

Before the Hearing Panel  
Appointed by the Central Otago District Council

Under                                      The Resource Management Act 1991

In the matter of                      Private Plan Change 14 to the Central Otago District Plan

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**Evidence of Tony Douglas Milne**

13 May 2020

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**Applicant's solicitors:**  
Sarah Eveleigh  
Anderson Lloyd  
Level 3, 70 Gloucester Street, Christchurch 8013  
PO Box 13831, Armagh, Christchurch 8141  
DX Box WX10009  
p + 64 3 379 0037 | f + 64 3 379 0039  
sarah.eveleigh@al.nz

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lloyd.**

## Introduction

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- 1 My name is Tony Douglas Milne.
- 2 I am a Landscape Architect and director of Rough and Milne Landscape Architects Limited, which is a Christchurch based consultancy established in 2010.
- 3 I hold a Bachelor of Arts degree from the University of Canterbury and a Bachelor of Landscape Architecture degree from Lincoln University. I am a registered member of the New Zealand Institute of Landscape Architects (NZILA).
- 4 I have been practicing as a landscape architect since 1995. Our consultancy is involved in a wide range of landscape design and land planning projects throughout New Zealand. Many projects have involved preparing reports and evidence, which address matters of visual impact and landscape effects concerning proposed developments.
- 5 My role in relation to the PC14 Application has been to provide advice in relation to landscape strategy for the proposal and assess landscape and visual effects. Rough & Milne prepared a landscape strategy document for the application site and I co-authored the landscape and visual assessment (LVA) report accompanying the Application, which appears at Appendix E of the AEE. In the course of providing these services I have visited the application site on several occasions and have familiarised myself with its general surroundings.
- 6 In preparing this statement of evidence I have considered the following documents:
  - (a) the AEE accompanying the Application;
  - (b) planning provisions relevant to my area of expertise (more specifically, within Central Otago District Plan Sections 2, 4, 12 and 16);
  - (c) Section 42A report and peer review with respect to landscape and visual amenity matters; and
  - (d) Submissions relevant to my area of expertise.

## Code of Conduct for Expert Witnesses

- 7 While this is not a hearing before the Environment Court, I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2014 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

## Scope of evidence

- 8 I have prepared evidence in relation to the landscape and visual amenity outcome of the proposal. This includes:
- (a) an executive summary;
  - (b) the project process and application amendments;
  - (c) the application site (landscape description);
  - (d) the proposal;
  - (e) matters raised by section 42A report;
  - (f) matters raised by Submitters;
  - (g) a conclusion.
- 9 The proposal is illustrated in a Graphic Supplement, dated 20 May 2019, which was lodged as part of the Application. I refer to this throughout the evidence as the Graphic Supplement or GS.

## Executive Summary

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- 10 I co-authored the landscape and visual assessment (LVA) report accompanying the Application, which appears at Appendix E of the AEE. This report has been peer reviewed by Mr Espie of Vivian & Espie.
- 11 Overall, I consider that the Plan Change, and the proposed Structure Plan responds appropriately to the application site's attributes, sensitivity and the surrounding environment.
- 12 I have undertaken an assessment of landscape effects and find that effects on the ONL will be avoided. Positive effects are associated with the extension of the ONL area and provision of public access for recreation. Effects on the SAL will be largely mitigated or avoided through designation of no build zones on the visually sensitive ridgelines and bespoke rules for larger lot development that will ensure it can be readily absorbed. I consider that a low degree of openness and naturalness will be lost within the SAL.
- 13 The lower elevations of the application site will be considerably more changed, but I consider that they are relatively contained and already modified so have greater capacity for change. These areas will form a rural enclave of varied rural lifestyle lots at the core of the application site. Large lots on the periphery paired with an amenity edge of planting will provide a transition into the surrounding rural

landscape, to protect the rural character of the surrounds. As a result, I consider the proposal an integrated extension to an existing rural lifestyle character.

- 14 The peer review by Mr Espie is generally in agreement with the findings of the LVA. The report agrees that adverse effects on the ONL will be avoided. Mr Espie considers that '*there will be some effect on the openness and naturalness of the hill slopes that lie within the SAL but this will be of a low degree and considerably contained.*' In relation to visual effects, Mr Espie has rated adverse effects up to moderate-low for the viewpoints provided.
- 15 Mr Espie's report comments on several areas that require clarification, this includes further description of the SAL and Ripponvale areas values, further explanation for the proposed ONL and SAL boundary shifts, landscape effects on the Ripponvale area and further discussion of visual amenity effects in relation to adverse effects and additional viewpoints. I have addressed these comments in the body of the evidence, and this has not changed my conclusion.
- 16 The Council Planner's report prepared by Mr Whitney has a different view on the rating of landscape and visual effects. These seems to be largely based on his view that some of the proposed lot sizes reflect "large lot residential" sizes and he questions the appropriateness of the proposed zone.
- 17 Although not defined in the District Plan, I consider 'rural lifestyle' or 'rural living' to be a residential land use located within a rural area with lot sizes appropriate to the PC14 site and setting. I have considered the rural lifestyle outcome for the proposed RuRA(5) and consider that this will maintain and enhance rural amenity values and reflect the policy outcomes of the RA. As a result, my conclusions are unchanged. I consider the proposal will be appropriate within the site and more importantly its setting.

## **The Project Process and Application Amendments**

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- 18 This section provides a brief summary of the application amendments.

### *Application Amendments*

- 19 There have been no fundamental changes to the Structure Plan as lodged with the Application. Mr Giddens in his evidence addresses any post Application changes to the Rules package. I also make comment in regard a proposed new condition regarding lighting.
- 20 As part of my evidence I provide a new A3 Graphic Supplement in colour including an updated Structure Plan, viewpoint images and additional new maps and plans. These provide additional information and include minor amendments and illustrations to address aspects of the proposal that were raised in submissions,

Council's section 42A report and the associated technical reports. I refer to this throughout my evidence as GS-E. I also use imagery from the GS-E throughout my evidence.

21 Amendments to the Graphic Supplement include:

- (a) Addition of new viewpoints along State Highway 6 and Ripponvale Road.
- (b) Addition of a viewpoint model of the structure plan overlaid with the PC14 site topography to illustrate visibility of the proposed zone from each viewpoint.
- (c) Addition of a contour plan for the application site.
- (d) Addition of other maps plans and images of relevance.

22 The amended Structure Plan is shown in Figure 1 below (*refer also to Sheet 19 of the GS-E*).



Figure 1: Amended Structure Plan

23 The amended Structure Plan shows the following changes:

- (a) Addition of the proposed SAL alignment.
- (b) Addition of noise contours.

## Landscape description and values of the application site

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- 24 The Landscape and Visual Assessment (LVA) appended to the Application fully describes the landscape and landscape values of the application site. The peer review undertaken by Mr Espie<sup>1</sup> generally accords with this description and therefore I do not consider it necessary to repeat this in detail again. However, it is important to reiterate several key aspects of this as these underpin the form of the Structure Plan.
- 25 The application site is zoned Rural and generally has attributes consistent with a rural character. In a broad sense, the application site character and amenity are derived from the natural character of the adjacent Pisa Range and the rural character of the orchards, agricultural land and open pastures within the Ripponvale area. It is also derived from the evolving rural lifestyle land pattern associated with Ripponvale Road to the south of the site. Within the PC14 site, landscape character has varying degrees of pastoral and natural character. A closer examination of the application site reveals that generic rural character is varied across it.



*Figure 2: Application Site Character Zones*

- 26 Due to the PC14 site's distinct features and transitional landscape character, four-character areas were identified during the preparation of the Structure Plan. These

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<sup>1</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.3

have been delineated on the aerial photograph in Figure 2 above (*refer also to Sheet 17 of the GS*). A summarised description of each area follows:

- (a) Farmland Basin – This area is flat to gently sloping displaying a prominent rural character attributed to land use modifications from rural activities. Natural character is reduced by human modifications. Amenity is derived from the rural setting and views to the surrounding landforms, which contribute to a sense of containment.
- (b) Farmland Terraces – This area consists of the low hills and terraces between the basin and upper slopes. A rural character is attributed to land use modifications. Natural character is attributed to the underlying landform. Amenity is derived from the rural setting and views to the surrounding landforms.
- (c) East Gully – Gentle sloping valley with gully at the base and prominent ridgelines, overlaid by the SAL designation. Modified landcover of sparse grasses with few other modifications, primarily fence lines and water races. Moderate natural character attributed to the expressive landform. Open and spacious character with visual significance.
- (d) West Slope – Steep and rugged slope at the base of the Pisa Range, overlaid by the ONL designation. Features a prominent gully with ephemeral stream and native vegetation. There is sparse vegetation across the rest of the slope and limited modification, primarily farm tracks. Exhibits high natural character, high amenity value and visual significance.

## **The Proposal**

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- 27 There have been no fundamental changes to the proposal and the landscape components of the proposal were described in Section 4 of the Landscape and Visual Assessment (LVA).
- 28 The proposed Structure Plan layout, as shown in Figure 1 above and Sheet 19 of the GS-E, provides a bespoke response to the land and creates a varied rural lifestyle development. This is the crux of the Structure Plan.
- 29 Within the core of the application site, on the flat to gently sloping land of the 'Farmland Basin' and low slopes of the 'Farmland Terraces', RLA1-RLA3 areas will form an enclave of small rural lifestyle lots. These rural lifestyle areas are located in close proximity to open space to provide recreation opportunities as well as amenity. I consider that these areas of the PC14 site have a higher capacity to absorb this change as they are less visually prominent and already have undergone significant modification.

- 30 Along the south boundary and within the 'East Gully' larger lots have been proposed including RLA4 and RLA5. I consider that placing these larger rural lifestyle lots along the south boundary will help to minimise effects of the development on the surrounding landscape by transitioning from the small lots at the core to large lots at the edges. Similarly, larger lots on the 'East Gully' slopes will not be out of scale with surrounding patterns of development to the south and will ensure a carefully managed approach to the more sensitive areas of the application site within the SAL.
- 31 I consider that a range of lot sizes is appropriate as it provides a considered response to the PC14 site's attributes, character and sensitivity, as well as integration with the surrounding environment. This is not unlike the provisions within Section 4 of the CODP for some of the other Rural Resource Areas within the district.
- 32 A road network and open space network have also been indicated in the Structure Plan. This will enable a high degree of permeability and connectivity for a range of transportation modes through the application site and opportunities for recreation and amenity within the site for resident and public use.
- 33 The planted amenity edge along Ripponvale Road and the boundary with the proposed horticulture block helps to transition into the development from the surrounding rural land uses serving to avoid issues of reverse sensitivity, enhance the visual amenity of the development frontage, and reduce landscape and visual effects on adjacent properties.
- 34 Proposed rules, described in Appendix A of the Application include conditions for development in each Rural Lifestyle Area relating to building height limits, site setbacks, landscape requirements, fencing controls and proposed planting palette. These bespoke rules have been developed to integrate the development within the setting and maintain and in places enhance rural amenity.
- 35 A Landscape Strategy + Structure Plan document, prepared by Rough & Milne and dated 20 May 2019, was included with the PC14 application. The purpose of this document is as a site analysis and development vision document. As such it demonstrates the comprehensive development vision and bespoke response to the PC14 site. This document should be read as background information to the Plan Change process.

#### **Matters Raised in the Section 42A Report**

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- 36 As discussed, I have read the Council Planning Officer's s42A report, as well as Council's landscape and visual amenity report prepared by Mr Espie. Matters raised are addressed in the following sections.



Peer Review of Landscape and Visual Assessment

- 37 While Mr Espie<sup>2</sup> acknowledges that the Covid-19 situation prevented him making a site visit, I do understand he is familiar with the area and provided expert evidence on PC12 for Wooing Tree. In summary, while acknowledging that certain points require additional examination, Mr Espie's report<sup>3</sup> concludes stating:

*'The conclusions stated in the R&M Report are agreed with in that PC14 has been designed to respond to its landscape setting to bring about a sympathetic result and effects on the ONL will be avoided (indeed there will be a slight positive effect). There will be some effect on the openness and naturalness of the hill slopes that lie within the SAL, but this will be of a low degree and will be considerably contained. From some particular viewpoints, visual amenity will be affected to a degree that ranges up to moderate-low. As discussed however, visual and character effects on the immediate context of the site and some unexamined viewpoints require more assessment and/or commentary.'*

- 38 He has made the following comments and recommendations which I have addressed in the following sections:

- (a) The Existing Environment:
  - (i) Provide a more comprehensive discussion of Ripponvale Road area
  - (ii) Reference the district-wide landscape assessment prepared by LA4 when describing values of the SAL
- (b) The Proposal
  - (i) Clarify the proposed alignment of the ONL boundary
  - (ii) Clarify the proposed alignment of the SAL boundary
- (c) Assessment of Landscape Effects
  - (i) Definition of Landscape Character
  - (ii) Landscape effects on ONL
  - (iii) Landscape effects on SAL
  - (iv) Landscape effects on Ripponvale area

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<sup>2</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.1

<sup>3</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.11

- (d) Assessment of Visual Amenity Effects
  - (i) Further information: visual representation
  - (ii) Rating of adverse effects on visual amenity
  - (iii) Further information: additional views
  - (iv) Discussion of private outlook

(a) *The Existing Environment*

39 Mr Espie, in his peer review<sup>4</sup>, was in general agreement of the description as contained at Section 3 of the LVA. However, Mr Espie commented on the brevity of my description in places and I take this chance to expand on my description of Ripponvale and the SAL as recommended in Mr Espie’s peer review.

40 Mr Espie<sup>5</sup> has also recommended a review of The District Wide Rural Landscape Assessment prepared by LA4 Landscape Architects<sup>6</sup>, in relation to the qualities of the SAL, could be useful. For completeness, I have done this, and it is referenced and included in my description below. Fundamentally this does not change my previous appreciation of the existing landscape character and values of the Ripponvale area or the SAL.

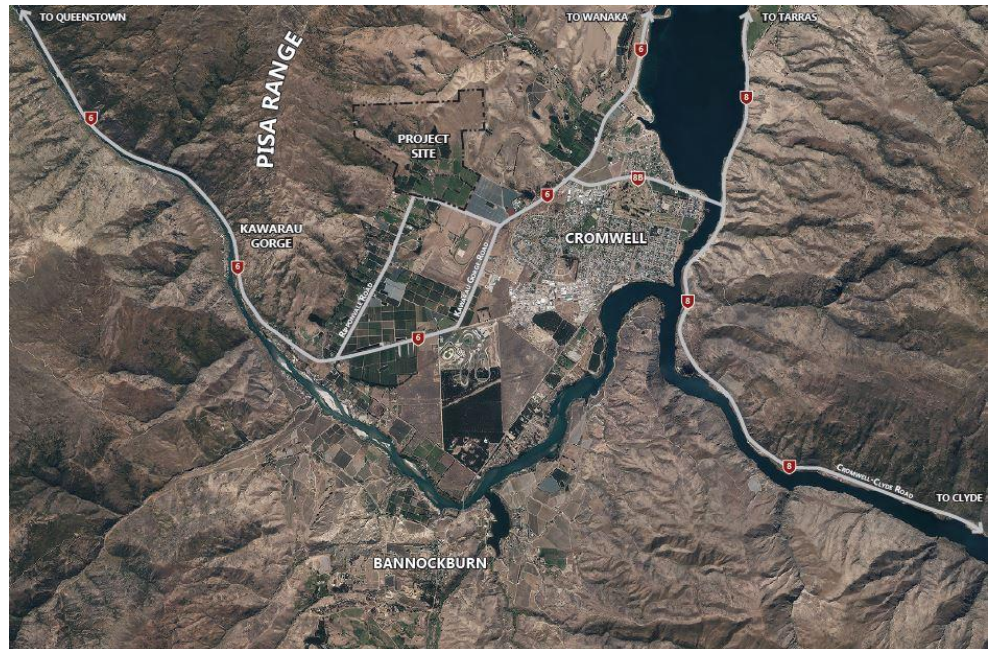


Figure 3: Application Site Wider Context, refer to Sheet 4 of the GS.

<sup>4</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.3

<sup>5</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.3

<sup>6</sup> Central Otago District Rural Review Landscape Assessment prepared by LA4 Landscape Architects (2008)

(i) *Description of the landscape and values of the immediate Ripponvale area*

41 The Ripponvale area has attributes consistent with a rural character, derived from a dominance of horticultural and agricultural land uses and presence of modifications in the form of farms and associated buildings, orchards, clearings, shelterbelts, fenced paddocks and an increasing presence of rural lifestyle lots and dwellings.

42 There is a visual connection to the west foothills of the Pisa Range, though the Ripponvale Road north-south corridor is relatively contained by the close proximity of roadside shelterbelts and orchards with associated netting. An overlay of rural lifestyle also encompasses the area south of the PC14 site along the north-south limb of Ripponvale Road. This reflects the desire of people wishing to enjoy the lifestyle opportunities offered by the characteristics of the rural environment.



*Figure 4: Drone image of east-west limb of Ripponvale Road – Friday 8 May 2020*



*Figure 5: Drone image of north end of north-south limb of Ripponvale Road – Friday 8 May 2020*

- 43 Sheet 4 of the GS-E portrays the current concentration of orchards across the Ripponvale Area, this graphic was included in the Horticulture NZ submission.<sup>7</sup> I note that the concentration of orchards is greater in the south portion of the Ripponvale area.



Figure 6: Locations of Orchards, from Horticulture NZ Submission

- 44 The zoning within the Ripponvale area and in particular, north of the east-west limb of Ripponvale Road is Rural Resource Area with areas of Rural Residential overlay concentrated along the north-south limb of Ripponvale Road, to the south of the application site. The Rural Residential overlay lots generally range in size from 0.5ha to 6ha. A number of these lie immediately south of the application site. A plan showing existing lot sizes across the Ripponvale areas was included in the Demand and Supply report, *refer to sheet 4 of the GS-E*, this plan suggests a rural living pattern more associated with the northern extent of Ripponvale Road than the south.

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<sup>7</sup> Submission on PC14 – Shannon Farm by Horticulture New Zealand (2019) p.3

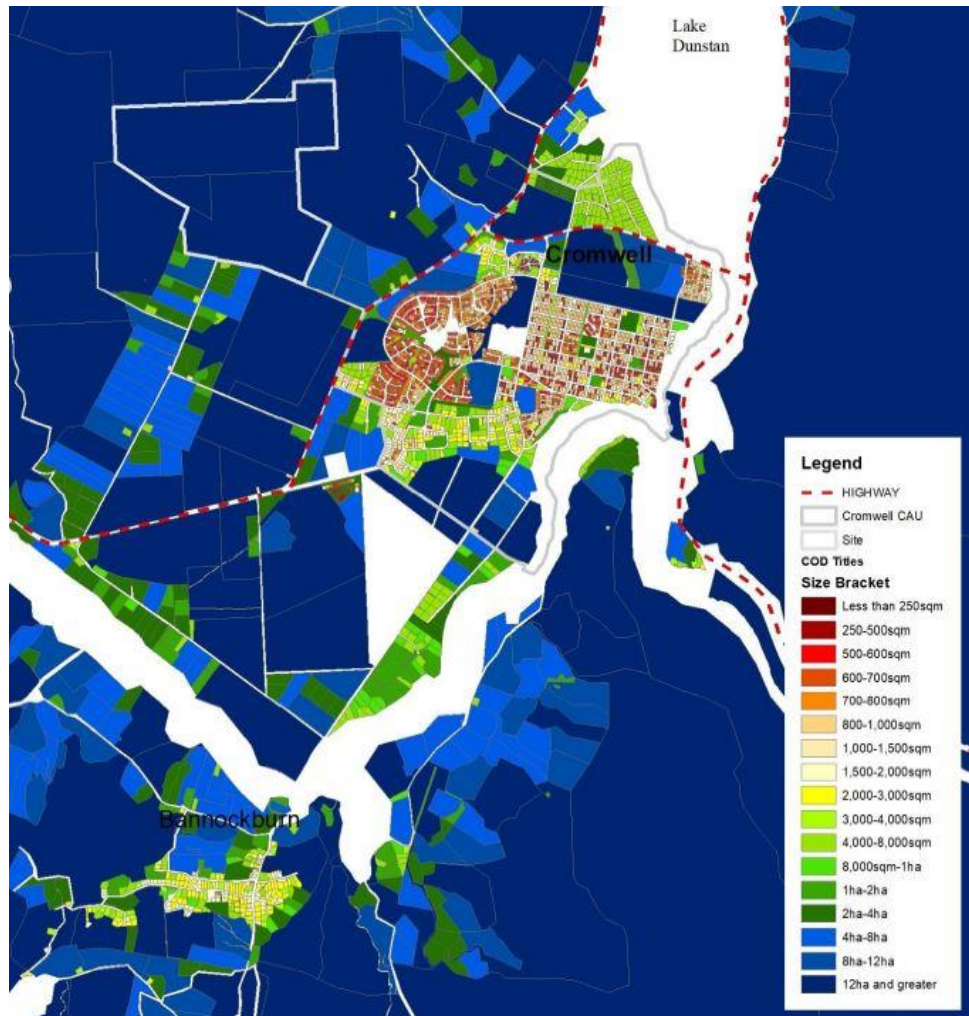


Figure 7: Lot Sizes, from Demand & Supply Report

45 The District Wide Rural Landscape Assessment prepared by LA4 Landscape Architects,<sup>8</sup> identifies the Ripponvale area as part of the 'Fruit Growing Areas' landscape category. This report provides a scale for rating sensitivity from 2 (low sensitivity) through to 7 (extreme sensitivity). The rating given to the Ripponvale area is 3, Limited Sensitivity, which is described as: *'Below average landscape quality.'* The report describes the fundamental qualities of the area and states that the distinguishing quality is the *'generally flat land, rich soil, fruit trees broken up with shelter belts.'* The report describes the character and amenity of the area as follows:

*'These units have an essential horticultural character as distinct from a natural character and have a moderate aesthetic value. They do not display any particular vividness though there is a continuity of patterning and themes which is very attractive.'*

<sup>8</sup> Central Otago District Rural Review Landscape Assessment prepared by LA4 Landscape Architects (2008)

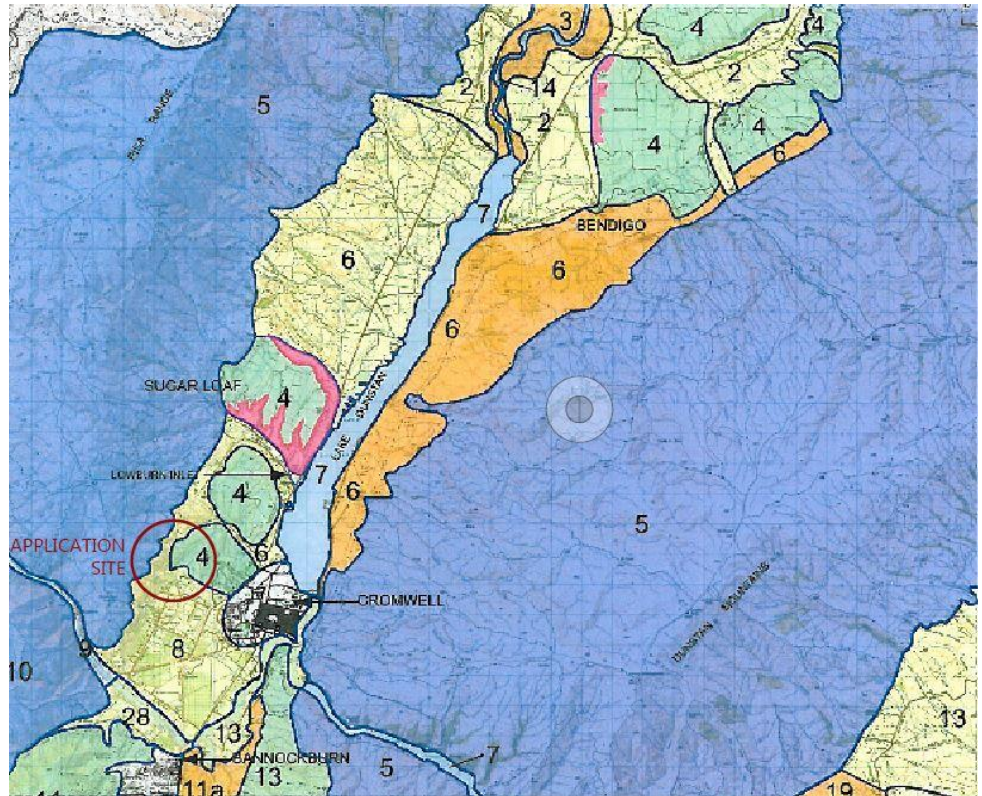


Figure 8: Landscape Sensitivity Map and Unit Identification (Please note numbers on this map refer to Landscape Units, not Sensitivity Rating. The colours on the map indicate Sensitivity Rating – refer to Sheet 5 of the GS-E)

46 In addition to the comments above, the authors of the report have assessed natural character as low and consider that visual absorption capability is fairly high due to the variety of land uses, the numbers and size of trees and existence of houses and packing sheds. They conclude that the landscape offers the opportunity for additional development provided it is carefully sited and make the following recommendation:

*‘Objectives and Policies for these areas might be directed at retaining as many of their present characteristics as practicable such as the trees and shelterbelts and an environment amenable to horticulture at the same time as allowing some freedom to change and develop.’*

47 I consider that this description is not dissimilar from my understanding of the existing environment and generally aligns with the values and characteristics as I have set out above and which have informed the LVA. The main difference lies in that since 2008, the date of this assessment, the overlay of rural living within this area has continued to evolve.

(ii) *Description of the landscape and values of the SAL*

48 As described in the LVA appended to the Application, the low terraces at the base of the Pisa Range are partly encompassed by a Significant Amenity Landscape

overlay. The SAL displays a moderate level of natural character, primarily attributed to the folded landform.



Figure 9: SAL in the north-east part of the application site

- 49 Evidence of human modification includes the presence of historic water races and fence lines. The vegetation cover is a modified grassland with reduced ecological value attributed to farming practices. These modifications are not as evident when viewed from greater distances and the landform and colour/texture of the grassland read most strongly. This landscape portrays rural amenities including spaciousness due to the large open areas of land utilised for rural activities, absence of built form and exposure to the natural processes of climate and weather.
- 50 The District Wide Rural Landscape Assessment prepared by LA4 Landscape Architects,<sup>9</sup> rating given to the SAL is 5, Significant Sensitivity, which is described as: *'Landscape of District Significance. Above average quality, some high natural character values.'* I have set out a summary of the key aspects of the report relating to the character and qualities of the SAL in the following paragraphs.
- 51 Within the report, the SAL overlaying the application site is identified in the 'Terraces' Landscape Character Category and has been identified as part of Unit 4, described as the *'flat topped glacial river terraces.'* The broad landscape descriptions provided correspond also to the terraces of Lowburn, Bendigo and Ardour as well as the sloping plain east of the Dunstan Range.
- 52 No specific values for the SAL overlaying the application site have been given. This is understandable given the scale of the assessment was a district wide one and it is my experience that assessments at such a scale require site specific 'ground truthing'. The landforms are described as having *'flat tops and steep side slopes'*, having a form that is *'distinctive, clear and angular'*, *'covered in a very sparse cover of grass'*, having *'shelter belts or blocks of pine trees in some places'* and having *'bare stream gullies down the face of the terraced slopes'*.
- 53 The report describes the distinguishing feature of these landscapes as *'their visual exposure and lack of screening'* and that *'these units have moderate to large*

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<sup>9</sup> Central Otago District Rural Review Landscape Assessment prepared by LA4 Landscape Architects (2008)

*viewing audience*'. As a result, visual absorption capability has been assessed as low due to *'lack of vegetation cover and open expansive character'*. Natural character is considered to be high due to the distinctive landform although vegetation is highly modified. The report concludes that *'there is capacity in these areas for some development, but the edges of the terraces are exposed, and any buildings or earthworks are likely to be highly visible'*

54 When one considers the above, in the context of the PC14 land, I am comfortable with my original assessment, as set out in the LVA, of the level of natural character of the SAL overlay land to be moderate. The reason for this is that my assessment is site specific rather than a high-level district wide discussion.

55 Furthermore, and regarding the described value of 'visual exposure', I agree that this value is important. While not explicitly discussed in the LVA, 'visual exposure' has most certainly been considered in my previous assessment. This is not only evident in the assessment of effects from the selected viewpoints, but fundamentally in PC14's response to the application site in the layout of the Structure Plan and proposed rules, as described later.

(b) *The Proposal*

56 Mr Espie's peer review<sup>10</sup> requests further clarification regarding the proposed location of the ONL and SAL boundaries, which is addressed below.

(i) *Proposed Amendment to the ONL Boundary*

57 The Pisa Range ONL on the west part of the application site has been excluded from the rural lifestyle subdivision, use and development and is not included within RuRA5. Further, I have proposed that the ONL line be shifted. The existing alignment of the ONL line crosses the face of the slope midway up and does not follow the form of the slopes or seem to follow a defined elevation. I consider the alignment of the original ONL is the result of a high-level study, the current proposal provides an opportunity to correct the ONL alignment to ensure protection of this landscape. I note that in his peer review Mr Espie<sup>11</sup> concurs with this. The proposed alignment shifts the boundary toward the base of the slope, following the shape of the landform in response to the topography of the PC14 site and to include a larger portion of the visibly prominent slope which exhibits a high natural character.

(ii) *Proposed Amendment to the SAL Boundary*

58 As with the ONL, I consider that the existing alignment of the SAL is likely the result of a high-level study and the current proposal provides an opportunity to correct

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<sup>10</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.4

<sup>11</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.3



the SAL alignment by a process of 'ground truthing'. I have proposed that the SAL alignment follow the contouring of the land (approximately the 310m amsl contour) at the transition between the 'Farmland Terraces' and 'East Gully' as I consider the character of these two areas to differ slightly in that the 'Farmland Terraces' have a greater degree of modification and rural activities, including orchards and pine stands.

59 This alignment also corresponds with the visual significance of the two zones, as the 'East Gully' has a greater extent of visual significance within the surrounding environment, whereas the 'Farmland Terraces' below approximately the 310m amsl contour, appear as an extension of the lower site and are frequently screened by vegetation within views from the surrounding environment. While this results in a slightly reduced area covered by the SAL overlay, I find that this better reflects the landscape and amenity values that are sought to be accommodated.

(c) *Landscape Effects*

60 Mr Espie, in his peer review<sup>12</sup>, has commented on some aspects of my assessment of effects on the ONL, SAL and the receiving environment, which I address in the following paragraphs. I also note that Mr Whitney provided some additional comments; I have commented on this below where relevant.

(i) *Definition of Landscape Character*

61 Regarding discussion in paragraphs 14-16 of Mr Espie's peer review<sup>13</sup> on terminology, I confirm I have followed the NZILA best practice and the UK landscape assessment guidance for the definition of landscape character which includes the patterns, elements and processes that make up a landscape which contribute to its identity and 'sense of place'.

(ii) *Landscape Effects on Outstanding Natural Landscape – Pisa Range*

62 As described in the LVA, in order to protect the ONL values of the Pisa Range, from the adverse effects of inappropriate subdivision, use and development, the ONL land has been excluded from the RuRA5 zoning and existing provisions for protection of the ONL continue to apply. Further, PC14 provides for the ONL to be expanded to the transition between the upper slope and lower terraces to afford greater protection of natural character, Furthermore, I consider there are some positive effects arising from this, namely in the further avoiding effects on an ONL which is a matter of national importance.

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<sup>12</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.6

<sup>13</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.4

63 Overall, I note that Mr Espie<sup>14</sup> agrees that PC14 will avoid adverse effects on the ONL. In response to Mr Whitney's comments<sup>15</sup>, I am comfortable accepting the term 'avoid' in place of 'mitigate and avoid'.

(iii) *Landscape Effects on Significant Amenity Landscape*

64 In consideration of the further information provided in relation to the values and character of the SAL as existing, I consider that my original statement is accurate and that significant adverse effects on the SAL will be avoided. I reiterate my previous findings that the proposal will largely avoid or mitigate adverse effects on the SAL. I consider that adverse effects of low degree will result and are attributed to a minor loss of natural character. As such, I consider the proposed Plan Change will maintain the landscape values which contribute to its designation as a Significant Amenity Landscape.

65 Overall, I note that Mr Espie<sup>16</sup> considers the LVA finding, that the effects on the SAL will be avoided or mitigated, is 'agreeable'. This is followed up later by a comment regarding low level effects on the SAL, stating '*There will be some effect on the openness and naturalness of the hill slopes that lie within the SAL, but this will be of a low degree and will be considerably contained.*'<sup>17</sup>

(iv) *Landscape Effects on Landscape Character and Quality of Ripponvale Area*

66 The landscape character of Ripponvale is described previously as portraying a working rural character with an overlay of rural lifestyle character.

67 I consider that the PC14 site has high capacity to absorb of the type of development proposed in the Plan Change, particularly on the lower elevations of the site which are bound to the west and north by the Pisa Range and low terraces, respectively, giving privacy to the site and limiting the landscape effects on the surrounding rural character. Although PC14 will inevitably change the rural character of the application site through a change in land use, it will not degrade the quality of the surrounding landscape. The proposed development will complement the evolving rural lifestyle character of the surrounding environment.

68 This is achieved through a considered approach to the application site as presented in the proposed Structure Plan and described above. On the site's periphery and within the visually sensitive areas of the site, larger lots have been

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<sup>14</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.6

<sup>15</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.14

<sup>16</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.6

<sup>17</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.12

proposed which are consistent with the scale of existing lot sizes along the north section of the north-south limb of Ripponvale Road.

- 69 Along the south boundary and adjacent to existing rural lifestyle lots, the proposed RLA4 will contain lots of 1-hectare beyond a planted amenity setback which will serve to help transition from the surrounding rural landscape character into the core of the application site. On the 'East Gully' slope larger lots are proposed on the lower slopes with defined no build areas to ensure effects on the character of the surrounding area are minimised.
- 70 The proposed Plan Change will result in only low-moderate adverse effects on the receiving environment as a result of the careful location of the various activity areas in relation to the receiving landscape. Further to that, rules and design measures will mitigate or ameliorate short term adverse effects - not atypical to new development in rural settings, as amenity planting becomes established.

#### *Landscape Effects Conclusion*

- 71 Mr Espie's peer review<sup>18</sup> is generally in agreement regarding landscape effects, finding that:
- 72 *'Broadly speaking, the conclusions of the R&M report appear agreeable; some low-degree adverse effects on landscape character will eventuate but in a way that is relatively contained and in terms of broad-scale patterns of landscape character, the changes brought by PC14 are considered to be consistent with their setting. However, more consideration of the Ripponvale Road area is needed.'*
- 73 I have addressed effects on the Ripponvale area above. Overall, the rural character of the application site will change from a working farm to the rural lifestyle character of a rural enclave set amongst the context of a rural environment and the backdrop of the Pisa Range. Within the context of the application site, I consider that this is an appropriate change as a result of the considered design of the Structure Plan and will avoid unacceptable adverse effects on the surrounding landscape.
- 74 There are many positive effects on landscape and amenity resulting from the proposal including the expansion of the ONL to protect the areas of the application site with high naturalness and amenity, access to the ONL for public recreation, the improvement of ecological values of the site through native planting, introduction of open space corridors within central areas of the development, and an increase in general amenity which will be derived from a high quality landscape setting.

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<sup>18</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.7

(d) *Visual Amenity Effects*

(i) *Further Information – Visual Representation*

75 A visual amenity assessment has previously been undertaken in the LVA for ten representative viewpoints within the receiving environment of the PC14 site. These pages have been amended to include a model of the Structure Plan from the same viewpoint location in order to clarify which areas of the proposal will be visible. This was a suggestion of Mr Espie<sup>19</sup>, as also adopted by Mr Whitney. *Refer to pages 8-13 of the GS-E.*

(ii) *Adverse Rating of Visual Effects*

76 Mr Espie, in his peer review<sup>20</sup>, has discussed the importance of describing if the effect on visual amenity is adverse, neutral or positive and to what degree. Noting that a change in visual amenity is not necessarily adverse unless the new element is at odds with or degrades the visual amenity that would otherwise be experienced. I very much concur with Mr Espie that a change in visual amenity does not necessarily follow to an adverse effect.

77 I agree with Mr Espie that adding the descriptor adverse, neutral or positive is useful and provides further clarity when assessing landscape and visual effects. Although not stated as such, I confirm that the assessment of visual effects made in relation to each viewpoint in the LVA is my assessment of the rating of adverse effects. This does not materially change my assessment.

78 I have included the following summary of my assessment of visual effects in relation to each of the original viewpoints and have clarified the adverse effects from each viewpoint.

Viewpoint	Assessment Rating	Description of adverse effects
1	moderate-low	minor loss of openness and naturalness within the 'East Gully' SAL
2	moderate	partial loss of openness and naturalness within the 'East Gully' SAL, visibility of development to a small degree on the 'Farmland Terraces'
3	moderate	partial loss of openness and naturalness within the 'East Gully' SAL,

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<sup>19</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.9

<sup>20</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.8

		visibility of development to a small degree on the 'Farmland Terraces'
4	low	slight loss of visual simplicity of the 'East Gully' SAL
5	moderate	partial loss of visual simplicity within the 'East Gully' SAL, visibility of development to a small degree on the 'Farmland Terraces'
6	moderate	partial loss of visual simplicity within the 'East Gully' SAL, visibility of development to a small degree on the 'Farmland Terraces'
7	moderate	partial loss of visual simplicity within the 'East Gully' SAL
8	moderate	partial loss of visual simplicity within the 'East Gully' SAL
9	moderate	partial loss of openness at the base of the foothills

- 79 For clarification, Viewpoint 10 has been removed from the assessment as I deem it to be unnecessary. It was originally included to demonstrate the extent to which topography precludes visibility from viewpoint locations north of the application site.
- 80 Further to that, I have included additional photographs on Sheet 10 of the GS-E. I have not undertaken a visual assessment for each but simply include these to illustrate the variation in visibility of the PC14 site when travelling north on the north-south limb of Ripponvale Road.
- 81 While Mr Espie and myself do not align 100% on our effects rating from the various viewpoints, with Mr Espie's adverse effects ratings<sup>21</sup>, lower than mine for some viewpoints, overall we share the same opinion that effects will be in the range of moderate-low, which implies that the proposal is acceptable within the receiving environment.

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<sup>21</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.10

(iii) *Further Information – Additional Viewpoints*

82 While I consider that the viewpoints included are representative of most viewpoints, I have included six additional views from State Highway 6 and Ripponvale Road, at the recommendation of Mr Espie<sup>22</sup>, to ensure the completeness of my evidence. Mr Whitney<sup>23</sup> also suggests the inclusion of a visual assessment from McFelin Road, on the north boundary of the application site, given the current situations with Covid-19, I have provided a ZTV study to address this location. New viewpoint locations are indicated on Sheet 7 of the GS-E and photographs are on Sheets 14-17.

*Viewpoint 11*



*Figure 10: Viewpoint 11 from Ripponvale Road at the junction of the north-south and east-west limbs*

*Extent of Visibility*

83 Viewpoint 11 is located at the north end of the north-south limb of Ripponvale Road. The application site is prominent in this view, although trees along the site boundary currently provide significant screening of most of the site. An amenity planting setback is part of the proposed development and I consider that this planted edge will have a similar effect as the current treed edge of the property, once established. As a result, I consider it likely that properties on the periphery of the application site will be partly visible. These lots are a minimum size of 1-hectare, which will establish a low density of development along the site edge. While an increase in density within the core of the site will also be perceived it will not be highly visible from beyond the application site boundary.

*Visual Effects*

84 Given the close proximity and the extent of visibility of the application site, I consider the magnitude of change in this view is likely to be moderate-high. I consider that adverse effects on visual amenity will be moderate, as there will be a partial loss of openness and visual connection into the application site. Although the view will change considerably, in my opinion this change is not at odds with the

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<sup>22</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.8

<sup>23</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.17

surrounding environment and will not result in a lower level of amenity than at present.

#### *Viewpoint 12*



*Figure 11: Viewpoint 12 from Ripponvale Road along the application site boundary*

#### *Extent of Visibility*

85 Viewpoint 12 is located on the east-west limb of Ripponvale Road immediate adjoining the application site, approximately at the location of the proposed development entrance. From this viewpoint, the application site fills the scene, with views of the slopes of the 'West Slope' ONL and the 'East Gully' SAL. As in Viewpoint 11, 1-hectare lots within the RLA4 are likely to be partly visible in this view set beyond a planted amenity setback. While development at the core will be perceived, it is not likely to be highly visible once the amenity planting and streetscape planting of the entry road have established. An artist's impression has been prepared which is generally aligned with this view, refer to Sheet 19 of the GS.

#### *Visual Effects*

86 Given the close proximity and the extent of visibility of the application site, I consider that the magnitude of change in this view is likely to be high. I consider adverse effects on visual amenity will be moderate, attributed to a loss of openness along the Ripponvale Road corridor, increase in built form and reduced visual connection into the application site. Although the view will change considerably, in my opinion this change is not at odds with the surrounding environment and will not result in a lower level of amenity than at present.

#### *Viewpoint 13*



*Figure 12: Viewpoint 13 from Ripponvale Road at the east boundary with the application site*

### *Extent of Visibility*

87 Viewpoint 13 is located on the east-west limb of Ripponvale Road at the east property boundary of the application site. Within this view the application site is highly visible and has an open character, there is a strong visual connection to the surrounding landforms. Within the foreground of the view will be the proposed horticulture block and its related infrastructure – netting, and this will obscure/partially obscure views of the application site. This is a permitted activity. Further along Ripponvale Road the proposed planted amenity edge along the frontage, will be visible, providing screening for development across the lower elevations of the application site. It is possible the upper slopes of RLA4 and RLA5 areas may be discernible through the netting, noting you can make out the silhouette of the form of the landscape through current netting.

### *Visual Effects*

88 I consider that the magnitude of change for this view is likely to be high (as a result of a permitted activity). However, given the proposed horticulture block extension will obscure/partially obscure visibility of the application site, I consider adverse effects of the proposed PC on visual amenity will be very low - low.

### *Viewpoint 14*



*Figure 13: Viewpoint 14 from the Cromwell Racecourse*

### *Extent of Visibility*

89 Viewpoint 14 is located at the Cromwell Racecourse. The application site is highly visible from this location. There is a strong visual connection to the foothills and the land between the viewer and the application site is relatively flat and open. The lower slopes are viewed from straight across the flat. As a result I consider that development on the flats will largely be screened by the proposed amenity edge and tree planting within the development. The 'Farmland Terrace' RLA3 area will be visible in this view and I consider that development within this area will blend in with the setting of the lower elevations of the application site. This viewpoint has a long view through the centre of the 'East Gully' SAL, as a result it is anticipated that future dwellings within RLA4 and RLA5 areas will be visible within this area. These areas have a low density of built form and a spacious character due to large lot

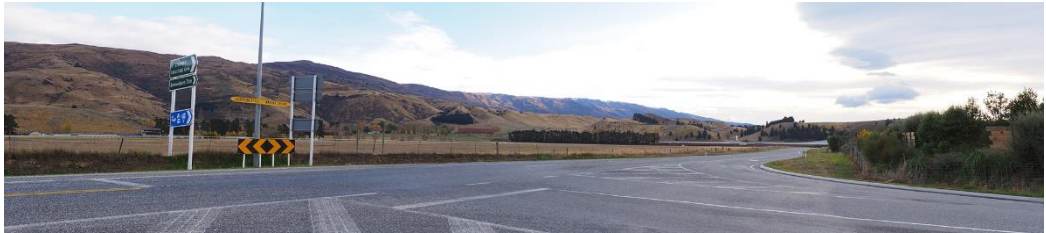


sizes and proposed design controls relating to building platform locations, building height and plant palettes.

#### *Visual Effects*

- 90 I consider that given the wide and encompassing view of the application site, the magnitude of change in this view is likely to be moderate-high. Adverse effects on visually amenity will likely be moderate attributed to an increase in visible built form with the RLA3, RLA4 and RLA5 areas and a slight loss of simplicity, openness and naturalness within this view.

#### *Viewpoint 15*



*Figure 14: Viewpoint 15 from the intersection of SH6 and McNulty Road*

#### *Extent of Visibility*

- 91 Viewpoint 15 is located at the intersection of State Highway 6 and McNulty Road. The application site is largely visible including the lower elevations of the site, the 'Farmland Terraces' and the 'East Gully' SAL. The lower slopes are viewed from straight across the flat, as a result I consider that development on the flats will largely be screened by the proposed amenity edge and tree planting within the development. The 'Farmland Terrace' RLA3 area will be visible from this location, as in Viewpoint 14 described previously, I consider that development within this area will blend in with the treed setting of the lower elevations of the application site and basin floor. It is anticipated that future dwellings enabled by the Plan Change within RLA5 and RLA4 will be visible on the low slopes of the SAL within the 'East Gully'. These areas have a low density of built form and proposed design controls.

#### *Visual Effects*

- 92 I consider that given the small scale of the proposed dwellings in relation to the scale of the landform, the proposed no build zones which protect the upper slopes and ridgelines, and the proposed design controls which limit building platform locations, building height and require mitigation planting within the RLA4 and RLA5 areas, the magnitude of change for this view is likely to be moderate. I consider that adverse effects on visual amenity will be moderate, as this change will constitute a partial loss of openness, naturalness and visual simplicity within the SAL.

### Viewpoint 16



Figure 15: Viewpoint 16 from SH6

### Extent of Visibility

- 93 Viewpoint 16 is located along State Highway 6 at one of the locations of the recently cleared shelterbelt. Within this view the 'West Slope' ONL and 'East Gully' SAL will be visible from this location. The upper slope of the 'Farmland Terraces' is also partly visible. The lower elevations are precluded from view by landform and vegetation within the surrounding environment. It is anticipated that future dwellings enabled by the Plan Change within RLA5 and RLA4 will be visible on the low slopes of the SAL within the 'East Gully', and to a small degree, dwellings within RLA3 will be visible on the upper slope of the 'Farmland Terraces'.

### Visual Effects

- 94 I consider that given the distance from the application site, the small scale of the proposed dwellings in relation to the scale of the landform, the proposed no build zones which protect the upper slopes and ridgelines, and the proposed design controls, the magnitude of change for this view is likely to be moderate. I consider that adverse effects on visual amenity will be moderate – low, as this change will constitute a minor loss of openness, naturalness and visual simplicity within the SAL. I consider new elements are not uncharacteristic of the surrounding environment due to the large lot sizes and low density of built form that will be well integrated into the setting through appropriate siting and design controls.

### McFelin Road



Figure 16: McFelin Road ZTV Study

### *Extent of Visibility*

95 A ZTV study has been undertaken for McFelin Road to the north of the application site as well as a basic simulation from this location showing the Structure Plan draped over the surrounding topography. Paired with a Google Street View photograph, I have provided some preliminary comments here regarding an assessment of visual effects, acknowledging that I have not visited this location in person. Refer to Sheet 17 of the GS-E. The ZTV shows that only the north facing slopes of the saddle between the 'West Slope' ONL and 'East Gully' is visible from McFelin Road. The simulation shows these areas are within RLA5 on the Structure Plan and partly encompassed by no build zones. On comparison with the Google Street View photograph, these areas are somewhat visible, though the area of RLA5 to the west of the saddle is somewhat precluded by vegetation in the foreground of the view.

### *Visual Effects*

96 Based on the available information and given the small area of the application site visible and the potential low density of development permitted within RLA5, I consider the magnitude of change in this view is likely to be low. I consider that adverse effects on visual amenity will be at most moderate-low.

#### (iv) *Private Outlook*

97 Mr Espie<sup>24</sup> also provides commentary about consideration of private viewpoints, stating that '*residents at home that appreciate a particular view are also particularly sensitive to change*'. I concur with this statement and consider that this is typically undertaken in relation to the public submissions that are received.

98 Given the current situation with Covid-19, I have been unable to assess visual effects on residential outlook relating to the specific submissions. In lieu, I have prepared a plan on Sheet 6 of the GS-E which shows approximate locations from submissions received with issues relating to landscape and visual effects. While all assessment viewpoints included in the LVA are from public viewpoints, I consider that visual effects on submitters at locations 1, 2, 3, 7, and 8, within the Ripponvale area, will be largely represented by Viewpoints 1-4. Visual effects on submitters at locations 6 and 9 will be largely represented by Viewpoint 6 and 7, respectively. Further, the additional Viewpoints 11-16 and additional viewpoints included for reference from the east-west limb of Ripponvale Road, will also be representative of views from properties in close vicinity to the application site.

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<sup>24</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.8

### *Visual Amenity Effects Conclusion*

- 99 With any subdivision of rural land, it is inevitable that a change in landscape character will result. With development of the PC14 site, landscape character will change from rural to rural lifestyle as a result of the replacement of open agricultural land with a mixed density of dwellings, roads, amenity planting and public open space. However, this change in character does not necessarily mean that the resulting level of visual amenity will be lower than at present.
- 100 In fact, the values from which the existing environment derives its visual amenity, though somewhat reduced in places, will largely be retained, including a sense of openness, naturalness and rural amenity. This is attributed to the comprehensive vision of the Structure Plan and zone rules which will contribute to the integration of the proposal with the surrounds. I consider that the existing level of visual amenity will be maintained, though derived from a combination of existing and new elements. As a result, I consider that effects of the proposal in the receiving landscape are acceptable.

### *Matters Raised in Council Planner's Report*

- 101 Mr Whitney's report<sup>25</sup>, provides a summary of the LVA and highlights the same points made in Mr Espie's peer review above regarding clarifying the SAL alignment and effects, providing more detail on the landscape character effects on the Ripponvale area, consideration of viewpoints from Ripponvale Road and State Highway 6, and other more minor points which I have clarified through this evidence.
- 102 Additional points raised in Mr Whitney's report include:
- (a) Sufficient information
  - (b) Rural Living
  - (c) Consideration of Relevant Statutory Documents
  - (d) Landscape and Visual Effects
- (a) *Sufficient Information*
- 103 Mr Whitney<sup>26</sup> comments on the provided information and suggests that the current level of detail is not sufficient to assess the outcomes of the development. He has requested a subdivision concept plan, visualisations, and a contour plan. Having worked on a number of plan change applications, I do not consider there to be

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<sup>25</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.8-22

<sup>26</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.8-10

insufficient information as the Structure Plan and rule package enable an appropriate level of assessment of effects of PC14. Nonetheless, I have updated the GS-E to include a contour plan and have included simple simulated views of the Structure Plan draped over topography for each viewpoint photograph in the visual assessment.

(b) *Rural Living*

- 104 Throughout the LVA and this evidence I describe the PC14 as a 'rural lifestyle' or 'rural living' development. Although not defined in the District Plan, I consider 'rural lifestyle' or 'rural living' to be a residential land use located within a rural area with lot sizes appropriate to the site and setting.
- 105 While residential dwellings are an essential component within a 'rural lifestyle' activity, I consider that there are many other features of this landscape which are distinct from an urban setting and draw on the character and qualities of the surroundings rural environment. Visually, these land uses are associated with a high level of rural amenity resulting from the landscape character of larger lot sizes, presence of sheds and association with rural activities and quality landscape treatment. Examples of this include architecturally designed dwellings which take inspiration from local materials, post and rail fences and amenity planting in the form of shelterbelts, deciduous trees with fall colour and hedges.
- 106 In rural lifestyle streetscapes are typically simple and convey the rural context, often with grassed swales in place of kerb and channel. Open space is a key feature of rural living activities, either on an individual lot or taken from surrounding areas. Individual allotments display a defined and managed curtilage, often with small woodlots, orchards, vineyards, vegetable gardens or paddocks for grazing a modest number of animals. Secondary structures are often present in the landscape, such as sheds and chicken coops associated with rural land use activities.



*Figure 17: Rural lifestyle character indicative image*

107 I consider that on a whole, these characteristics (as described above) are consistent with the Rural Zone and reflect the desires of people wishing to enjoy the lifestyle opportunities offered by characteristics of the rural environment. Further, I consider that lots of 2-hectares or more are not essential to maintain rural character and that some variation in lot sizes based on site attributes, sensitivity and the surrounding environment will not only maintain the landscape qualities of the surrounding environment but also provide for a wider range of lifestyle types and land uses.

108 I consider that given the evolving rural lifestyle character within parts of the Ripponvale area, the proposed development is an appropriate extension to an existing rural lifestyle character. I consider that providing for a varied rural lifestyle development should include a range of lot sizes which respond to the attributes of the site and its surrounds.

(c) *Consideration of Relevant Statutory Provisions*

109 In order to avoid unnecessary repetition, I refer to and rely on my assessment of the Plan Change against the relevant provisions of the Central Otago District Plan set out in the LVA accompanying the application.

110 When one considers the landscape related goals, objectives, policies, rules and assessment matters of Section 2, 4, 12 and 16 of the CODP, PC14 generally satisfies these on landscape grounds.

- 111 Mr Whitney<sup>27</sup> refers throughout his section 42A report as PC14 enabling “large lot residential” development. He also considers that the development enabled may be better suited to an urban zone.
- 112 I understand that the current Rural Resource Area zones provide for lots of 1,500m<sup>2</sup> through to 40+hectares through site specified rural zonings. The Residential Resource Area provides for lots of 250m<sup>2</sup> through to one hectare. As such, there is an overlap in lot sizes which are appropriate within both zones. I understand that the District Plan includes definitions of “urban area” and “rural area”. With these definitions in mind, the Residential Resource Area provides for development in residential areas and similarly the Rural Resource Area enables the same in rural areas. In regard to landscape matters the proposed RuRA(5) enables development, i.e. rural living, appropriate for the rural setting of PC14. I am very comfortable from a landscape perspective that the zone is situated in the appropriate resource area in the District Plan.
- 113 As I mention above, Mr Whitney<sup>28</sup> assesses the proposal as a large lot residential development – a development attribute of the Residential Resource Area under Chapter 7 of the CODP – and finds conflict with many of the objectives and policies relating to landscape matters and urban development (of which he assesses against Chapter 6 of the CODP). I do not understand Mr Whitney’s approach on landscape grounds as the development is clearly not within an urban area, nor does it constitute what I consider as urban development. It is also not what I would consider as a “rural settlement” in the context of the issues outlined in Chapter 6 of the CODP.
- 114 For comparison, Section 6.1 in the CODP describes urban areas as ‘comprise the townships and settlements of the District’ which are grouped into three categories: substantial towns with a strong commercial core, towns with a limited range of commercial activities and rural settlements which have low density residential development with minimal commercial activities. The closest comparison to PC14 would be to a rural settlement but there are many distinguishing features as to why PC14 could not be considered a rural settlement, including the fact that it has no commercial zone and its close proximity to Cromwell.
- 115 The focus of the objectives and policies contained within the Rural Resource Chapter of the CODP are effects on Outstanding Natural Features, Rural Character, the quality of the environment and effects on visual amenity values. Many of the attributes contributing to these values overlap. When one considers

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<sup>27</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.13

<sup>28</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.13

these in relation to PC14, it seems most appropriate and logical that this proposal is located within the Rural Resource Area. The relevant objectives and policies are:

- (a) Objective 4.3.1 Needs of the Districts People and Communities
- (b) Objective 4.3.2 Outstanding Natural Landscapes and Outstanding Natural Features, and Land in the Upper Manorburn/Lake Onslow Landscape Management Area
- (c) Objective 4.3.3 Landscape and Amenity Values
- (d) Objective 4.3.9 Integrated, Comprehensive Mixed-Use Development
- (e) Policy 4.4.1 Outstanding Natural Landscapes and Outstanding Natural Features and Land in the Upper Manorburn/Lake Onslow Landscape Management Area
- (f) Policy 4.4.2 Landscape and Amenity Values
- (g) Policy 4.4.10 Rural Subdivision and Development

116 Having undertaken an assessment against the CODP Sections 4, 12 & 16 in the LVA, Mr Espie and I are largely in agreement that these sections of the district plan are appropriate. Mr Espie states<sup>29</sup>, *'the R&M report appropriately comments on how the outcomes of the PC14 sit with the landscape-related Objectives & Policies of Section 4, 12 and 16 of the CODP.'*

117 Regarding Objective 4.3.3 and associated Policies, Mr Espie considers<sup>30</sup> that there will be some effect on the *'open natural character of the hills and ranges'* to a low degree, as a result of low-density development in the SAL. I concur with this statement.

118 Mr Espie concludes<sup>31</sup>, that while some additional assessment of effects on the character of the Ripponvale Road area and visual effects of users close to the application site, *'it is agreed that PC14 sits relatively comfortably with the relevant landscape-related Objectives and Policies of the CODP.'*

119 Further to that, and while I have listed it above, I would like to draw the Commissioners attention to *Objective 4.3.9 - Integrated, Comprehensive Mixed-Use Development* which sets out the following:

*To recognise and provide for an appropriately located development which integrates farming, horticulture, recreational, visitor, residential and lifestyle development and*

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<sup>29</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.11

<sup>30</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.11

<sup>31</sup> Landscape and Visual Effects Assessment Peer Review CODC PC 14 prepared by Vivian & Espie (2020) p.12



*supporting infrastructure in a sustainable manner, but avoids, remedies or mitigates potential adverse effects on:*

- *landscape and amenity values of the rural environment;*
- *natural and physical resources including soils, water and groundwater resources, and existing viticultural areas;*
- *existing lifestyle amenities;*
- *core infrastructural resources;*
- *the functioning of urban areas.*

120 PC14 clearly satisfies this objective, associated new policy 4.4.18 and its explanation. The proposed Structure Plan layout provides a considered response to the land and enables a varied rural lifestyle development within the context of a rural setting. Within the core of the application site, on the flat to gently sloping land of the 'Farmland Basin' and low slopes of the 'Farmland Terraces', RLA1-RLA3 areas will form an enclave of small rural lifestyle lots. These rural lifestyle areas are located in close proximity to open space to provide recreation opportunities as well as amenity. I consider that these areas of the application site have a higher capacity to absorb this change as they are less visually prominent and already have undergone significant modification.

121 Along the south boundary larger lots of 1-hectare have been proposed. I consider that placing these larger rural lifestyle lots along the south boundary will help to minimise effects of the development on the surrounding landscape of Ripponvale Road by transitioning from the small lots at the core to large lots at the edges. Paired with a planted amenity setback, the development will be well integrated into the surrounding rural landscape and minimise adverse effects on rural amenity.

122 Similarly, larger lots on the 'East Gully' slopes will not be out of scale with surrounding patterns of development to the south and will ensure a carefully managed approach to the more sensitive areas of the application site. No build areas across the ridgelines and upper slopes paired with larger lot sizes will maintain a higher degree of open character. While openness and naturalness of the hillsides will be somewhat reduced due to the presence of built form, I assess that the degree of adverse effects on these values is low and that the sense of openness and visual connection to the surrounding mountain ranges will be maintained.

123 Proposed rules, described in Appendix A of the Application include conditions for development in each Rural Lifestyle zone relating to building height limits, site setbacks, landscape requirements, fencing controls and proposed planting palette. These bespoke rules have been developed to integrate the development within the

setting, thus satisfying the higher-level objectives and policies relevant to the Plan Change.

124 Therefore regarding landscape and visual matters, it is appropriate that RURA(5) enables rural lifestyle subdivision and development, providing for a range of densities that foster a sensitive and creative response within the landscape of the application site while providing for a greater diversity of living opportunities. In doing this it respects the unique characteristics of the application site and is not incongruous with the surrounding environment.

(d) *Landscape and Visual Effects*

125 In Mr Whitney's conclusion<sup>32</sup> regarding landscape and visual effects, he states: *'our overall conclusion is that the proposal will have significant adverse landscape and visual effects and that the subdivision and development enabled by Plan Change 14 will not be consistent with the existing pattern of subdivision and development found in this locality at Ripponvale Road.'*

126 I have addressed these concerns in the body of my evidence. To reiterate, I find it difficult to reconcile Mr Whitney's conclusions regarding landscape and visual amenity effects with those provided by two independent experts. It gives me reassurance that the conclusions reached by Mr Espie, a vastly experienced and respected landscape architect regarding resource management matters, generally accord with my own.

### **Matters Raised in Submissions**

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127 Submissions raising specific landscape matters are numbered on a location map on page 6 of the GS-E.

128 I find the common issues identified in the submissions regarding landscape matters to be:

- (a) Effects of development on the hillside, particularly within the SAL boundary, including effects of increased light emissions.
- (b) Effects on the existing rural character of the immediate receiving environment as a result of increased built form, density of development and small lot sizes.
- (c) Effects on visual outlook from residential properties to the south.

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<sup>32</sup> CODC Requested Plan Change 14 Sec 42A Planners Report prepared by Johnston Whitney (2020) p.21

(d) Tree planting and road frontage treatment.

- 129 Regarding effects of development on the hillside and within the SAL boundary, which I have addressed previously in this evidence, I consider that as a result of the presence of low density development with the SAL, openness and naturalness will be somewhat reduced. However, the proposed Structure Plan and bespoke zone rules will ensure development occurs in appropriate locations and form in order to minimise adverse effects on the open space values, rural character and visual amenity of the SAL. Visual amenity effects of lighting have not been addressed previously. However, there will be no street lighting associated with subdivision enabled by the Plan Change. Further to that, Mr Giddens has included a new rule relating to exterior lighting attached to buildings in his Evidence. I am satisfied this will appropriately address concerns in regard to this.
- 130 Effects on the rural character of the receiving environment have been previously addressed. As described above, the change of character from a working rural farm to a varied rural lifestyle development is not considered to be out of character within the receiving environment which already includes areas to the south of the application site zoned as 'Rural Residential' and has many qualities consistent with a rural lifestyle setting. The gradient of densities proposed on the Structure Plan, paired with no build zones, introduction of a planted amenity edge and the provision of horticultural land and the preservation of the ONL further help to integrate the development into the rural setting.
- 131 Effects on visual outlook from residential properties to the south have not been able to be individually addressed due to the current situation with Covid-19, however I consider that the representative viewpoints from public locations are located in close proximity to the submitter locations indicated on 6 Sheet of the GS-E and therefore are also generally representative of these private viewpoints.
- 132 Tree planting and frontage treatment is described in one of the submissions which comments on the appropriateness of a bund and shelterbelt planting at the development periphery to screen it from view. I consider that the current approach utilising a double row of deciduous trees and a wide 15m frontage will be sufficient to provide a softened edge to the development as well as a high level of amenity. Landscaping helps with integrating built form into the setting, as per rule 4.7.2(ib)(d) of the proposed plan change, resource consent applications for dwellings are required to provide a landscape plan. The purpose of a landscape plan under this rule is to show high level structure planting to facilitate the integration of built form within the site. This will ensure that impacts on landscape values are appropriately considered and will be complementary to the landscape character of the site and its surrounds.

## Conclusion

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- 133 Overall, I consider that PC14, and the proposed Structure Plan responds appropriately to the application site's attributes, sensitivity and the surrounding environment.
- 134 I have undertaken an assessment of landscape effects and find that effects on the ONL will be avoided. Effects on the SAL will be largely mitigated through designation of no build zones on the visually sensitive ridgelines and bespoke rules for low density development that will ensure it can be readily absorbed. I consider that a low degree of openness and naturalness will be lost within the SAL.
- 135 The lower elevations of the application site will be considerably more changed, but I consider that they are relatively contained and already modified so have greater capacity for change. These areas will form a rural enclave of varied rural lifestyle lots at the core of the application site. Large lots on the periphery paired with an amenity edge will provide a transition into the surrounding rural landscape, to protect the rural character of the surrounds. As a result, I consider the proposal an integrated extension to an existing rural lifestyle character.
- 136 I consider adverse effects on visual amenity for the assessed representative viewpoints will generally be in the range of low to moderate. Although this does not necessarily mean that the resulting level of visual amenity will be lower than at present. Instead, the resulting visual amenity will be from a combination of existing and new elements. Though somewhat reduced, the amenity values of the existing environment will be retained, including a sense of openness and naturalness and rural amenity.
- 137 Further there are many positive effects on landscape and amenity resulting from the proposal including the expansion of the ONL to protect the areas of the application site with high naturalness and amenity, access to the ONL for public recreation, the improvement of ecological values of the application site through native planting, introduction of open space corridors within central areas of the development, and an increase in general amenity which will be derived from a high quality landscape setting.
- 138 Overall PC14 will provide for future development that is appropriate and will not result in significant adverse landscape or visual amenity effects that cannot be either avoided or mitigated. While it is inevitable that the existing qualities and characteristics of the application site will change, the proposed Plan Change displays a carefully considered response, integrated, comprehensive, mixed use development which will result in a high-quality rural lifestyle environment.

Dated this day 13 May 2020

A handwritten signature in black ink, appearing to read 'Tony Milne', with a horizontal line extending to the right from the end of the signature.

Tony Milne

## Appendix A

### *Landscape Effects Rating Scale*

Landscape Effects Rating Scale	
Magnitude/Degrees	Use and Definition
Very Low	Negligible loss of or modification of key elements, features, characteristics, and/or values of the baseline. Influence of new elements on landscape character and/or landscape value is barely discernible.
Low	Very little material loss of or modification to key elements, features, characteristics and/or values. New elements integrate seamlessly into the pre-development landscape character and/or landscape values.
Moderate-Low	Minor loss of or modification of one or more key elements, features, characteristics and/or values. New elements are not uncharacteristic within the receiving landscape and do not disturb the pre-development landscape character and/or landscape values.
Moderate	Partial loss of or modification of key elements, features, characteristics and/or values. The pre-development landscape character and/or landscape value remains evident but is changed.
Moderate-High	Modifications of several key elements, features, characteristics and/or values. The pre-development landscape character and/or landscape values remain evident but materially changed.
High	Major modification or loss of most key elements, features, characteristics and/or values. Little of the pre-development landscape character remains and amounts to a significant change in the landscape character and/or landscape values.
Very High	Total loss of key elements, features, characteristics and/or values. Amounts to a very significant change in landscape character and/or landscape values.

**Table 2: Magnitude/Degrees of Effects on Landscape<sup>33</sup>**

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<sup>33</sup> Supplementary Statement of Evidence of Bridget Mary Gilbert for Queenstown Lakes District Council, Topic 2-Rural Landscapes, Annexure 2: Guidelines for the Assessment of Landscape and Visual Effects, 29 April 2019

## Visual Effects Rating Scale

Visual Effects Rating Scale	
Magnitude/Degrees	Use and Definition
Very Low	Negligible loss of or modification to key elements, features and/or characteristics of the baseline. Visual influence of new elements is barely discernible.
Low	Very little material loss of or modification to key elements, features and/or characteristics. New elements integrate seamlessly into the pre-development visual environment.
Moderate-Low	Minor loss of or modification to one or more key elements, features, and/or characteristics. New elements are not uncharacteristic within the visual environment and do not disturb the pre-development visual amenity.
Moderate	Partial loss of or modification to key elements, features, and/or characteristics. The pre-development visual amenity remains evident but is changed.
Moderate-High	Modifications of several key elements, features and/or characteristics. The pre-development visual amenity remains evident but materially changed.
High	Major modification or loss of most key elements, features and/or characteristics. Little of the pre-development visual amenity remains and amounts to a significant change in visual amenity values.
Very High	Total loss of key elements, features and/or characteristics, which amounts to a very significant change in visual amenity.

**Table 3: Magnitude/Degrees of Effects on Visual Amenity<sup>34</sup>**

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<sup>34</sup> Supplementary Statement of Evidence of Bridget Mary Gilbert for Queenstown Lakes District Council, Topic 2-Rural Landscapes, Annexure 2: Guidelines for the Assessment of Landscape and Visual Effects, 29 April 2019