

20 August 2021

REF: Private Plan Change Request 28 – Maitahi Bayview
TO: Nelson City Council
FROM: Paul Smith, Registered Landscape Architect
Tony Milne, Director and Registered Landscape Architect
Rough & Milne Landscape Architects
SUBJECT: Response to the Nelson City Council’s Request for Further
Information, Dated 3 August 2021

Introduction

A Proposed Private Plan Change Request (**PPCR**) to the Nelson Resource Management Plan (**NRMP**) to rezone approximately 287ha of land located within Kaka Valley, along Botanical Hill and Malvern Hill, within Nelson, was requested in April 2021.

Rough and Milne Landscape Architects Ltd (**r+m**) assisted in the overall design and layout of the Proposed Structure Plan, and prepared the Landscape, Visual Amenity and Urban Design Assessment Report (**LVAUDA Report**) and the Preliminary Landscape Design Document that formed Appendix 9(a) and 9(b) to the PPCR.

Nelson City Council (**Council**) have reviewed the PPCR and prepared a Request for Further Information (**RFI**) document in relation to a number of matters, including landscape matters. Mr Paul Smith and Mr Tony Milne, met with Mr Rhys Girvan, Boffa Miskell Ltd, who is Council’s Consultant Landscape Architect regarding the PPCR, to discuss the landscape matters raised in the RFI on 10 August 2021.

The purpose of this report is to formally respond to the landscape matters raised in the RFI document numbered 10 – 19.

RFI Response

10. *The Landscape Overlay proposed to be included within the NRMP includes a notation of Kanuka Vegetation and Kahikatea Tree to be protected in three different places. Two of these notations are located in the proposed Open Space Zone. However, the third is located in the proposed Residential Lower Density Area. Please advise how it is proposed to protect this tree/vegetation in accordance with the Overlay.*

Reason

This information is required as it is unclear how the tree/vegetation is to be protected through the proposed provisions.

The Maitahi Bayview Structure Plan – Part of Schedule X, Attachment B1.1, B1.2, B2.1, B2.2, B2.3, B2.4, B2.5, B2.6, B3 and B4 have been updated so all protected vegetation illustrated on the Structure Plan – Landscape Overlay are within the Open Space Recreation Zone, as illustrated on the Structure Plan.

The updated Maitahi Bayview Structure Plan forms part of the overall RFI response.

11. *Sheet 29 of the LVAUDA refers to the native planting palette for the Open Space Recreation Zone contained in Appendix 1 – Figures 38 providing for the proposed esplanade reserve. Please advised how it is intended that this planting palette be implemented through the PPC.*

Reason

There is a disconnection between what is stated will be achieved through the LVAUDA and what is contained within the PPC itself.

The planting palette outlined in the LVAUDA Appendix 1, Figure 38 has now been included in Schedule X of the PPCR. A Rule or other planning mechanism will be included in the NRMP as to ensure that the plants included in this planting palette will be used at the time of developing the Open Space Recreation Zones.

12. *Section 3.3 of the LVAUDA identifies that the site is split between two landscape character areas, namely: Kaka Valley and Bayview. These have not been mapped. By comparison, the Nelson Landscape Study: Landscape Character Assessment (BML, 2014) identifies and maps parts of three landscape character areas within the site, namely: Maitai Valley, Atawhai Hills and Malvern Hills.*

Sections 3.4 and 5.1 of the LVAUDA discusses landscape effects on four areas, namely Kaka Hill, Kaka Valley and Maitai Valley, Botanical Hill and Malvern Hills. These generally appear to correlate with three areas of visual amenity landscape identified within the Nelson Landscape Study: Visual Amenity Landscape Evaluation (2016), namely Botanical Hill, Malvern Hills and Kaka Hill as well as the Kaka and Maitai Valley however the extent of each landscape within which effects have been assessed is not explicitly defined.

Given these discrepancies, the LVAUDA should clarify the following mapped extent of the relevant landscape character areas / landscape in terms of both:

- a. the site and its receiving environment*
- b. the extent of each landscape assessed when identifying levels of effect*

The Plans included in Appendix 1 of this RFI document clarifies the spatial extent of the areas referred to above and in the LVAUDA.

13. In the absence of differentiating between areas of landscape, the LVAUDA has combined the assessment of landscape effects for Botanical Hill and Malvern Hills on the basis that eastern facing slopes are “similar and difficult to differentiate between one another” (Page 35). Within the Nelson Landscape Study: Visual Amenity Landscape Evaluation (BML, 2016) the extent of the Botanical Hills associated with west facing slopes culminates north of Walters Bluff, differentiating Malvern Hills as the rolling ridgeline which continues north of an area of skyline visible from Queens Elizabeth II Drive (SH6) adjacent to Neale Park.

With respect to the mapped extent of the Botanical Hills, the Structure Plan includes an area of Residential Zone Lower Density Area in the Backdrop Area and Skyline Area. In summarising the effects on the Botanical Hill Skyline, the assessment states that the inclusion of the PPC Open Space Recreation Zone will maintain the landscape values of Botanical Hill and will not the change nor effect the existing landscape character of this area.

Given this discrepancy in differentiating between the Botanical Hills and Malvern Hills, please clarify the level of effect generated by the inclusion of residential development within the mapped extent of the Botanical Hill and skyline above Walters Bluff from the west.

We agree that further consideration should be given to the Residential Zone Lower Density Area above Walter’s Bluff when viewed from the west. This further consideration can be undertaken in the subsequent steps during the PPCR process.

14. North of Walters Bluff, the LVAUDA differentiates the Malvern Hills based on south-east and north-west slopes however the effects of development on the combined Malvern Hills and Botanical Hills are limited to consideration of the eastern facing slopes, assessed as moderate (Page 36). While the assessment acknowledges that the existing landscape character of the remaining areas of Malvern Hills will change by providing for an increase in residential development and considers this will provide “an appropriate fit”, please also quantify the equivalent level of landscape effect in terms of the north-west and skyline / backdrop.

It is acknowledged that the assessment of the Malvern Hills north-west facing slopes did not quantify an equivalent level of landscape effects from the 7-point scale of very low – very high.

The proposed zoning and future development on the mid slopes, within the proposed Residential Zone, will have a very low to low degree of adverse effects on the existing landscape character. The proposed zoning and future development on the upper slopes, within the proposed Residential Zone Lower Density Area, will have a moderate degree of adverse effects on the existing landscape character.

15. *In discussing effects of residential development within the skyline area, the LVAUDA recognises that earthworks will alter the more subtle landform changes on this hillside, while stating the overall landform and larger landform features, being ridges, spurs and valleys will remain evident. Specifically, the LVAUDA states the skylines line and form when viewed from SH6 and the coast will be maintained (Page 36). Please clarify how earthworks are to be managed through the PPC framework to ensure landscape values associated with the backdrop and skyline will be maintained during subdivision and development.*

In terms of managing effects of buildings within the skyline area, it is not clear how the skylines' line and form can be maintained in the absence of an ability to restrict the location of development which may otherwise extend above the profile of the primary ridgeline. Please clarify why location is excluded as a matter of control given the larger lot sizes and anticipated outcome of maintaining the line and form of the skyline (see also Appendix 1).

NRMP Appendix 14, AP14.2 requires a subdivision application, which must include earthwork designs, to include a Design Statement that provide rational for the design decisions and how these design decisions relate to the underlying zones objectives, policies and assessment matters.

Proposed Objective RE6 (h) enables greenfield subdivision and development within Maitahi / Bayview in a manner that avoids and mitigates the effects on local landscape values. The landscape values of the skyline area and backdrop area are identified in the LVAUDA. Therefore, the future earthworks designs are required avoids and mitigates the effects on these local landscape values. Also, at the time of applying for a restricted discretionary or discretionary resource consent application, a future design statement will need to explain how the earthworks designs avoids and mitigates the effects on these landscape values.

Schedule X.5 Skyline Area has been be updated to provide Council control when managing a future buildings location scale, height, modulation, roof pitch, colour, reflectivity and any other aspects of any structure's external appearance and their associated earthworks. It is considered that the updated rule covers off the second landscape matter raised.

16. *In assessing landscape effects within the Malvern Hills (Page 36), as well as within the proposed Residential Zone ascending Kaka Hill and within the Higher Density Small Holdings Zone (Page 35), the LVAUDA notes a difference between the spatial extent of the proposed zoning and the actual extent of development envisaged, with specific reference to topographical constraints and geotechnical high-risk areas. Similarly, Section 5.1 states the mix of development and open space will retain the topographical nature of the Kaka Valley floor. Regenerating vegetation also contributes an established characteristic of large areas of the identified Higher Density Small Holdings Zone.*

Given the level of subdivision and associated vegetation clearance and earthworks that could otherwise occur within identified zones, please provide further information to demonstrate how the proposed provisions are the appropriate means to achieve the described outcomes achieved. One means of addressing this could be an indicative masterplan and visualisations used to assist the assessment and supporting identified levels of landscape and visual effects, and include:

- a. *The extent of zones which will likely be developed to recognise practicality of gaining access to and building upon steeply sloping geotechnically constrained sites.*
- b. *Areas where excavation and intensive contour modification is intended and areas of vegetated hillside/bush that are likely to be retained, including the ability to maintain an area of Kanuka Vegetation and Kahikatea Tree to be protected within the Residential Lower Density Area.*
- c. *Landscape drawings including comparative cross and long sections that demonstrate how contour modification will:*
 - i. *Maintain the profile of the Primary Ridgeline annotated as the “Malvern Hills and Botanical Hill Ridgeline” on Attachment B1.2 as seen from the east and west.*
 - ii. *Maintain a sympathetic relationship between residential areas and open space along the Kaka Valley floor and margins of the Maitai River. This should include comparative landscape cross sections.*

The level of information required to assess the PPCR has been provided, as such no indicative master plan will be provided at this time. An indicative master plan and the above-mentioned tools which may also assist in assessing the PPCR may be provided at a later date, as the applicant proceeds to undertake design work.

17. Section 5.1 of the LVAUDA states the mix of development and open space recreational zone will provide a framework that will enhance the natural character of Kaka Stream and Maitai River margins. Conversely, later this section identifies that the removal of vegetation and pasture and replacing it with built form will “inherently reduce the natural character of the lower slopes of Kaka Hill” (Page 35). Beyond this, no explicit assessment is included to compare the existing and anticipated post development levels of natural character relating to either Kaka Stream or the Maitai River.

Section 1.3 of the LVAUDA discusses that effects on the existing level of natural character have been considered due to changes to the natural elements, patterns and processes within the receive environment. Given this methodology, please qualify how the existing and anticipated level of natural character has been assessed and how the PPC provisions will ensure the natural character of the existing waterways will be enhanced.

The Preliminary Structure Plan Environmental Review document, prepared by Morphem Environmental Ltd, formed Appendix 6 to the PPCR. The Morphem Report assessed the quality of the Kaka Stream including its existing alignment and water quality.

The extent of the Open Space Recreational Zone (**OPRZ**) which Kaka Stream including its realignment and the Maitai River are situated within was identified by both r+m and Morphem Environmental.

The Morphem Report identifies that the anticipated realignment of the lower Kaka Stream provides an opportunity to improve ecological values. The Morphem Report also recommends a number of design elements that should be included to achieve positive ecological outcomes. The width of the OPRZ provides the required space to accommodate these design recommendations. It has been

identified that the timeframes to achieve other recommendations, which are intended to be achieved, may occur vary as the development advances through the consenting and design phases.

It is acknowledged that the LVAUDA did not explain how the natural character of Kaka Stream and Maitai Stream will be enhanced. Rather the LVAUDA report relied upon the Mophum Report. In either situation, the information required to undertake this assessment has been provided in the PPCR.

18. While viewpoints generally provide a good range of representative views, please provide an updated visual effects assessment to address the potential effects on the more sensitive viewing audiences expected to experience visual effects as follows:

- a. Occupiers of residential dwellings along Ralphine Way*
- b. Recreation Users along the Maitai River*
- c. Occupiers of residential dwellings along the northern slopes of Sharland Hill including Cleveland Terrace*
- d. Occupiers of residential dwellings along the lower slopes of Malvern Hills*
- e. Recreation users within Nelson Haven and coast*

The LVAUDA generally assesses visual effects with respect to viewpoint photography and does not always identify the relevant viewing audiences assessed. Conversely, Table 5 (Page 10) of the LVAUDA identifies that visual effects have been assessed through considering the sensitivity of the viewing audience with the magnitude of change when determining the overall level of effect. When identifying levels of effect, sensitivity generally discusses transient views from access roads and transport corridors which typically have lower sensitivity rather than taking account of higher sensitivity recreation areas or occupiers of dwellings which may also obtain views.

It is acknowledged that the LVAUDA report focused on public views. This is inline with the LVAUDA methodology. Also, it was in direct response to the moderate and high sensory and aesthetic landscape values of Kaka Valley, Kaka Hill, Botanical Hill and Malvern Hills, as assessed in the Nelson Landscape Study¹, which are agreed with.

At the time of preparing the LVAUDA it was anticipated that the PPCR would be publicly notified, therefore further assessment in relation to private views would occur through the notification process.

19. Please clarify the field of view and reading distance used to represent viewpoint photography to ensure any differences in cropping or zoom are accounted for.

The viewpoint photographs in the LVAUDA have been captured to illustrate the maximum extent of the site, and the context in which it is seen, from each viewpoint location. The majority of the panorama photographs have a 100-to-124-degree horizontal field of view. Viewpoint Photographs 1, 3A, 5B, and 6E have an approximate 180-degree horizontal field of view to illustrate the full extent of the view towards the site from these locations.

¹ Boffa Miskell Limited 2015 Nelson Landscape Study: Visual Amenity Landscape Evaluation. Report prepared by Boffa Miskell Limited for Nelson City Council.