

J HEAD – LANDSCAPE SUMMARY STATEMENT AND RESPONSE TO NEW EVIDENCE AND EXPERT CONFERRING – 16.10.2023

Jeremy Head for QLDC – Variation to Chapter 21 to introduce landscape schedules 21.22 and 21.23

Introduction

1. This statement provides an ‘update’, where necessary, of my evidence in chief and rebuttal position, following expert conferencing in the week of 2 October and my review of new lay evidence filed with the Panel. It:
 - 1.1 Provides a list of the PA Schedules that were agreed between the experts involved at expert conferencing (including a list of the PA Schedules that were not the subject of PA specific submitter evidence but incorporate the ‘no landscape capacity’ rating change agreed at the expert conferencing¹).
 - 1.2 Provides a brief summary of the matters of disagreement for specific PA Schedules following expert conferencing.
 - 1.3 Provides brief commentary with respect to the three remaining points of disagreement in relation to the PA Schedules methodology following expert conferencing.
 - 1.4 Addresses matters raised in recently filed new lay evidence, relevant to the PA Schedules that I have been involved with
2. I acknowledge that this is a lengthy ‘summary’, and that it introduces limited new evidence, but due to the timing of expert conferencing and filing of lay evidence, consider it useful to provide it in advance of submitter presentations.

PA Schedules agreed during expert conferencing

3. The following PA Schedules were agreed at expert landscape conferencing:
 - 21.22.4 Morven Hill PA ONF
 - 21.22.11 Mount Iron PA ONF
 - 21.22.17 Victoria Flats PA ONL
 - 21.22.19 Mount Alpha PA ONL
 - 21.22.22 Dublin Bay PA ONL
 - 21.23.2 Halliday Road Corbridge PA RCL
4. No submitter landscape evidence was received specifically in relation to the following PA Schedules. However, these PA Schedules have been amended to reflect the agreements recorded in paragraph 11 of the Final Joint Landscape and Planning Joint Witness Statement, 3 October 2023, that the ‘no landscape capacity’ rating terminology and definition should be changed to: “**Extremely limited or no landscape capacity** across all of the PA Schedules”.² Those schedules are:
 - 21.22.4 Morven Hill PA ONF
 - 21.22.7 Feehly Hill PA ONF

1 Final Joint Landscape and Planning Joint Witness Statement, 3 October 2023: [11].

2 With the definition of **Extremely limited or no landscape capacity** described in the Final Joint Landscape and Planning Joint Witness Statement, 3 October 2023: Schedule 21.22 and 21.23 Preambles as: *there are extremely limited or no opportunities for development of this type. Typically, this corresponds to a situation where development of this type is likely to materially compromise the identified landscape values. However, there may be exceptions where occasional, unique or discrete development protects identified landscape values.*

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- 21.22.9 Kawarau River PA ONF
- 21.22.10 Mount Barker PA ONF
- 21.22.11 Mount Iron PA ONF
- 21.22.17 Victoria Flats PA ONL
- 21.22.18 Cardrona Valley PA ONL
- 21.22.19 Mount Alpha PA ONL
- 21.22.20 Roys Bay PA ONL
- 21.22.22 Dublin Bay PA ONL
- 21.22.24 Lake McKay Station and Environs PA ONL
- 21.23.1 Cardrona River Mount Barker Road PA RCL
- 21.23.2 Halliday Road Corbridge PA RCL
- 21.23.5 Maungawera Valley PA RCL

PA Schedules – matters of disagreement following expert conferencing

21.22.9 Kawarau River PA ONF

5. Mr Brown's evidence³ recommended several changes to (ii) **visitor accommodation and tourism related activities** which included the capacity rating and qualifiers. Several of Mr Brown's qualifiers were subsequently added to the schedule in my own wording following review of his evidence. In addition, the capacity rating for (ii) was amended to be slightly more permissive, but not to the extent that Mr Brown preferred. Nonetheless, Mr Brown agreed with these changes during conferencing.
6. However, during conferencing, Mr Brown discussed the wording 'reasonably difficult to see' and sought it be removed from the qualifiers at (ii), even though he did request it as one of the qualifiers in his evidence in chief relative to views from public roads outside Lake Hayes Estate, Bridesdale and Shotover Country [9.6] (last bullet point). Mr Bown believes that the qualifier: 'reasonably difficult to see' as it is currently framed in the PA Schedule is superfluous given the other qualifiers that are now included, and that it places disproportionate weight on the consideration of visibility.
7. I disagree with Mr Brown and in my opinion the 'reasonably difficult to see' test is important to retain as one of the qualifiers at (ii) for the following reasons:
 - 7.1 'Reasonably difficult to see' is consistent with the wording at 6.3.3.1 (Managing Activities on Outstanding Natural Features and in Outstanding Natural Landscapes) in the Proposed District Plan and is considered to be a well-understood term.
 - 7.2 The other qualifiers at (ii) Visitor accommodation and tourism related activities are location-based or define the expected character of future development, rather than its visibility.

3 For Queenstown Park Ltd (OS 171).

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7.3 'Reasonably difficult to see' does not mean 'invisible' and is an appropriate and easy to understand term.

8. Relying on my experience of the area through site visits I remain of the opinion that the s42A text is appropriate with the retention of the wording 'reasonably difficult to see'. This is because the impression of the lower, flat parts of the PA including the river terraces is currently that of a largely undeveloped and natural landscape and particularly lacks built structures. This is of key importance to the landscape character and visual amenity values experienced from the various visual audiences signalled in the qualifiers at (ii). I consider that the relatively close proximity of the lower lying parts of the PA to an urban part of the district, the very close proximity to a major waterway with a Conservation Order, and the highly popular Queenstown Trail, serves to heighten the visual (and landscape character) sensitivity of the area to development change.

21.22.18 Cardrona Valley PA ONL

9. Mr Espie is of the view that the PA Schedule should include another activity: 'rural industrial activities' as this better fits with existing activity at the Cardrona Distillery. Mr Espie recommends a capacity rating and provides several qualifiers he believes will enable the protection of ONL values below:

"Rural Industrial Activities – very limited landscape capacity. If and where such development is appropriate, it will be co-located with existing rural industrial development on the valley floor and will be of a modest or sympathetic scale; have a low-key, visually recessive 'rural' character; and will complement the existing character of Cardrona settlement or the wider valley floor."



Figure 1 Cardrona Distillery. Photograph (stitched) by J. Head 27 March 2023

10. In Mr Espie's opinion, the above signals a very limited capacity for (further) 'rural industrial' activity at the Cardrona Distillery as long as it is co-located with existing similar development and comprises visually recessive built forms of a modest and sympathetic scale. Mr Espie considers that this will suitably protect the values of the Cardrona Valley ONL.

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11. I am of the opinion that while some activities associated with the distillery may be considered to be ‘rural industrial’ in nature, such an activity does not need to be explicitly set out in the schedule. Further, the distillery does not exhibit the characteristics, or an outward appearance associated with typical ‘rural industrial’ activity (refer to **Figure 1** which shows the Cardrona Distillery development). I retain the view that signalling rural industrial activity within the schedule (and an ONL) as a standalone activity may open the door to development that would materially compromise the ONL where it would fail to qualify as an RMA s6(b) landscape in terms of ‘naturalness’. This is due to the potential scale and visibility of such development and its incongruity in a highly natural landscape such as the Cardrona Valley.
12. The PA schedules use existing definitions taken from Chapter 2 of the Proposed District Plan where possible. If rural industrial activity were to be included, the definition used would be as follows:
- “Means the use of land and buildings for the purpose of manufacturing, fabricating, processing, packing and/or storage of goods and materials grown or sourced within the Rural Zone and the storage of goods, materials and machinery associated with commercial contracting undertaken within the Rural Zone.”*
13. There is an area of established rural industrial development at Church Road to the north of Luggate (which I understand is within a ‘Rural Industrial Subzone’ in the Proposed District Plan) which fits this definition. During fieldwork I passed by this area and observed several large industrial looking buildings surrounded by hardstand and various materials and machinery. It was not particularly attractive. This subzone is close to a Rural Residential Zone and Settlement Zone (Luggate), where the rural industrial activity is essentially seen appended to an adjacent settlement. I assume that Mr Espie does not support this type of rural industrial development in the Cardrona Valley. However, I believe it is useful to highlight here what typical rural industrial activity can look like as it is currently defined.
14. I retain the view that the existing carefully designed and located development at the distillery site complements the focussed visitor accommodation and commercial recreational activity at Cardrona Village. I am also of the view that signalling rural industrial activity in the area, which is typically utilitarian in character would depart from the existing pattern and character of sensitively designed built development, currently present in the area. Therefore, I retain the opinion that it is unnecessary to specifically list ‘rural industrial’ as a specific activity in the PA Schedule.

PA Schedules methodology - matters of disagreement following expert conferencing

Relocation / reformatting of the ‘Summary of Landscape Values’ section

15. Mr Skelton considers that the Summary of Landscape Values section of the PA Schedules should be deleted, with the rating of the Physical, Associative and Perceptual attributes and values ‘relocated’ to the end of the relevant subsection in the main body of the PA Schedule.
16. Overall, I am relatively ambivalent about Mr Skelton’s recommended change. The benefit would be that the schedules would be marginally shorter, and potentially reduce repetition.

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The disadvantage is that a comparison between how the various values have been described and rated would not be as simple to read. On balance, I consider that the Summary of Landscape Values as they are currently formatted is the preferable approach.

17. Mr Espie and Ms Smetham consider that the Summary of Values sections should be redrafted to: clarify that it relates to “key” landscape values only, and list the specific values that contribute to the rating of Physical Values.
‘Key Landscape Values’
18. I consider that their proposed change risks relegating some attributes and values to the ‘backseat’, while others take on increased importance and become a point of focus for schedule readers.
19. In the JWS dated 2 October 2023, it was agreed that the PA Schedules are to be read in full.⁴ As such, ‘ranking’ attributes (and their values), or placing more importance on some over others, would depart from this agreed approach.
20. Relying on my detailed landscape assessment of fourteen of the PAs (and moderation of the remaining fifteen PAs), the PAs encompass a complex range of intertwined landscape attributes and values. Extracting some attributes and values into a short summary statement of key landscape values will likely cause others to be overlooked when undertaking site-specific assessments, which is problematic when some important attributes and values may not be so immediately obvious at a wider PA scale.
21. Mr Espie and Ms Smetham suggested that landscape places or features that were ‘named’ on a topomap could be considered ‘key’, whereas unnamed streams (as an example) would not. In my experience unnamed streams can have very important attributes and values, including incised gorges, associated vegetation patterns, ephemeral waterfalls, contribution to broad landscape patterning and so forth. In my view, focussing on what is listed as ‘key’ aspects of the PA could lead to an overall failure to achieve the relevant PDP landscape policy directions for ONF/L and RCL.

Physical Values Summary Statement

22. In my opinion, the PA Schedules already comprise a summary of landscape attributes and values. These have been distilled down by the schedule authors, drawing from extensive landscape and other expert assessment work. This is acknowledged in the 2 October JWS, at paragraph 4(c). I am of the view that all of the high value attributes (and values) described in the Physical Values section of schedule are of relevance, as signalled in the Summary of Physical Values text.
23. Further, I note that the PA Schedules are technical documents that will primarily be referenced and interpreted by landscape experts to assist plan users and decision makers. I consider that landscape experts will understand which of those entries relate to ‘high value’ physical landscape attributes (and values) and which will not (e.g. pests and weed species).

4 See Landscape JWS Monday 2 October: [4](a).

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No landscape capacity terminology

24. I support the change in rating terminology from ‘no landscape capacity’ to ‘extremely limited or no landscape capacity’. This is for the following reasons:

24.1 The explanatory text for the (new) ‘extremely limited or no landscape capacity’ rating clearly signals that typically such development will be inappropriate (i.e. materially compromise landscape values).

24.2 The use of the word ‘or’ in the rating terminology, along with the explanatory text, signals that a rating of ‘no landscape capacity’ may well be appropriate for the land use in the specific PA.

24.3 The explanatory text describes the instances where such land-uses might be appropriate as ‘exceptions’, going on to expand that appropriate development would comprise ‘occasional, unique or discrete development that protects landscape values’.

Response to recent lay evidence

25. Mr and Mrs Smith have prepared a statement of evidence in relation to 21.22.4 Morven Hill PA ONF and draw attention to what they consider is an inconsistency between the physical, associative, and perceptual values included in the Morven Hill, Slope Hill, Peninsular Hill and Ferry Hill PA Schedules. They usefully set this out in their evidence at table 1 reproduced below (**Figure 2**).

	Morven Hill	Slope Hill	Peninsula Hill	Ferry Hill
Physical Values	high	Very high	high	high
Associative Values	moderate	High	high	high
Perceptual Values	high	Very high	very high	high
Relevant Landscape - capacity for Rural Living	No Landscape capacity	Extremely limited with qualifications	Extremely limited with qualifications	Extremely limited with qualifications

Figure 2

26. Mr and Mrs Smith point out that the capacity for rural living in the rebuttal version of the Morven Hill PA Schedule has a ‘**no** landscape capacity’ rating, while the other ‘hills’ have an ‘**extremely limited** landscape capacity’ rating (Figure 2). They request that the landscape capacity rating for rural living for the Morven Hill PA be changed to ‘**extremely limited**’, with qualifications to address what the submitter views as an inconsistency.

27. One of the outcomes from the conferencing on 2 – 3 October 2023 was to remove the most restrictive ‘**no** landscape capacity’ rating on all PA schedules for all activities and replace it with ‘**extremely limited or no** landscape capacity’. In addition, during the PA specific

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conferencing, several qualifiers were agreed between Mr Skelton⁵ and I for the Morven Hill PA Schedule to read:

(xii) Rural living – extremely limited or no landscape capacity, except within existing approved residential building platforms or where adjacent to SH6 on the extreme lower slopes of the Morven Hill ONF and where reasonably difficult to see.

28. This does not address the south west ‘tip’ of Morven Hill, where Mr and Mrs Smith’s evidence is concerned. Relying on my knowledge of the area (including field work) and without more detailed information, I retain the view that additional rural living is unlikely to be appropriate on the south west tip of ‘Little Morven Hill’, as this would not protect ONL values. Morven Hill is adjacent to the Kawarau River corridor and beyond that, the Northern Remarkables PA. Clear northwards views across a broad terrace to the submitters land are possible from parts of the Queenstown Trail. For this reason, the south and south west tip of Morven Hill is highly visible and is characterised with high levels of naturalness. Built form is absent.
29. I acknowledge that the schedules are ‘high-level’ and prepared at a PA scale. There could be some potential for a very carefully sited and well-designed ‘reasonably difficult to see’ dwelling on the extreme lower slopes of ‘Little Morven Hill’, but this would need to be subject to a detailed site-specific landscape assessment.
30. Mr and Mrs Smith request amendments to the text under **Important land use patterns and features** (red text) to read:
- [7] Predominantly used for extensive pastoral farming (cattle, goats, sheep or deer), balage/hay or hobby farming. Limited farming infrastructure, including farm tracks, fencing, stock yards, water tanks and four farm sheds.*
31. Based on the evidence provided by the submitter describing the current land use activities, I support these amendments and have included them in the updated version of the Morven Hill PA Schedule, which was filed with the Council’s legal submissions.

Jeremy Head

Date: 16 October 2023

5 Mr Skelton was conferencing on behalf of SYZ Investments Ltd and provided viewshed and slope mapping, and site photographs that were informative during conferencing.