

IN THE ENVIRONMENT COURT

AT CHRISTCHURCH

I MUA I TE KOOTI TAIAO O AOTEAROA

UNDER of the Resource Management Act 1991

AND

IN THE MATTER of appeals under clause 14 of Schedule 1 of the Act against decisions of the Queenstown Lakes District Council on Stage 1 of the Proposed Queenstown Lakes District Plan

BETWEEN **Jacks Point Residential No.2 Ltd, Jacks Point Village Holdings Ltd, Jacks Point Developments Limited, Jacks Point Land Limited, Jacks Point Land No. 2 Limited, Jacks Point Management Limited, Henley Downs Land Holdings Ltd, Henley Downs Farms Holdings Ltd, Coneburn Preserve Holdings Limited, Willow Pond Farm Limited**

(ENV-2018-CHC-137)

Appellants

AND **QUEENSTOWN LAKES DISTRICT COUNCIL**

Respondent

TOPIC 22: JACKS POINT RESORT ZONE

Landscape Expert Conferencing

JOINT WITNESS STATEMENT

10 September 2020

INTRODUCTION

1. This joint statement relates to landscape expert conferencing on Topic 22: Jacks Point Resort Zone.
2. It is written in relation to the appeal brought by Jacks Point against the decision made by Queenstown Lakes District Council ("QLDC") on the Proposed Queenstown Lakes District Plan ("Proposed Plan").
3. This expert conference was held on 8 September 2020 on site at Jacks Point Resort.
4. Attendees at the conference were:

Yvonne Pfluger (YP), Landscape Architect for Jacks Point;

Bridget Gilbert (BG), Landscape Architect for QLDC.

	Discussion
Topic A	The (landscape) appropriateness of Home Sites (HS) 38 And 41 to 56.
Matters Agreed	<p>YP and BG undertook a site visit to each of these home sites. The approximate centre of each home site was marked with a stake which was set at the ground level for a building on the homesite. This information, together with georeferenced aerial plans with the legible contours and the home sites annotated (in which it is possible to determine in real time where one is standing relative to the homesite), allowed YP and BG to clearly understand: the extent of each homesite; the scale of built form anticipated on each homesite; the potential visibility of a dwelling on the home site; the potential for landform and/or vegetation effects; the potential for planting to assist the visual integration of built development (including accessways); and the potential for cumulative effects (including as perceived from the Preserve/ Tablelands, Hanley Downs and the existing residential areas within Jacks Point). Consideration was also given to 'internal amenity' effects i.e. the potential for built development on a homesite to be prominent in views from nearby homesites.</p> <p>The detailed site survey resulted in the relocation of two homesites: HSs 49 and 50, as shown on Appendix A attached. YP and BG agree that the revised locations for these homesites</p>

	<p>are beneficial from a landscape effects perspective (eliminating visibility from existing Preserve/ Tablelands sites) and also optimise amenity for any future homesite owner.</p> <p>Appendix B attached records the key characteristics of each homesite relevant to their landscape appropriateness within the Tablelands and wider landscape context.</p> <p>Based on this detailed site survey, YP and BG agree that HSs38 and 41 to 56 are appropriate from a landscape perspective.</p>
Topic B	HS 58 Visitor Accommodation
	<p>This topic was not discussed in detail, as it is mostly considered a planning related matter.</p> <p>The proposed activity status for a building on HS58 is RD, but fully discretionary for VA. YP considers that the use of a building as VA versus residential use at HS58 will not necessarily cause any adverse landscape effects. In her opinion, any related flow-on effects, such as required widening or sealing of the access road will be assessed as part of the D activity. Other related effects, such as potential for increased traffic at night (and subsequent light effects from cars) would depend on the scale of visitor accommodation and associated visitor numbers. In YP's view this would also be assessed as part of a D consent.</p> <p>BG is concerned that the accessway improvements (sealing, retaining structures to accommodate increased carriageway width requirements for larger vehicles/coaches etc), and the increased level of vehicular activity (including at night) that is likely to be associated with VA activity would not protect the landscape values of Peninsula Hill ONL, particularly with respect to remoteness, naturalness and aesthetic values. BG defers to Ms Jones with respect to the appropriate planning regime that should be applied in light of these landscape concerns within a s6(b) landscape setting.</p>
Topic C	HS 58 Access
Matters Agreed	YP and BG agree that it is appropriate to locate the accessway to HS 58 on the Jacks Point Structure Plan. YP and BG agree that

	<p>the access track should be 3m width, metal surface and generally aligned to follow the existing route as it rises out of the Hanley Downs, which is the most sensitive part of the alignment in terms of visibility and landscape effects. YP considers that the track could be wider where it follows a gentler terrain and is less visible, such as in the gully section. BG considers that localised widening to provide for a passing bay would be acceptable.</p> <p>The Planners JWS seeks advice with respect to where along the course of the HS58 accessway the alignment could be more flexible or where a passing bay for example, may be possible.</p> <p>Appendix C attached shows the extent of the HS 58 accessway where no tolerance for realignment or widening is appropriate from a landscape perspective.</p> <p>Appendix C also indicates the areas along the course of the HS 58 accessway where the accessway alignment can deviate up to 5m or up to 20m from the alignment shown on the Structure Plan, assuming the accessway comprises a maximum of 3m width and is finished in metal. A localised passing bay would also be appropriate (from a landscape perspective) along these lengths of the HS 58 accessway.</p>
<p>Topic D</p>	<p>Vegetation Management Strategy (VMS)</p>
<p>Matters Agreed</p>	<p>YP and BG agree that the plantings to date throughout the Tablelands homesites have been successful in assisting the integration of development and enhancing landscape and visual amenity values. The role of the JP Design Panel Review Panel in delivering this coordinated and successful landscape outcome is acknowledged.</p> <p>They also agree that a coordinated approach to planting as part of the subdivision process via a VMS is beneficial to the maintenance and enhancement of landscape and visual amenity values within the Tablelands.</p> <p>The Planning JWS (paragraph 10) seeks confirmation from the landscape experts with respect to the role of planting as described in Rule 27.7.5.4. We agree that the relevant text should be reworded as follows:</p>

	<p><i>Noting that the purpose of proposed planting is to mitigate views <u>assist the visual integration of development</u> and not screen from the above locations.</i></p> <p>The Planning JWS (paragraph 3.15) seeks advice from the landscape experts as to whether a duration period should be specified for planting maintenance obligations.</p> <p>YP and BG are generally of the view that the plantings covered by the VMS should be protected and maintained in perpetuity with a requirement to achieve a planting success rate of 80% as a minimum requirement.</p> <p>YP and BG agree that the various maintenance obligations associated with the VMS plantings are likely to be of varying duration as a consequence of their nature and/or site-specific circumstances i.e. there is not a 'one size fits all' approach available that could be easily translated into District Plan standards. For example:</p> <ul style="list-style-type: none"> a. Irrigation may be required on north facing slopes to assist plant establishment, particularly where it forms a visual mitigation function. On south facing slopes, irrigation may only be required for a shorter period (or not at all). b. Rabbit guards (or low rabbit fencing) may only be required for a few years, however stock proof fencing (in the limited locations where it is likely to be required) is likely to be required in perpetuity.
<p>Topic E</p>	<p>The (landscape) appropriateness of the Peninsula Hill Landscape Protection Area (PHLPA) exclusions sought by Jacks Point within the ONL and, if agreed to be appropriate, the appropriate extent of the excluded area.</p>
<p>Matters Agreed</p>	<p>YP and BG agree that the exclusion of the areas from the Peninsula Hill LPA in the lower-lying folds of the landform is based on the refined visual absorption capability mapping undertaken for the Coneburn Resource Study 2015 and maps visibility from the lake and state highway only. The mapping does not reflect the landscape values of the landform.</p>

Matters Disagreed

It is YP's understanding that the proposed provisions are at least as protective (if not more so) in the PHLPA than current ONL provisions in the plan (acknowledging they are not quite yet settled). In the non-LPA areas of Peninsula Hill, the activity status for building is the same as for other ONLs, but specific recognition of the ONL values to be protected has been added to reflect the ONL policy from the Otago RPS.

YP considers that the proposed planning regime for the part of the ONL that falls outside HS 58 and the Peninsula Hill LPA ensures that appropriate protection that can be achieved in this area. In YP's view, the provisions protect the ONL, character, open space and ecological values, as well as the coherence of the Peninsula Hill landform. YP considers that these provisions in combination with a D activity status in this area an appropriate mechanism for protection of a S6b landscape. On balance, YP prefers the combination of selective LPA mapping based on absorption capability and proposed, more stringent provisions.

BG is of the view that the visibility analysis is insufficient to support the adoption of the PHLPA cut-out approach, as it does not assess visibility from the Remarkables Ski Field Access Road and the urban residential development and open spaces at the northern end of Hanley Downs and within the Coneburn SHA.

Further, regardless of the merits of the visibility analysis, BG does not support the creation of a different policy approach across the two ONL areas, if the distinction is based on visual absorption capacity alone, as this is contrary to the principles of holistic consideration of landscape values.

In BG's opinion, there are consistent landscape values with respect to memorability, expressiveness, naturalness, aesthetics, remoteness and coherence across the two ONLs areas that point to a consistent landscape policy approach being appropriate across the two areas.

In addition, BG considers that by creating a hierarchy between these two ONL areas, the provisions create an inference that development is more appropriate within the PHLPA cut-out part of the ONL. The consistent landscape values identified across the two areas, and reliance on visibility analysis alone (albeit insufficient in BG's view) rather than a comprehensive landscape

	<p>evaluation do not provide enough certainty the landscape values of Peninsula Hill ONL will be protected.</p> <p>BG also considers that the proposed two tier policy approach is at odds with the landscape policy approach adopted to date for sensitive parts of JPZ, whereby fine grained site analysis is used to inform the identification of confined homesites (and access routes) with location specific development controls as a method to manage landscape effects and protect the landscape values of the local ONLs.</p>
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Date: 10 September 2020



Yvonne Pfluger

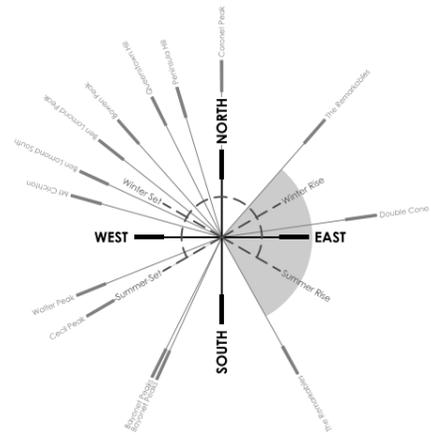


Bridget Gilbert

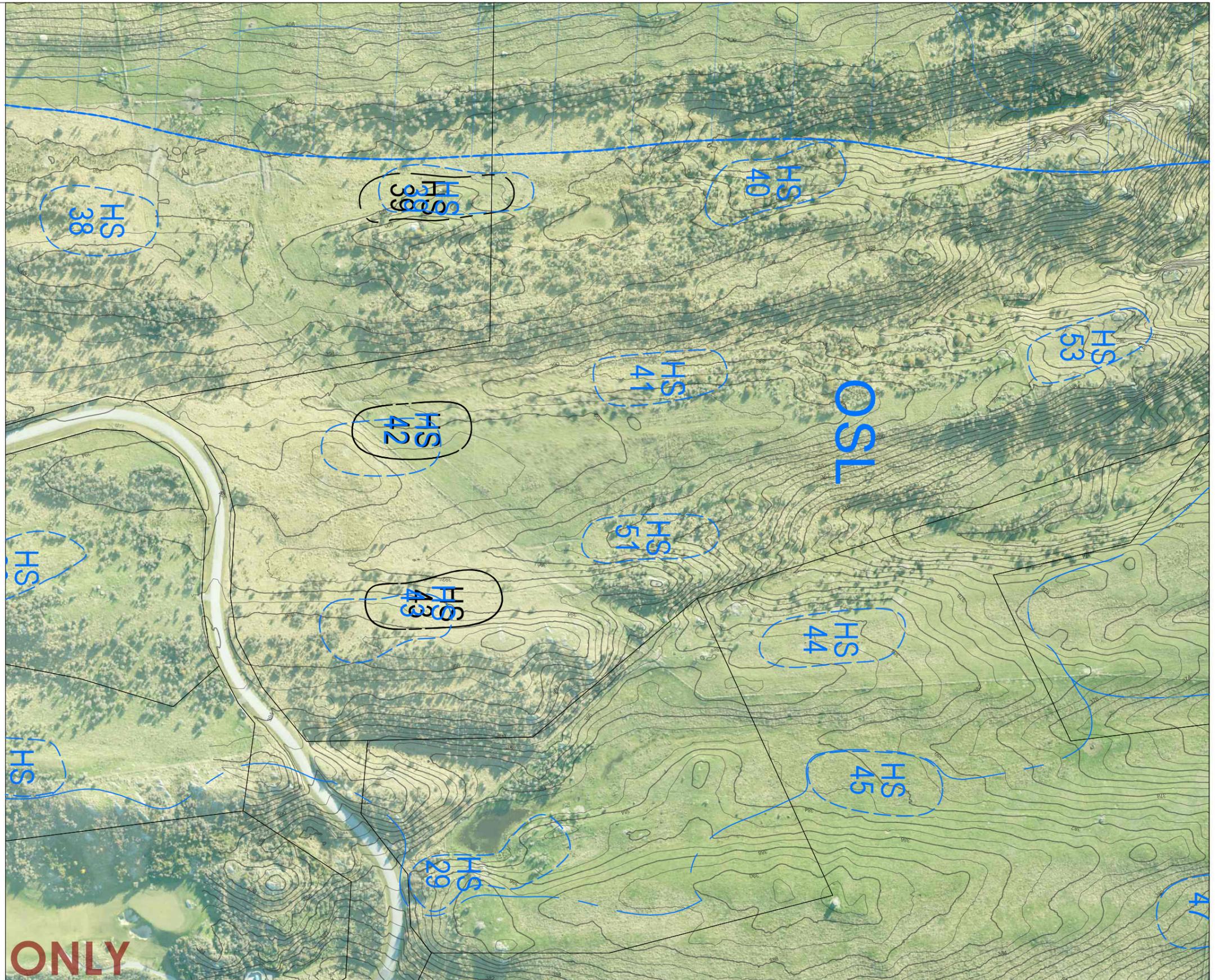
APPENDIX A: HSs 38 and 41 to 56 Mapping

APPENDIX B: HSs 38 and 41 to 56 Landscape Characteristics Table

APPENDIX C: HS 58 Accessway

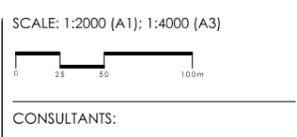


- KEY:**
- Existing Title Boundaries
 - Homesites as agreed in expert caucusing and approved QLDC Decision Version 2017
 - Homesites relocated through expert caucusing 2019/2020



FOR DISCUSSION ONLY

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NOTES:
 All titles are proposed and subject to approval.

REVISION:

NO	DESCRIPTION	DATE	DRAWN	REVIEWED	APPROVED
-	Issued - QLDC Experts	19.08.20	TG	-	-
A	Issued - QLDC Experts	08.09.20	TG	-	-

JACKS POINT
 LANDSCAPE JWS SEPTEMBER 2020
 APPENDIX A - DETAIL PLAN 1

PLAN STATUS:	JOB CODE:	DRAWING NO:	REV:
ISSUED	JP_29_1_01	SK-004.02	A

Appendix B: HSs 38 and 41 to 56 Landscape Characteristics Table

LANDSCAPE JWS 10 SEPTEMBER 2020

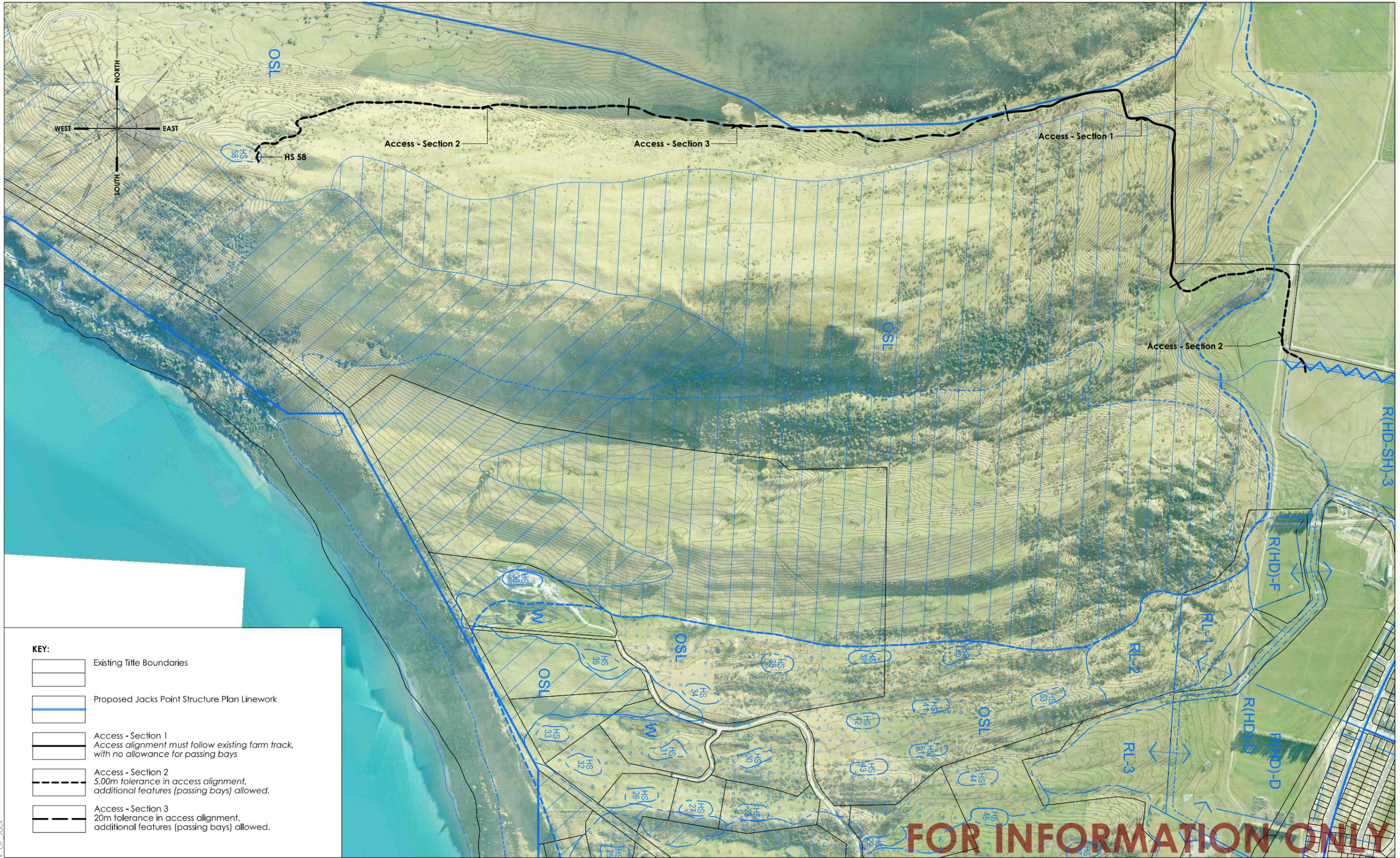
Homesite Number	Visibility	Topography	Vegetation	HS Specific Controls
HS 38	<ul style="list-style-type: none"> Very limited to no visibility from Jacks Point, other home sites and wider public places. 	<ul style="list-style-type: none"> Located in an elevated hollow. Good 'rib' landform containment to the north and south. Landform containment to the west. 	<ul style="list-style-type: none"> Scattered existing grey shrubland. Potential to integrate a dwelling with existing (and proposed) plantings in a reasonable timeframe due to topography and homesite arrangement. 	<ul style="list-style-type: none"> Not required
HS 41	<ul style="list-style-type: none"> Very limited to no visibility from Jacks Point, other home sites and wider public places. 	<ul style="list-style-type: none"> Located in an elevated gully. Good 'rib' landform containment to the north and south. Landform containment to the west. Damp areas / overland flowpath. Careful management of overland flowpath via establishment of wetlands as part of VMS likely to be appropriate. 	<ul style="list-style-type: none"> Scattered existing grey shrubland. Potential to integrate a dwelling with existing (and proposed) plantings in a reasonable timeframe due to topography and homesite arrangement. 	<ul style="list-style-type: none"> Not required
HS 42	<ul style="list-style-type: none"> Limited long-range views from Jacks Point. Very limited visibility from other home sites and wider public places. 	<ul style="list-style-type: none"> Positioned in a localised flat area. Reasonable 'rib' landform containment to the north and south. Landform containment to the west. Has previously been relocated to avoid visual effects on Preserve Homesites. 	<ul style="list-style-type: none"> Very limited existing grey shrubland. HS is set back off the edge of localised plateau which will allow for some grounding / filtering planting (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required

Homesite Number	Visibility	Topography	Vegetation	HS Specific Controls
HS 43	<ul style="list-style-type: none"> Limited long-range views from Jacks Point. Limited visibility to HS 51. Very limited visibility from other home sites and wider public places. 	<ul style="list-style-type: none"> Positioned in a localised hollow. Good 'rib' landform containment to the north and south. Landform containment to the west. Has previously been relocated to avoid visual effects on Preserve Homesites. 	<ul style="list-style-type: none"> Scattered existing grey shrubland immediately around homesite (very limited vegetation within homesite). HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views (to Jacks Point and HS 51) in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 44	<ul style="list-style-type: none"> Mid to long-range views from Hanley Downs, the northern end of Jacks Point and Remarkables Ski Field Access Road. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Positioned in a broad elevated gully. Good 'rib' landform containment to the north and south, facing into a gully system to the north. Landform containment to the west. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite. Scattered vegetation to the north. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 45	<ul style="list-style-type: none"> Mid to long-range views from Hanley Downs, the northern end of Jacks Point and Remarkables Ski Field Access Road. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Positioned in a broad elevated gully. Good 'rib' landform containment to the north and south. Landform containment to the west. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required

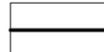
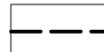
Homesite Number	Visibility	Topography	Vegetation	HS Specific Controls
HS 46	<ul style="list-style-type: none"> Mid-range views from Jacks Point. Poplars and willows on east side of wetland assist integration (and are proposed to be retained as a buffer to urban development). Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Positioned above willow pond on an elevated shallow ridgeside around rock outcrops. Landform containment to the west and south. 	<ul style="list-style-type: none"> Scattered existing grey shrubland. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 47	<ul style="list-style-type: none"> Mid-range views from Jacks Point in context of other dwellings on slope below. Grounding influence of foreground bank with scattered grey shrubland. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Located in an elevated gully. Good 'rib' landform containment to the north and south. Landform containment to the west. Located near boundary to R(HD)E residential area to the east. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite. Scattered grey shrubland to the east. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 48	<ul style="list-style-type: none"> Close to long-range views from Hanley Downs, the northern end of Jacks Point and Remarkables Ski Field Access Road. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Located on a localised shelf above willow pond. Good landform containment to the west and south. Located immediately adjacent to boundary to R(HD)E residential area. 	<ul style="list-style-type: none"> Scattered existing grey shrubland. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required

Homesite Number	Visibility	Topography	Vegetation	HS Specific Controls
HS 49	<ul style="list-style-type: none"> Mid to long-range views from Hanley Downs and limited visibility from Jacks Point. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Located on a broader and sheltered elevated gully. Good landform containment to the north and south. This HS has been relocated through agreement for this JWS to a lower-lying location to the north east of the original site to avoid visibility from the Preserve Homesites. 	<ul style="list-style-type: none"> Some existing grey shrubland to east and northwest of homesite. HS arrangement and topography is such that additional planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 50	<ul style="list-style-type: none"> Mid to long-range views from Jacks Point. Limited visibility from other home sites. 	<ul style="list-style-type: none"> Located on an elevated plateau. Rib landform containment to the north and south. This HS has been relocated through agreement for this JWS to a lower-lying location to the south east of the original site to avoid visibility from the Preserve Homesites. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite or adjacent. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 51	<ul style="list-style-type: none"> Very limited to no visibility from Jacks Point. Limited visibility from HS 43 and Preserve Drive. 	<ul style="list-style-type: none"> Located in an elevated gully. Good 'rib' landform containment to the north and south. Landform containment to the west. 	<ul style="list-style-type: none"> Scattered existing grey shrubland within homesite and adjacent. Potential to integrate a dwelling with existing (and proposed) plantings in a reasonable timeframe due to topography and homesite arrangement. Proximity to HS 43 means that backdrop privacy planting is highly likely to optimise amenity. 	<ul style="list-style-type: none"> Not required

Homesite Number	Visibility	Topography	Vegetation	HS Specific Controls
HS 52	<ul style="list-style-type: none"> Mid to long-range views from Jacks Point. Long-range views to Remarkables Ski Field Access Road. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Located on the northern side of a shallow ridgeline. Strong landform containment to the north. Landform (and shelterbelt) containment to the south. To the south is a quarry, so shelterbelt likely to remain until quarry is remediated. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite. Limited scattered grey shrubland to the north. HS arrangement and topography is such that planting is possible on eastern and southern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HS 53	<ul style="list-style-type: none"> Close to mid-range framed views from Hanley Downs. Long-range views to Remarkables Ski Field Access Road. Very limited visibility from other home sites. 	<ul style="list-style-type: none"> Located in a shallow elevated gully. Strong landform containment to the north, west and south. Two rocky outcrops to the east confine the view towards Hanley Downs to a narrow gully. 	<ul style="list-style-type: none"> No existing grey shrubland within homesite. Scattered grey shrubland to the south. HS arrangement and topography is such that planting is possible on eastern side that will serve to ground and filter views in a reasonable timeframe (noting that a dwelling is likely to want to screen out views of developed areas to optimise amenity). 	<ul style="list-style-type: none"> Not required
HSs 54, 55 and 56	<ul style="list-style-type: none"> Very limited visibility due to poplars and willows on eastern side of wetland which are proposed to be retained as a buffer to urban development. Limited visibility from other home sites. 	<ul style="list-style-type: none"> Low-lying position along wetland edge. Landform containment to the west and south. 	<ul style="list-style-type: none"> Dense gum plantings that will be thinned. Potential to integrate a dwelling with existing (and proposed) plantings in a reasonable timeframe due to topography and homesite arrangement. 	<ul style="list-style-type: none"> Not required

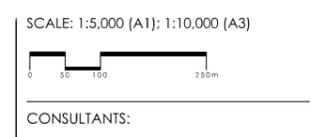


KEY:

-  Existing Title Boundaries
-  Proposed Jacks Point Structure Plan Linework
-  Access - Section 1
Access alignment must follow existing farm track, with no allowance for passing bays
-  Access - Section 2
5.00m tolerance in access alignment, additional features (passing bays) allowed.
-  Access - Section 3
20m tolerance in access alignment, additional features (passing bays) allowed.

V:\A_IP_Jacks

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NOTES:
 All titles are proposed and subject to approval.

REVISION:

NO	DESCRIPTION	DATE	DRAWN	REVIEWED	APPROVED
-	For Set Out	18.10.19	TG	-	-
A	For Set Out	31.10.19	TG	-	-
B	Mediation	01.11.19	TG	-	-
C	Mediation	05.11.19	TG	-	-
D	HS Update	07.07.20	TG	-	-
E	Access - Notes Update	09.09.20	TG	-	-

JACKS POINT
 LANDSCAPE JWS - SEPTEMBER 2020:
 APPENDIX C

PLAN STATUS: **ISSUED** JOB CODE: **JP_29_1_01** DRAWING NO: **SK-002.01** REV: **E**