The notified version of the VF-PA Description.
 - (d) Ms Ruth Evans S42A Report.
 - (e) Ms Bridget Gilbert's Evidence in Chief.
 - (f) Mr Jeremy Head's Evidence in Chief.

¹ *'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'*. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.

- (g) The amended 21.22.19 PA ONL Mount Alpha and 21.22.21 West Wānaka Schedule of Landscape Values.
 - (h) Parts of the Topic 2 – Environment Court Decision.
10. In the preparation of this evidence and prior to the Hearing I have undertaken a site visit to confirm my understanding of the site and its surrounding context. As mentioned, I am familiar with Wānaka and its surrounds as I have worked on numerous projects in the area and continue to frequent the area for work and holiday.

SCOPE OF EVIDENCE

11. I have been engaged by Second Star Limited (**Second Star**) to provide evidence on a variation to Chapter 21 Rural Zone of the Proposed Queenstown Lakes District Plan (**PDP**), to introduce Priority Area Landscape Schedules 21.22 and 21.23.
12. My evidence focuses on the Mount Alpha Priority Area (**MA-PA**) and the West Wānaka Priority Area (**WW-PA**) ONL Schedules, the description of the landscape attributes and values, and the landscape capacity of the land located between Lake Wānaka, the toe of Roys Peak / Mt Alpha and between Waterfall Creek and Glendhu Bay.
13. For reference, the majority of this land is situated within the MA-PA, with the western extent between Damper Bay and Glendhu Bay being within the WW-PA.

PREAMBLE

14. I find the Amended Preamble to be very useful as it provides an appropriate context for the way in which the landscape schedules are to be used and includes definitions that assist with understanding the terminology used throughout the PA Schedules.
15. I generally agree with the Amended Preamble. Whilst noting that a) I disagree with the term 'no landscape capacity' and b) a greater level of capacity mapping would have been of more assistance, whilst noting that future consenting processes will be contingent on landscape assessments providing more site-specific detail.
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LANDSCAPE SCHEDULE DESCRIPTION

16. Based on my experience, I generally agree with the description of landscape attributes and values and the concluding summary description for the MA-PA and WW-PA. However, there are a few instances where I consider that the landscape descriptions under emphasise or do not accurately capture the attributes and values of land between Waterfall Creek and Glendhu Bay.

Mount Alpha Priority Area

Landform and Land Types

17. The landform description underemphasises the size and extent of the hummocky, schistose, glacially sculptured line of hills wrapping around the base of Roys Peak, in particular how much variation in landform there is. This is because the landscape description uses the term 'small' in paragraph 3 and refers to the landform as 'lumpy' in the general description.
18. I am of the opinion that this landform is not small because the tallest and most distinctive hill is approximately 138m tall (above lake level), another hill is 142m tall above lake level (WW-PA). Also, because the hummocky terrain is generally consistent along its 7.2km length (measure midway between the road and lake edge), in which the landform forms a small valley with Mount Alpha with the views from the road are enclosed, in which Lake Wānaka is not seen.
19. Also, I consider that the use of the term 'lumpy' is relatively poor, with its definition not relating to geology. Replacing this word with 'hummocky' would be more appropriate as it generally captures the undulations / variation in landform, and is a term that has been used by other Landscape Architects when describing this landform.

Ecological Features and Vegetation Types

20. The description of existing and consented grey shrubland and restoration planting that is currently on the land between Waterfall Creek and Glendhu Bay is underemphasised. This is because this vegetation is relatively widespread on this hummocky terrain but is not specially mentioned in this description. Rather it limits this description to the lake edge. Also, because
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the restoration vegetation that a number of landowners are undertaking is located near Wānaka – Mt Aspiring Road and the ‘Millennium Trail / Glendhu Bay Track’, whereas the description of the shrubland vegetation is limited to along the trail.

21. Whilst recognising that this is a high-level description, I consider that it is important to accurately describe this vegetation because:
- (a) The landscape attributes and values description should be an accurate depiction of the landscape.
 - (b) These vegetation patterns are being relied upon and bolstered through Resource Consent applications as to assist with nestling visitor accommodation and rural living dwellings into this landscape.
 - (c) The Landscape Capacity visitor accommodation and rural living descriptions bolsters (b) above and outlines the importance and opportunities associated with this vegetation. Importantly the way in which this type of restoration vegetation can enhance the naturalness of this landscape.

Recreation Attributes and Values

22. The stretch of trail along Lake Wānaka’s foreshore within these two PA’s is known as both the Millennium Trail and the Glendhu Bay Track, but is sign posted and labelled on NZ topographical maps as the Glendhu Bay Track. Therefore, reference to this trail should include both names ‘Millennium Trail / Glendhu Bay Track’.
23. Also, the ‘Millennium Trail / Glendhu Bay Track’ forms part of the Te Araroa Trail. This should be mentioned so this description is consistent with other PA descriptions, including the WW-PA and Queenstown Bay PA.

Transient Attributes and Values

24. The description of transient attributes and values includes the way in which the pasture cover on the more open and flat areas within the small valley experiences seasonal colour changes.
25. Whilst I agree that this occurs, I disagree that this is an important attribute that contributes to the ONL values. Also, I consider that placing importance
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on seasonal changes to pasture cover may negatively impact on the ability to undertake restoration planting, which as mentioned above is an important opportunity to enhance the naturalness of this landscape.

Land Use Patterns

26. The area between Waterfall Creek and Damper Bay includes a consented lodge, and some of the existing dwellings are used for short-stay accommodation. Due to this, I consider that paragraph 16 should be updated to included reference to visitor accommodation activities that occur within this area.

West Wānaka Priority Area

27. The WW-PA is much larger than the MA-PA, with approximately one-quarter of this hummocky landform between Glendhu Bay and Waterfall Creek being situated within the WW-PA. From the outset, this appears to be the reason why the 'high-level' WW-PA description makes little mention of its landscape attributes and values.
28. I generally agree with this approach, as outlined in the methodology, otherwise the landscape schedules would be exhaustive. Also, it highlights the need for future landscape assessments to provide further detail when assessing proposals.
29. However, in this instance, I consider that where appropriate the WW-PA description can refer to the MA-PA description of the hummocky, glacially sculpted landform. This is because the landform, landcover and land use patterns, and the landscape attributes and values are generally consistent, noting the Glendhu Bay Wetland Reserve (PT Section 5 SO 332310) is mentioned in the WW-PA. Also, because that the MA-PA description is more detailed, therefore is of more assistance.

LANDSCAPE CAPACITY DESCRIPTION

30. Based on my above recommendations and my experience working on numerous projects within the area, I consider that the Landscape Capacity description, in particular 'Visitor accommodation' and 'Rural living' should be updated.
31. Notably, the landscape capacity description for 'Visitor accommodation'
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and 'Rural living' should be described as **limited** rather than **very limited** because:

- (a) The topography is more varied than what a road or trail user experiences, and that there are locations within each property where development can be located, whilst protecting and including restoration vegetation so that development will "*generally not be discernible from external viewpoints*" and will protect the landscape attributes and values of the ONL. This is highlighted by the unique locations and designs of development in the area.
 - (b) The number of the above-mentioned opportunities for development to occur is more aligned with the terms '*near its capacity*' and '*modest amount ... of development*' in the Amended Preamble. Rather than '*very close to its capacity*' and '*very small amount ... of development*'.
32. I am also of the opinion that the capacity description for 'Visitor accommodation' and 'Rural living' development in the Waterfall Creek to Damper Bay area should be identical because these activities can take place in buildings / development of a similar size and architectural design.
33. Also, the terms "*modest scale*" and "*Low key 'rural' character*" should be removed. This is because these terms are not defined, and they will conflict with the purpose of undertaking a landscape assessment as there are instances where potentially 'large buildings' have demonstrated through the consent process that they will "*generally not be discernible from external viewpoints*" and protect the landscape values of the ONL. Additionally, the PDP does not define what a development with 'rural character' consists of. And from experience, this is difficult to define as it is very much dependent on both the landscape context and the architectural era of the development.

CONCLUSION

34. In summary, I am of the opinion that the MA-PA and WW-PA Landscape Schedule descriptions should be updated to more accurately emphasise and capture the attributes and values of landscape between Waterfall Creek and Glendhu Bay.
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35. Also, that the Landscape Capacity 'Visitor accommodation' and 'Rural living' descriptions should be updated as to more accurately outline the landscape capacity to absorb well located and designed development that will "*generally not be discernible from external viewpoints*". Additionally, that these descriptions are identical and that they don't use terms that are not or are to difficult to define.

Paul Smith

11 September 2023
