

**BEFORE AN INDEPENDENT HEARINGS COMMISSIONER  
ON BEHALF OF SELWYN DISTRICT COUNCIL**

**UNDER**

the Resource  
Management Act 1991

**IN THE MATTER**

a request by Hughes  
Development Limited for a  
private plan change to  
the Selwyn District Plan to  
rezone 163 Halkett Road  
and 1066 West Coast  
Road in West Melton for  
the development of  
approximately 124 lots

**AND**

**Hughes Development  
Limited** (the Applicant)

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**EVIDENCE OF PAUL SMITH ON BEHALF OF HUGHES DEVELOPMENT LIMITED**

Landscape

13 March 2023

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**Counsel acting:**

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## Introduction

1. My name is Paul Andrew Smith.
2. I am a Senior Landscape Architect employed by Rough Milne Mitchell Landscape Architects (**RMM**) (formerly Rough & Milne Landscape Architects), which is a Christchurch based Landscape Architecture consultancy established in 2010.
3. I hold a Bachelor of Landscape Architecture (Hons) degree from Lincoln University and am a Registered Member of the New Zealand Institute of Landscape Architects Inc.
4. I have been practising as a landscape architect, primarily in the field of landscape planning, since 2012. I was employed by Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown from 2012 – 2017, and then by Beca Limited as a landscape architect, specialising as a landscape planner from 2017 – 2019. Since 2019, I have been employed by RMM in the same role.
5. The majority of my work involves advising clients regarding the protection of landscapes and amenity that the RMA and District Plans require. I also produce Landscape Assessment Reports and provide evidence for local authority and Environment Court hearings in relation to proposed developments. The primary objective of these assessments and evidence is to ascertain the effect of proposed development on the landscape and amenity values of the surrounding landscape.
6. Whilst working for Vivian and Espie and RMM I have worked on the following projects which are relevant to the HDL's proposed private plan change:
  - (a) PC39 – Arrowtown South, Queenstown Lakes District.
  - (b) PC44 – Hanley Downs, Queenstown Lakes District.
  - (c) PC13 - Wooing Tree, Central Otago District.
  - (d) Proposed Flock Hill Station Special Zone, Selwyn District.

7. I was engaged by Hughes Developments Limited (**HDL**) to prepare a landscape and visual effects assessment (my **Landscape Assessment**) of the private plan change 74 (**PC74**) to the Operative Selwyn District Plan (**Operative Plan**) at the subject site (being 163 Halkett Road and 1066 West Coast Road) (the **Site**). PC74 seeks to rezone the Site for residential development. That development would be guided by a Outline Development Plan (**ODP**), proposed for inclusion in the Operative Plan.
8. My Landscape Assessment addressed the landscape and visual amenity effects of that proposal.

#### **Code of conduct**

9. I have read the Environment Court's Code of Conduct for Expert Witnesses, contained in Part 9 of the Environment Court Te Kōti Taiao o Aotearoa Practice Note 2023, and agree to comply with it. My qualifications as an expert are set out above. Other than where I state that I am relying on the advice of another person, I confirm that the issues addressed in this statement of evidence are 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**

10. My evidence is presented on behalf of HDL.
11. It summarises my landscape assessment of PC74 and addresses landscape matters raised in the Council Officer's section 42A report, in the Statement of Evidence of Mr Hugh Anthony Nicholson and in the submitters opposing PC74 raised and landscape matters.
12. In preparing my evidence, I have reviewed:
  - (a) PC74 application and supporting documents;
  - (b) PC74 Request for Further Information (RFI) response to Selwyn District Council (Council), October 2022;
  - (c) The submissions and further submissions on PC74;

- (d) The Council Officer's section 42A report;
- (e) The Statement of Evidence of Mr Hugh Anthony Nicholson on Behalf of Selwyn District Council, 28 November 2022;
- (f) Ms Lauren White's brief of evidence relating to urban design; and
- (g) Mr Mark Brown's evidence relating to resource management planning.

### **Landscape Assessment Summary**

#### **Purpose**

13. The purpose of my Landscape Assessment was to respond to Council's Request for Further Information (**RFI**) matters, which focused on:
  - (a) A visual effects assessment from the adjoining rural and residential properties and how the proposal will mitigate a compromised rural outlook;
  - (b) A landscape assessment that identifies the existing natural and heritage features of the Site and their value; and
  - (c) Fencing and boundary treatments, and reverse sensitivity issues between future residential properties and farming operations.
14. The purpose of my Landscape Assessment was not to focus on the Urban Design aspects of a future residential development within the Site, as this was undertaken by Ms White. However, my assessment took into consideration the character of West Melton as to assess the potential adverse landscape and visual effects.

### ***The Site***

15. The Site is located between Halkett Road to the north, State Highway 73 (**SH73**) to the south, is immediately east of the Gainsborough Development within West Melton and to its east are rural living properties that vary between 2 – 4ha in area.
16. The Site has been modified for farming purposes containing a dwelling, horse stables, farm sheds, a horse track, horse paddock, crops, and mature shelterbelts separating these areas from one another. These modifications have resulted in the Site displaying a low-moderate degree of natural character, similar to the majority of the Inner Plains Landscape. Also, no remnant historic features or indigenous vegetation was seen when undertaking a site visit.
17. The bulk of the residential properties within West Melton are generally larger than residential properties within the newer subdivisions in other nearby towns like Faringdon in Rolleston, Te Whāriki in Lincoln and Prévelles in Prebbleton. This is because properties within West Melton vary in size between 1,200m<sup>2</sup> and 3,000m<sup>2</sup>. These larger properties contribute to wider street environments, larger separation between dwellings, and more space for trees, hedges, and amenity plantings, which provide a sense of spaciousness that contributes to West Melton's character and amenity values.
18. Also, the layout of these properties and their neighbourhoods has resulted in only six properties being directly accessed from Halkett Road and no properties being directly accessed from SH73. This allows these rural roads, in particular Halkett Road to retain its large, grassed berms that contribute to its rural character and assist in softening the potentially hard urban and rural interface along this road.

### ***Key findings***

19. The proposed rezoning and accompanying ODP will enable an extension to West Melton by providing for approximately 125 larger lot residential sections and accompanying public amenities and infrastructure. My report provided a range of recommended changes

to the ODP, regarding boundary treatments and concluded that if they were adopted, the proposed rezoning will have a low to moderate degree and low degree of adverse visual effects when experienced from the residential properties to the west, and rural properties to the east, respectively. Also, when experienced from SH73 and Halkett Road will visually accord with the landscape treatments along these roads having no more than a low degree of effect.

### **Updates to the Proposal**

20. Since preparing my Landscape Assessment, a number of changes have been made to the ODP, proposed for inclusion the Operative Plan under PC74.
21. These changes are outlined in Mr Brown's evidence. In terms of landscape matters:
  - (a) The ODP has differentiated between the landscape strip and acoustic treatment, as recommended in my Landscape Assessment.
  - (b) The 'Land Use' narrative in the ODP has been updated to provide certainty that post and rail fencing along Halkett Road and SH73 will match the existing fencing along these roads.
  - (c) The 'Green Network' narrative in the ODP requires the landscaping strip along SH73 to be at least 4m wide. Also, at the time of planting, all shrubs within this strip shall be planted at a PB2.5 grade and all trees shall be planted at a minimum height of 0.8m.

As part of the Planning Joint Witness Statement<sup>1</sup> it was suggested that the ODP text include the width of landscaping strip along the rural urban interface and the SH73 boundary and the height of the landscaping at the

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<sup>1</sup> [https://www.selwyn.govt.nz/\\_\\_data/assets/pdf\\_file/0010/1656613/PC74-Officer-s42A-Report-Appendix-2-DPR-0411-HDL-JWS-Planning.pdf](https://www.selwyn.govt.nz/__data/assets/pdf_file/0010/1656613/PC74-Officer-s42A-Report-Appendix-2-DPR-0411-HDL-JWS-Planning.pdf)

time of planting. As a result, I provided the above-mentioned recommendation in (c), as to provide Council certainty that:

- (i) This four-metre-wide area will provide ample space for four or more rows of native shrubs and trees that will achieve effective screening. Anything narrower than this, would appear hedge like, and not in keeping with the native vegetation on the earth mound to the west.
  - (ii) Reasonably sized plants will be implemented on site, whilst not planting trees that are too tall and will struggle to establish in this environment.
- (d) The 'Green Network' narrative in the ODP requires indigenous vegetation to be planted along the Site's northern boundary. This vegetation will further assist in softening the urban and rural interface along Halkett Road.
- (e) The narrative in the ODP 'Green Network' has been updated to protect the existing shelterbelt along the Site's eastern boundary. It also provides future landowners that ability to remove this shelterbelt and replace it with indigenous vegetation that screens their dwellings from the east.
- (f) Road, pedestrian and cycling connections have been provided to the east.

22. With these changes now incorporated, it remains my opinion that the adverse visual effects of the proposed rezoning as sought by PC74 be of a low to moderate degree when experienced from the residential properties to the west and a very low degree when experienced from the rural properties to the east. Also, the updated ODP will ensure the development when experienced from SH73 and Halkett Road will visually accord with the landscape treatments along these roads and have no more than a low degree of effect.

#### **Response to Mr Nicholson and the Council's Section 42A Report**

23. Mr Nicholson reviewed my Landscape Assessment and generally

agreed with my conclusions and recommendations. He also reviewed Ms White's Urban Design Report and made several recommended changes to the ODP to resolve some issues that he identified. These are:

- (a) Including land for a future street connection to the east.
- (b) Specifying an urban upgrade to the SH73 frontage with a footpath extension to the west and the existing crossing facility in the ODP narrative.
- (c) Specifying a minimum density of 12 households per hectare (**hh/ha**) in the ODP narrative.
- (d) Including a requirement to provide post and rail fences along the northern and southern boundaries in the ODP narrative.

- 24. Recommendations (a) and (d) are supported by the Council's Section 42A Officer, and recommendations (b) and (c) are not supported.
- 25. Ms White has responded to these recommendations in her evidence<sup>2</sup>, which I agree with.
- 26. From a landscape perspective, I support Mr Nicholson's recommendations (a) and (d). The ODP has been updated to include these design aspects.
- 27. For the reasons set out below, I disagree with Mr Nicholson's recommendations (b) and (c), and do not consider that they are appropriate or necessary to address landscape or visual effects.

### **SH73 Footpath**

- 28. Mr Nicholson recommends that a footpath 'extension' could be included alongside SH73 to connect to the SH73 crossing facility some 400m to the west of the Site's western boundary, as illustrated on Figure 1 below.

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<sup>2</sup> Evidence of Ms White at paragraphs 46-50.





**Figure 1:** The yellow line illustrates that the crossing facility is approximately 400m west of the Site's southwest corner.

29. There is currently no footpath along the northern side of SH73, and as such, Mr Nicholson's recommended footpath is not an 'extension' but rather a new linkage.
30. In my opinion, this footpath is unnecessary because access to the SH73 crossing facility will be easily gained via the internal road network and Rossington Drive. The internal road network, including Rossington Drive will provide people walking and cycling a higher degree of amenity and safety when compared with the recommended footpath alongside the state highway. This is because there is approximately 9,500<sup>3</sup> more daily traffic movements along SH73 when compared with Rossington Drive, vehicles travel at a significantly slower speed, and the outlook of wide manicured grassed berms and well-maintained residential properties are more appealing than the state highway environment.
31. Also, while the footpath proposed by Mr Nicholson would be more direct in terms of distance from the Site to the SH73 crossing facility, it would only benefit 17<sup>4</sup> properties located near SH73, south of the internal connection to Rossington Drive. Based on the above, I do not consider that the potential reduction to the landscape strip and/or future properties outweighs the need for this additional connection.
32. Furthermore, I note that a future footpath between the Site and SH73

<sup>3</sup> <https://nzta.maps.arcgis.com/>

<sup>4</sup> The number of properties has been estimated from Figures 10 and 11 of Ms White's evidence.

crossing facility would need to be located within the road corridor, unless Council and four private landowners reduced the size of their properties. This would also include moving shelterbelts, the vegetated earth mound, sheds, water tanks, parking areas, gardens, amenity trees and the like. Therefore, if a footpath were included in a future streetscape upgrade along SH73, the section of footpath alongside the Site could also be situated within the road corridor.

33. Mr Brown at the recent Selwyn PDP Hearing 30.6 – West Melton <sup>35</sup> stated that without acquiring land, there is only a 4 – 4.5m wide area between the road seal and property boundary to accommodate the shared pathway. A shared pathway is required to be 2.5m wide. Due to this, Mr Brown considered that this 4 – 4.5m wide area was not an appropriate location for a shared pathway, and the existing Rossington Drive connection is more suitable.
34. Due to the above, I do not consider that a footpath needs to be provided for alongside SH73 and within the ODP.

#### **Minimum Density**

35. Mr Nicholson, in his paragraph 9.6 recommends that a minimum density of 12hh/ha be applied to the ODP. The Council Officer's S42A Report has recommended a minimum net density of 8hh/ha, stating *"The design controls that are integrated into the ODP are supported to achieve an attractive, pleasant, high quality and resilient urban environment and to integrate the site into the adjoining Gainsborough subdivision and wider urban environment of West Melton. I consider that the lot size range detailed in the ODP (in Appendix 3) meets the most appropriate balance between the large lot character and amenity that is being sought by the submitters and optimising the subdivision and development of residential 'greenfield' land"*<sup>6</sup>.
36. As mentioned in Paragraph 24 above, I have read Ms White's evidence, including:

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<sup>5</sup> <https://www.youtube.com/watch?v=JOxkp76CQ-I&t=8266s> Minutes 1hour 56minutes to 2hours 2minutes.

<sup>6</sup> Para 7.32 of S42A report

- a) her analysis of the existing neighbourhoods in West Melton;
- b) her testing of the Site to identify what maximum density could be achieved while complying with the development standards of the proposed zoning;
- c) her analysis of the relationship between density, lot size and residential character; and
- d) her analysis of what density would be delivered if overall character could be *generally* maintained along with a variety of housing and appropriate interface conditions.

37. I note that Ms White's independent and in-depth analysis of the existing neighbourhoods is consistent with my brief description of these neighbourhoods, which was included in my Landscape Assessment.

38. A key aspect of my Landscape Assessment was to consider the boundary treatment and interface of future development along the Site's four main boundaries and its potential visual effects from outside the Site. The ODP illustrated that the properties around the perimeter of the Site would be larger than 1,000m<sup>2</sup> in area and would not be accessed off Halkett Road or SH73. In doing so, these future properties would visually accord with the size and layout of the residential properties within West Melton, and maintain the rural character as experienced when travelling along Halkett Road and SH73. Due to this, I do not consider that the larger size of the properties proposed by the ODP would contribute to adverse visual effects, but smaller size properties would undoubtedly detract from the rural amenity and West Melton's urban and rural interface.

39. Ms White's Figures 11 and 12 illustrate future development at densities of 12.3 and 8.3hh/ha within the Site, respectively. Figure 11, which meets Mr Nicholson's recommendation, illustrates that future properties around the perimeter of the Site would be between 550 – 1,000m<sup>2</sup>. Also, some of these properties are likely to be accessed off Halkett Road which is a departure from what is otherwise proposed.

40. Based on the above, I consider that the number of properties, size,

and layout required to meet Mr Nicholson's recommendation will be a stark departure from the existing character of West Melton. Mr Nicholson's recommendation would result in dwellings closer together, with less open space for front and rear yards, and therefore would not provide the same level of spaciousness to the streetscape that is currently experienced. Also, there would be less space for large amenity trees and vegetation that visually separate dwellings when experienced from Halkett Road and SH73, and that in turn contributes to the amenity experienced along the internal road network.

41. Ms White's Figure 12 illustrates that a density of 8hh/ha can be achieved, depending on a careful layout which includes larger 1,200m<sup>2</sup> or larger properties around the perimeter of the Site and a proportion of smaller 500 – 1,200m<sup>2</sup> properties internally. Figure 12 also shows that all these properties can be accessed via the internal road layout, which positively contributes to the urban and rural interface and amenity that is experienced along Halkett Road. Due to this, the size of these properties and their layout will be visually consistent with the internal character of West Melton, and its urban and rural interface along Halkett Road and SH73.
42. At a density of 8hh/ha these larger properties, including dwellings, trees and amenity vegetation will provide screening of the denser internal development maintaining the perception of the spacious character of West Melton. Therefore, based on Ms White's evidence, I consider that a minimum density of 12hh/ha would be inappropriate and would be inconsistent with and detract from the character and amenity of West Melton. Rather, a density no higher than 8hh/ha would enable future development to be visually cohesive with the existing development within West Melton, when experienced from Halkett Road and SH73.

## **Conclusion**

43. In conclusion, Mr Nicolson and I agree on most landscape matters including the vehicle, walking and cycling connections to the east and fencing types along Halkett Road and SH73.
44. Regarding our two points of disagreement, I consider that providing

space and provisions for a footpath within the ODP along SH73 is unnecessary. In regard to density, I consider that a minimum density of 12hh/ha would be inappropriate, rather a density no higher than 8hh/ha would enable the proposal to be visually cohesive and consistent with the local character afforded by the existing development within West Melton and surrounding rural landscape, when experienced from Halkett Road and SH73.

A handwritten signature in black ink, appearing to read 'P. Smith'.

**Paul Smith**  
**13 March 2023**