

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS PANEL**

**UNDER** the Resource Management Act 1991

**IN THE MATTER** of the review of parts of the Queenstown  
Lakes District Council's District Plan under  
the First Schedule of the Act

**AND**

**IN THE MATTER** of submissions and further submissions by  
**QUEENSTOWN PARK LIMITED**

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**STATEMENT OF EVIDENCE OF NIKKI SMETHAM ON BEHALF OF  
QUEENSTOWN PARK LIMITED**

**LANDSCAPE**

**CHAPTER 21 – RURAL, CHAPTER 22 – RURAL RESIDENTIAL, CHAPTER 33 –  
INDIGENOUS VEGETATION**

**21 APRIL 2016**

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**Attachment A**      Landscape Continuum

## 1. INTRODUCTION

- 1.1 My full name is Nikki Smetham. I am a Landscape Architect employed by Rough and Milne Landscape Architects Limited.
- 1.2 My qualifications are a Bachelor of Landscape Architecture. I am a registered member of the New Zealand Institute of Landscape Architects Inc., and I am a member of the Resource Management Law Association of New Zealand Inc.
- 1.3 I have 18 years experience as a landscape architect and for approximately the last 12 years I have specialised in landscape assessment work. This has included undertaking landscape and visual effects assessments associated with a wide variety of development proposals throughout New Zealand.
- 1.4 I have resided in Christchurch for most of my life. I have worked on a number of projects in Queenstown in my capacity as a Landscape Architect and have visited Queenstown Lakes District over the years for both personal and professional reasons. My latest visit to Queenstown Park was in March this year.
- 1.5 In the course of preparing my evidence I have perused the following:
  - (a) The Operative Plan;
  - (b) The Proposed District Plan (PDP);
  - (c) Section 42A Report on Chapter 21 Rural Zone;
  - (d) Evidence of Mr Robert Greenaway on Recreation and Tourism;
  - (e) Evidence of Marion Read on Landscape, 6 April 2016;
  - (f) Evidence of Patrick Baxter on Wakatipu Basin Character;
  - (g) Evidence of Marion Read on Landscape, 19 February 2016;
  - (h) High Level Review of Proposed District Plan Provisions Report by Ben Espie, November 2014;
  - (i) Report on Landscape Classification Boundaries and Post Review Amendments by Marion Read, April 2014, October 2014;
  - (j) Peer Review of Read Landscape Report by Ben Espie, June 2014;

(k) Environment Court Decision C180/1999; and

(l) Environment Court Decision C203/2004.

1.6 I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2014). I confirm that I have complied with that practice note in preparing this evidence. In particular I confirm that my evidence is within my area of expertise and the opinions I have expressed are my own except where I have stated that I have relied on the evidence of other people. I have not omitted any facts known to me that may be material in influencing my evidence.

## **2. SCOPE OF EVIDENCE**

2.1 My evidence is presented on behalf of Queenstown Park Limited (**QPL**) who own Queenstown Park Station (**QPS**) (formerly known as Cone Peak Station). The station is 2,000 ha located on the true right bank of the Kawarau River and extends to an altitude of approximately 1000 masl. It is zoned Rural with an Outstanding Natural Landscape (**ONL**) overlay.

2.2 My evidence is focused on the identification of landscape values in relation to the ONL and rural landscape. I also comment on the landscape-related objectives, policies, rules and assessment matters of Chapters 6 and 21 of the proposed District Plan (**PDP**) where appropriate. I have been asked to look at these and consider whether the provisions relating to the rural landscape enable landowners, specifically QPS to effectively manage their land in a sustainable way.

2.3 The structure of my evidence is set out below as follows:

- (a) Statutory Framework;
- (b) The PDP Purpose and Values Identified for the Rural Landscape;
- (c) Definitions of Landscape Character, Rural Character and Amenity;
- (d) The Existing Character of the Rural Landscape within the Wakatipu Basin;
- (e) Development within the Rural Landscape;
- (f) District Plan Review of Chapter 6 and 21;

- (g) Recommendations; and
- (h) Conclusion.

2.4 The District's landscapes and natural environment are widely recognised and valued as an important resource in the Queenstown Lakes District (**QLD**) for farming, tourism, recreation, a place to live, work and play. The landscape management of the QLD is guided by the Resource Management Act (**RMA**) with particular reference to section 6 which sets out Matters of National Importance to recognise and provide for, including:

Section 6(a) - the preservation of the natural character of ...lakes, rivers and their margins and the protection of them from inappropriate subdivision, use and development.

Section 6(b) - the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development.

2.5 And Section 7 sets out other matters to which particular regard must be given including:

Section 7(c) - the maintenance and enhancement of amenity values.

Section 7(f) - maintenance and enhancement of the quality of the environment.

2.6 The PDP Chapters relating to landscape under this review are Chapter 6 Rural and Chapter 21 Landscape. The land resource continues to be managed through zoning and landscape classification. These are accepted methods to geographically delineate those areas to which objectives, policies and rules apply and whether certain effects, activities or uses are acceptable or not.

2.7 However, to my mind there remains a lack of clarity around the definition of rural character and identification of the values attached to the District's rural zone and Outstanding Natural Landscapes (**ONL**) and Features (**ONF**). In my opinion, there is a need to be explicit about what comprises the rural character and rural values of an area including open character because, aside from determining the landscape baseline and landscape classification, these values underpin the objectives, policies and rules that dictate or guide what activities a landowner can or cannot undertake and consequently affect

private property rights and public benefits. The appropriateness of activities, the absorption capacity of the landscape and effects of a development, simply cannot be determined without identifying the landscape character and its importance (i.e. knowing what the landscape is valued for and why).

- 2.8 Essentially, the lack of clarity around the rural character and values outlined for the District results in a disconnect between the strategic direction, objectives, policies, rules and assessment matters outlined in the PDP.
- 2.9 The PDP places a strong emphasis on farming to maintain a rural character. More particularly, there is an emphasis on a grazing regime to maintain the perceived open character values attributed to the rural landscape. The definition of farming activity in both the ODP and PDP states:
- “the use of land and building for the primary purpose of the production of vegetative matters and/or commercial livestock. Excludes residential activity, home occupations, factory farming and forestry activity. Means the use of lakes and rivers for access for farming activities.”
- 2.10 These productive activities contribute to a rural character but are not its sole determinant. Many other activities occur in the rural landscape and some of these are recognised as separate subzones, e.g. Gibbston Character Zone, Rural Lifestyle, and Ski Area Sub-Zone etc. These activities also contribute to the existing character.
- 2.11 As a consequence it is my opinion that the rural areas are diverse and, in some cases, in a state of change as a range of rural, rural lifestyle, tourism and recreational activities are gradually replacing traditional farming activities. In my view, this is an acceptable and expected process that, in principle, does not pose a significant threat to rural character.
- 2.12 The PDP provisions and zoning should appropriately reflect current uses, recognise future potential and enable appropriate development while protecting landscape values relating to rural landscapes.
- 2.13 Consequently, a balanced approach is needed to sustainably manage and protect the landscape values while enabling a range of opportunities so the community can make use of the rural land resource.

### 3. THE PDP PURPOSE AND VALUES IDENTIFIED FOR THE RURAL LANDSCAPE

3.1 The PDP seeks the protection of the landscape from inappropriate activities that could degrade its qualities, character and values.<sup>1</sup> Some of the values identified by the PDP<sup>2</sup> for the rural landscape are:

- (a) Open character of productive farmland, open space and rural working character, predominance of open space;
- (b) Landscape character and amenity values ;
- (c) Colour and texture of indigenous vegetation; and
- (d) Highly legible landforms.

3.2 These values are the focus of my evidence. Of particular concern is open character as a key value of the rural landscape and the PDP reliance on farming to maintain this.

3.3 The PDP places a large emphasis on retaining the open character of a rural landscape. However, it is my understanding that open character is the focus of a policy that originated in relation to outstanding natural landscapes and not to the broader rural/agricultural landscapes.

3.4 To clarify what is meant by “open character”, the **Just One Life** Environment Court decision 163/2001<sup>3</sup> concluded that:

“...open character is different from ‘open space’”

And

“...That ‘open character’ is characterised by a lack of trees as well as a lack of structures (whereas ‘open space’ is primarily a lack of buildings)”.

3.5 The nature of openness was explained further by the Court who stated<sup>4</sup>:

“...While the open character of outstanding natural landscapes can be justifiably maintained we do not see that it is appropriate to maintain the open character of all other landscapes. They may after all be improved:

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<sup>1</sup> PDP, Chapter 6,6.1 Purpose.

<sup>2</sup> PDP, Chapter 6, 6.2 Values.

<sup>3</sup> Just One Life Environment Court decision 163/2001.

<sup>4</sup> Ibid.

- In an aesthetic sense by the addition of trees and vegetation; and/or
- In an ecological sense by the planting of native trees, shrubs or grasses recreating an endemic habitat...”

3.6 In considering the provisions within the PDP it is apparent that<sup>5</sup>:

- (a) Open character has been identified as being a key value to productive farmland whereas it is primarily only one value of an ONL/ONF;
- (b) There is a presumption that rural character is predominantly open and that it should be maintained with an open character through pastoral farming;
- (c) The emphasis on the maintenance of pasture and tussock grassland does not recognise the ecological and amenity benefits provided by trees or other vegetation;
- (d) There is tension between the maintenance of ONL open character and enhancing the naturalness of an ONL; and
- (e) There is minimal recognition of the benefits of increasing biodiversity as opposed to maintaining a monoculture.

#### **4. DEFINITIONS OF LANDSCAPE CHARACTER, RURAL CHARACTER AND AMENITY**

4.1 In this section of my evidence I set out the landscape definitions relating to the rural landscape according to best practice as these assist an understanding of the terminology used by the PDP. I also offer my view of the values that are sought to be protected and managed.

##### **Definition of Landscape Character**

4.2 The landscape character of any area – in this case rural - can be described as a particular combination of generic natural and physical elements such as landforms, (including features such as water bodies), land cover (such as vegetation, buildings etc) and land use (such as activities). Where elements are commonly present they can describe a particular landscape character. Character is not just about the physical elements and features that make up a

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1. Refer PDP provisions (6-3.5.6) (6-3.5.3) (21-2.9.2) (6-3.2.5) (21-7.1.2 Assessment Matter) (21-7.2.4 Assessment Matter) (6-3.4.2) (21-7.2.7) (21-7.3.3) (6-3.7.2).



landscape, but also embraces the aesthetic, perceptual and experiential aspects of the landscape that make different places distinctive.<sup>6</sup>

### **Definition of Rural Character**

- 4.3 The Ministry for the Environment (**MfE**) defines rural landscapes as strongly influenced by the type of rural activity and the intensity of associated settlement. Natural elements generally remain strongly evident but are overlaid by patterns and processes of human activity.
- 4.4 Natural systems, such as hydrological patterns, still operate but, in places are manipulated to enhance productivity. Human-induced patterns and processes are related predominantly to productive land uses such as agriculture, horticulture and forestry, typically including paddocks, shelter belts, wood lot and forest blocks, cropping regimes and settlement. The patterns of human activity are generally large scale (by comparison with urban areas), reflected in generally low-density settlement, few structures and often a sense of spaciousness.
- 4.5 Rural landscapes are inhabited landscapes – not to be confused with ‘wilderness’ or ‘natural’ landscapes where human presence is minimal or absent. In terms of naturalness, the rural pastoral/agricultural landscape sits between high to moderate-low on the naturalness continuum<sup>7</sup> with intensive grazing and developed pasture at moderate and cropped arable land at moderate-low

### **Definition of Amenity, Visual Amenity and Rural Amenity**

- 4.6 Amenity is defined by the Act as being ‘those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes’.
- 4.7 Amenity values are derived from many different factors and are not solely related to the appreciation of the visual landscape, although visual amenity is generally a significant aspect of amenity values. Amenity values are typically associated with the visual quality of landscapes, such as the pleasantness, memorability and aesthetic coherence of an area or view.

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<sup>6</sup> Landscape Institute and Institute of Environmental Management and Assessment, Guidelines for Landscape and Visual Impact Assessment. Third Edition, 2013.

<sup>7</sup> Ecosystem Factors in the assessment of naturalness (After Sukopp 1971 and van der Maarel (1975).

- 4.8 Rural amenity values however, are more specifically related to the components of rural character described above and commonly include a sense of spaciousness (wide open spaces – low built density and pastoral/grass land), an environment relatively uncluttered by structures and artificial features, privacy, quietness and an absence of traffic (and lights), a clean environment, characterised by fresh air, clean water etc, but not necessarily a productive land use.
- 4.9 A place-specific determination of amenity is an important component on which to address district plan provisions. I note too that there is often a distinction between the amenity derived from within an immediate setting and the wider general amenity derived from the more distant surroundings. This is a characteristic of the Wakatipu Basin largely due to the fact that most views include a wide diversity of and proximity to large scale landforms, distinctive skylines, and the presence of expansive water bodies.

## **5. THE EXISTING CHARACTER OF THE RURAL LANDSCAPE WITHIN THE WAKATIPU BASIN**

- 5.1 The District's rural landscape exhibits a wide range of characteristics largely due to its diverse topography created by tectonic uplift and glaciations. The mountain peaks and alpine regions consist of scree slopes, rock outcrops, low growing alpine vegetation and tussock with remnant beech forest on the more sheltered, often remote reaches. The mid to lower slopes comprise forest and native scrub in pockets, and slopes that are predominantly tussock grassland. The moraine features, river fans, terraces, lake beaches, river gorges, valley floors and lake margins have a more varied vegetation cover, resulting from a variation in land uses. Some terraces and fans have a relatively unmodified tussock grassland cover but for the most part the valley floors and terraces have been converted to pastoral land use, other rural activities and/or settlement.
- 5.2 Whilst much of the original vegetation has been modified or removed, the colour and texture of tussock grassland and grey scrub (of farmland) within these landforms contribute to the distinctive identity of the District's landscapes.
- 5.3 The spectrum of rural land use is primarily determined by the suitability of the topography, slope, hydrology, aspect, available natural resources especially

water and proximity to infrastructure/transport. Land cover is generally not a major consideration and is often removed. Throughout the rural landscape, there are very distinct and obvious differences in rural character due to localised but highly variable landforms, ultimately determining the rural land use. For instance, within the Wakatipu Basin the following land uses occur in the rural landscape, each with its own particular set of characteristics, varying degrees of open character and open space:

- (a) Commercial Tourism & Recreation - e.g. Remarkables, Coronet Peak and Cardrona ski fields and the Waiorau/Pisa Ski Area;
- (b) High country stations – e.g. Glencoe, Ben Lomond, Criffel Station, Minaret Farm;
- (c) Farms – e.g. Malaghan Park Ltd;
- (d) Vineyards and Wineries – e.g. Amisfield Cellars, Rippon Vineyard, Chard Farm;
- (e) Golf courses associated with resort development – e.g. Resort areas – e.g. Jacks Point, Millbrook; and
- (f) Rural Residential and Lifestyle e.g. Threepwood, Speargrass Flat and Dalefield areas.



**Photograph 1.** Remarkables Ski Field

- 5.4 Ski field areas are for operational reasons located within a highly natural, expansive open landscape dominated by rock features, scree slopes and low growing alpine vegetation. Modifications to the landform are obvious. The buildings and ski lifts tend to be large scale, utilitarian and functional.



**Photograph 2.** Typical farmland

- 5.5 High country stations and farms are characterised by areas of pasture either unimproved, topdressed or highly cultivated depending on its slope, aspect and accessibility. The steeper hillsides are typically extensive areas of rough/untended pasture, differentiated from the river terraces and valley floors by the lack of fencing, the presence of scrub (native and exotic) with occasional wilding trees and areas of exotic forestry. Pockets of indigenous forest are limited in extent, largely confined to steep incised valleys and often more common and expansive in the remote areas of the District.
- 5.6 The high country station landscapes are typically characterised by their openness and the perception of high to moderate naturalness depending on the level of modification. It is the high altitude mountainous areas that for the most part comprise the ONLs of the District, valued for their highly legible expressive landforms, high naturalness and open character.



**Photograph 3.** The Remarkables Mountain Range

- 5.7 I understand that as part of the tenure review process a large part of the mountain areas have reverted to DOC ownership, amalgamated into existing reserve areas and therefore protected as part of the Conservation Estate. As a consequence, the high country stations will be somewhat reduced in area and if uneconomic to farm will be retired from farm management. The character of the low to mid slopes is likely to change, not through development but by the natural process of colonisation which will convert an open character to a forested landscape. This is apparent on Queenstown Hill where wilding pines are continuing to spread over the hillsides. Ultimately the open character of this land will depend on the management regime.
- 5.8 In comparison to the high country, the lower hillslopes, valley floors and terraces are typically divided into a patchwork of fields in 'tended' pasture, with higher stocking rates. Shelterbelts often divide the landscape into regular rectangular shapes related to operational requirements rather than the existing landform. Farm houses and buildings are mostly concentrated in clusters on the flatter areas, surrounded by (exotic) amenity trees and shelter planting and close to road access.
- 5.9 These rural landscapes are typically characterised by a mix of open productive land and trees, managed by a more intensive cropping or grazing

regime. Consequently they are obviously domesticated and of moderate – low naturalness.



**Photograph 4.** Kawarau River Terrace and north facing slopes of the Remarkables Range



**Photograph 5.** Littles Road rural landscape

- 5.10 The vineyard landscapes convey a strong ordered horizontal pattern of parallel lines comprising posts, wires and vines. The vineyard pattern conveys a sense of scale and perspective, emphasising the subtleties of the underlying landform. Shelter belts and amenity trees typically comprise the immediate setting surrounding large scale buildings – storage sheds, barns, winery production and cellar doors. The productive promise, linked to cultural traditions and lifestyle, convey a particularly romantic picturesque notion of landscape.



**Photograph 6.** Chard Farm Vineyard

- 5.11 The golf course landscapes such as Millbrook and the private Hills Golf Course afford a balance of open manicured grounds and a proliferation of amenity trees as a setting for recreational activity combined with built vernacular, seasonal attributes and predominance of natural elements, residential and tourist accommodation. Although highly contrived, the landscape values are associated with a strong visual coherence - order, maintenance, and consistent.





**Photograph 7.** Millbrook

- 5.12 Rural lifestyle areas are typically characterised by large dwellings surrounded by exotic amenity trees. Paddocks are often associated with a dwelling but tend to be smaller than those associated with a working farm and utilised for grazing few stock. Boundary treatments range from post and rail, post and wire or consist of hedgerows or shelterbelts. These landscapes are managed or maintained to a detailed level. Rural lifestyle areas tend to convey a high level of amenity with a pleasing balance between open space and woodland conveying a picturesque character.
- 5.13 My understanding of the rural landscape particularly relating to the Wakatipu Basin is confirmed by Mr Baxter's evidence in which he describes the existing rural character and maintains that large parts are established as rural living with an extensive existence of houses, without a significant area in pasture or crops, or stock, with a large number of amenity trees. Mr Baxter comments on the low visible number of stock and he notes that that the majority of small paddock spaces in the Basin are either mown or managed by offsite farmers that bring stock in on demand to keep grass down. He states that visible evidence of farming is restricted to a few remaining pockets within the Basin.



**Photograph 8.** Dalefield



**Photograph 9.** Rural lifestyle

5.14 Mr Baxter's evidence goes on to describe a contiguous pattern of visible lifestyle development alongside and/or visible from the majority of roads

within the Basin. That pattern is characterised by large scale indigenous planting and exotic tree planting. He cites examples of development that has involved the retention of balanced open space as Stonebridge on Domain Road, Littles Stream on Littles Road and Northridge.

- 5.15 Mr Baxter concludes that the landscape character of much of the Basin is going to change to a heavily treed park-like character as trees grow and mature. He notes that because of this and the deciduous nature of these trees the spring and autumn leaf colours will increasingly become a characteristic of the Basin. I agree and consider this to be an important feature of the rural landscape and one that contributes significantly to visual amenity.

### **Summary of rural character and openness**

- 5.16 In summary, the characteristics of the rural landscape vary widely across the District primarily dominated by a highly natural setting. The rural activities take place in and around large scale natural features (glacial landforms, lakes and rivers) which contribute to a very distinctive rural character.
- 5.17 It is my view that the mountainous areas of the rural landscape are largely protected from development by their sheer scale, inaccessibility, public conservation estate ownership, operational constraints of development and lack of appropriate development options.
- 5.18 A rural character is generally maintained by the mid to upper slopes of farm land although open character may diminish as trees (wilding pines etc) establish over retired areas of farmland. A different rural character (more intensively cultural) occurs over the farmed lower/less steep slopes, cultivated valley floors and terraces and areas developed as vineyards, golf courses, and providing a rural lifestyle.
- 5.19 Overall, my review of the rural landscape suggests that the common rural characteristics include a wide range of open character and open space primarily dictated by diverse landforms and consequentially a range of land uses. Exotic trees are becoming increasingly common with a relatively low but variable density of buildings including, but not necessarily always, a productive land use. Vegetation (exotic and indigenous) is a predominant feature, as are built elements. However, it is important to bear in mind that the “characteristics” of the rural landscape are just that; they are not

necessarily values, nor are they synonymous with landscape quality, or its sensitivity to change. It is possible that other activities may occur in the rural zone without appreciably changing the existing rural quality and more importantly its values.

## **6. DEVELOPMENT WITHIN THE RURAL LANDSCAPE**

- 6.1 Any activity has the potential to affect or alter the character, and amenity or openness of a landscape. However, it is important to appreciate that changes to a landscape need not necessarily be adverse. Whether effects are adverse or not depend to a large extent on what is valued and considered appropriate, and the public expectation of what can be reasonably anticipated to occur in the landscape. Openness is one aspect of character and although it is identified as a value it is not necessarily the principal one for all rural landscapes of the District.
- 6.2 A continuum of 'ruralness' from a highly modified, cultivated managed rural land to a landscape with limited cultural intervention, can describe the range of rural landscapes in the district. This is set out in the Table included **Attachment A** to my evidence. It usefully sets out the degree of modification relating to agricultural landscapes and their degree of naturalness.
- 6.3 At a more detailed local scale any change proposed for the landscape must rely on an actual character description and evaluation to establish the ability of the landscape to absorb development without adverse effects on its recognised values/importance and the compatibility and appropriateness of the proposed development with the site and surrounding landscape. Values are linked to the unit scale of analysis and the sensitivity of these landscapes to change will differ in response to the nature and scale of proposed developments.
- 6.4 For example, some rural landscapes, such as 'Ladies Mile' will be important or valued for their contribution to the visitor experience of the wider mountainous setting and a rural picturesque (balance of open space and exotic amenity trees) approach to Queenstown. In this instance, the removal of exotic trees along the state highway should be avoided and an increase in built density should be limited or setback from the highway. That is not to say that development should not occur but that it must be sensitive to the values

afforded by open space, the presence of exotic trees and glimpses to the hill slopes behind as an enclosing landform.



**Photograph 10.** Ladies Mile approach into Queenstown

- 6.5 Other rural landscapes, such as the northern face of the Remarkables Range are recognised as an ONL with an open character and as contributing to a rural backdrop. Despite this, the introduction of a gondola (as mentioned in Mr Greenaway's evidence) to the Remarkables Ski Area is likely to be seen as an appropriate development in this locality, with the ability to benefit recreational and tourism experiences, without adverse effects on values afforded by the open character and rural outlook.



**Photograph 11.** North face of Remarkables Range

- 6.6 Generally the characteristics that promote the ability of the rural landscape to absorb development include:
- (a) The existing degree of modification/degree of departure from naturalness (landform, land cover, natural processes);
  - (b) A complex landform;
  - (c) Abrupt changes in topography (edges of landform units);
  - (d) Context;
  - (e) 'Appropriateness' of activity (can it be located elsewhere or is it location dependant? Does it have public benefit?);
  - (f) Compatibility of the development with the landform (i.e. is it consistent with a typical settlement pattern and/or surrounding land use);
  - (g) Limited visibility;
  - (h) A treed setting; and
  - (i) Relative low density of building.
- 6.7 For the most part these characteristics are identified by the PDP assessment matters, however it is the lack of value associated with these characteristics for particular landscapes that will prove problematic in establishing the degree of effect when processing development proposals. This could be addressed by a district wide, first principles Landscape Study to establish a baseline of character and values within the District. In my view the reliance on individual practitioners to establish values on a case by case basis is problematic and may include a tendency towards a development bias.

### **Development Potential**

- 6.8 Setting that aside, I consider that particular types of development may benefit the landscape values associated with the rural landscape and contribute to or enhance "rural character" or "rural amenity" including;
- (a) Increasing recreation access, tourism experience of the natural landscape;
  - (b) Increased exotic tree planting for rural landscapes (but not necessarily ONLs);

- (c) Increase biodiversity through adding indigenous vegetation for all rural landscapes including ONLs; and
- (d) Covenanting areas for protection to offset development rights.

6.9 Mr Greenaway's evidence confirms the development potential of the rural landscape in relation to recreation and tourism with reference to his experience of the Hillend and Parkins Bay (Glendu Station) proposals. Both of these developments are good examples of the type of development I have listed above because they encompass some form of recreational activity, associated facilities, residential accommodation, a comprehensive revegetation programme, and covenanted areas. This confirms that despite a change of character, a range of alternative uses of farm properties may be undertaken while maintaining the rural qualities and values of the landscape.

## **7. DISTRICT PLAN REVIEW OF CHAPTER 21**

7.1 I have reviewed Chapter 21 and note the following with respect to landscape character and values. I have also reviewed Chapter 6 and provide some summary comments on that chapter as context for my evidence on Chapter 21.

### **Landscape Chapter 6**

- 7.2 Objective 1 and its implementing policies concentrate on pastoral farming as being the most appropriate for landscape character.
- 7.3 Objective 2 and its policies relate to the cumulative effects of activities on the landscape and at policy 6.3.2.5 introduce a tension between openness and screen planting. It contemplates the adverse effects of screen planting rather than the benefit to visual amenity. Planting should not be considered adverse except where it interrupts or obstructs an important view shaft. The identification of important view shafts would offer some clarity around planting.
- 7.4 It is my opinion that open space is primarily dependant on built density provisions and not planting. As Mr Baxter observes, planting (particularly tree planting) will allow a treed landscape character to evolve over time. This is apparent from some parts of the Wakatipu Basin where distant views from the district roads are constrained by boundary planting. Even so, residents are

likely to maintain a degree of openness to maintain their views and outlook to a rural landscape.

- 7.5 Objectives 3 and 4 relate to ONL and ONFs and focus on avoiding subdivision and development.
- 7.6 In my opinion, objectives 3 and 4 are of little value without the proper identification and understanding of the landscape values involved. This issue is clearly identified by Mr Espies review of the PDP, Chapter 6 where he comments on the need for more guidance on what specific characteristics or aspects of values of the ONFs or ONLs should be maintained and enhanced.<sup>8</sup> Mr Espie also states that character should be able to evolve provided it does not get significantly worse. I agree.
- 7.7 Objective 5 is focussed on ensuring subdivision and development does not degrade rural character and diminish visual amenity values of the rural landscape. To my mind this is reliant on identification of rural character and visual amenity values which is, as discussed, highly varied. The policies again introduce some tension between openness and planting and infer that change to the open landscape character is an adverse effect. Mr Espie's report emphasises the management purpose of the QLDP and he asserts that 'avoiding any alteration to existing character should not be the goal; character must be able to evolve but not become of lower and lower merit'. This is my also my opinion.

## **Chapter 21**

- 7.8 My comments on the Rural Chapter concentrate on the landscape provisions rather than a complete review. The purpose of the Rural Chapter focuses on enabling farming activities and acknowledges the desire for other activities such as rural living, recreation, commercial and tourism to occur within the rural landscape. It provides for some change to occur provided such development has a link with the rural land resource and landscape and rural amenity values are not degraded. This seems a reasonable approach.
- 7.9 In reviewing I note that the rules would not facilitate the development of a gondola access across rural land and ONL to the Ski Area Sub-Zones to enable future growth. The S42 report has given submissions on this matter

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<sup>8</sup> QLDP Review – Landscape Issues – High Level Review of proposed district plan provisions – 20 November 2014).



some consideration and amended the relevant provisions to facilitate this alternative as a discretionary activity. It is important that this type of development including base buildings etc is enabled to meet the relevant objectives and policies of the plan and also relates to my earlier comments about appropriate development within the ONLs.

### **Assessment Matters**

- 7.10 I agree with Mr Espies that Assessment Matters should direct assessment of the existing character of the relevant vicinity of the landscape and his note that natural character will be particularly important in the case of ONFs and ONLs. It is my view that natural character with respect to ONL and ONFs should be given more weight.
- 7.11 The Assessment Matters should emphasise that it is the values attributed to the various aspects of rural character that are particularly important and that consideration of these values should be the focus of the assessment matters. As I previously mentioned a change in rural character is not necessarily adverse as long as a rural character is maintained and its particular values are not adversely affected.
- 7.12 I concur with Mr Espie's comments relating to visibility. A proposal may be highly visible but not necessarily generate adverse effects on visual amenity. Although in some cases this may be subjective if, for example, a group of trees is planted, they may be highly visible but be of benefit to natural and/or rural character. Neither is the visibility of structures necessarily adverse. I note that in terms of a gondola it would be impossible to achieve invisibility from public roads and other public places and yet adverse effects on visual amenity may be very low or such structures may be seen as beneficial to visual amenity and increasing recreational opportunities.
- 7.13 Encouragingly I note that the Assessment Matters recognise positive effects such as covenanting and environmental offsets for development rights.

## **8. RECOMMENDATIONS**

- 8.1 I consider that the PDP provisions could be improved by:
- (a) Including carefully worded provisions so varying types of rural character are acknowledged rather than exclusively relying on

pastoral farming and recognising the wide range of values/importance associated with the rural landscape.

- (b) Addressing the notion of open character values. It is important that the PDP recognises that openness isn't necessarily the key value or characteristic of the rural landscape and that it ensures a consistent use of terminology relating to openness
- (c) Reframing policy and assessment matters to recognise a hierarchy of values to reduce tension between openness and naturalness.
- (d) Including definitions of landscape terms for clarity.
- (e) Requiring the identification of rural landscape values and the absorption capability of the landscape or its sensitivity to change.
- (f) Placing greater emphasis on the provision of tourism and recreation consistent with the Chapter 3 Strategic Direction purpose and goals.
- (g) Providing an explanation and reasons for policies and rules.
- (h) Providing anticipated outcomes for particular zones.
- (i) Requiring a district wide, first principles Landscape Study to establish a baseline of character and values within the District.

## **9. CONCLUSION**

- 9.1 The DP must find the right balance between protection/preservation and use by providing for a certainty of protection as well as equitably balancing the rights of landowners and the broader public. A large part of the rural landscape is considered outstanding because it is protected by public ownership and/or it is farmed. In effect farmers are providing and paying for a public benefit.
- 9.2 The provisions as drafted overemphasise farming as the primary rural activity to maintain rural character. The rural landscape today has a varied character comprising a range of land uses each with its own character derived from a particular combination of landform and land cover. Not all rural areas hold the same values and similarly neither do ONLs.
- 9.3 The PDP focus on open character as a key rural landscape value restricts the ability of farmers to sustainably develop their rural land and is misguided to

the detriment of naturalness and biodiversity. There needs to be a greater recognition that depending on the character and more particularly the values attributed to the landscape in considering the scale, nature and effects of the proposed use, sustainable development can achieve significant net benefits in biodiversity and natural processes, visual amenity, and cultural values while maintaining the quality and distinctive identity of the District's landscapes.

**Nikki Smetham**

**21 April 2016**

## ATTACHMENT A – LANDSCAPE CONTINUUM

Natural character rating	Very High	High	Moderate - High	Moderate	Moderate-Low	Low	Very Low
<b>Ecological naturalness state</b>	Natural	Near-natural	Semi-natural	Agricultural	Agricultural	Near cultural	Cultural
<b>Measure of human influence</b>	Non-disturbed	Very weakly influenced	Weakly influenced	Moderately disturbed	Strongly influenced	Very strongly influenced	Extremely disturbed
	<b>Self-regulating</b>	_____	_____	_____	_____	_____	<b>Non-self-regulating</b>
<b>Typical habitats</b>	Habitats approaching pristine state – no human modifications to ecosystems	Forest vegetation communities with species and structure typical of the site, limited harvesting or clearing of biomass, light fertiliser, pastoralism	Managed exotic forests, extensive pastoral farmland, slight improvements	Intensive grazing, developed pasture. Selection of species in terms of grazing potential (i.e. clover ryegrass pasture) Extensive arable land, irrigation, fertilised, limed, use of pesticides, drainage	Regular cultivation, intensively cropped arable land, horticultural cropping, drainage, heavy use of fertiliser and pesticides	Parkland, greenways, green open space	Urban-suburban
<b>Vegetation structure</b>	No change	No change	Maybe naturally occurring layers beneath exotic canopy	Improved pasture, annual crops	Perennial or annual crops dominant	Amenity plants, turf, ephemeral weeds	Amenity plants, turf, ephemeral weeds
<b>Floristic composition</b>	No change	Most species spontaneous	Some species spontaneous, e.g. understory in exotic forestry	Few species spontaneous, other than weeds. Weed growth controlled	Few species spontaneous, other than weeds. Weed growth controlled	Few to no species spontaneous, other than weeds. Weed	No species spontaneous, other than weeds.

						growth generally controlled	
<b>Substrate change</b>	No change	Few changes	Small, superficial	Moderate	Drastic	Drastic - artificial	Drastic, compaction, artificial, impervious surfaces