

HIGH LEVEL LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

Prepared for:

SUNSHINE BAY LTD

MAY 2020

PROPOSAL FOR CHANGE OF
ZONING FROM RURAL TO URBAN

1. INTRODUCTION

Vivian and Espie Ltd has been engaged by Sunshine Bay Limited to undertake a high-level landscape assessment of the proposal to rezone a portion of the site legally described as as Lot 1 DP 397058 from the current Rural Zone to an urban zoning. The exact nature of the urban zoning is to be agreed with QLDC, however the most likely scenario is a Medium Density Residential (**MDR**) zoning. The urban zone zone would be within a revised Urban Growth Boundary (**UGB**). Should a rezoning be approved, the final form of development would be subject to subdivision and land use consents.

The purpose of the report is to assess at a high level the landscape effects of the proposed rezoning for consideration as part of an initial 'in principle' consideration by the Queenstown Lakes District Council (**QLDC**) Planning and Strategy Committee. Should the proposal receive approval in principle to proceed through a formal section 32 and public notification process, a more detailed landscape and visual effects assessment would be provided.

I understand that as the Proposed District Plan (**PDP**) is not yet operative, Sunshine Bay Limited are unable to seek a private plan change and has been consulting with the QLDC about possible urbanisation of the non-ONL part of the site and inclusion in a future stage or as a variation to the PDP. The QLDC is considering the rezoning request via a two-step process:

1. An initial 'in principle' consideration by the QLDC Planning and Strategy Committee, and should that be positive,
2. A formal section 32 assessment and notification process through the normal First Schedule Resource Management Act (**RMA**) processes.

This report provides an analysis of the site and its landscape setting, a visual and landscape assessment of the proposed zone change based on a Medium Density Residential scenario, and recommendations for measures to mitigate potential adverse landscape effects. Alternative sites for the zone extension are also briefly analysed.

2. SCOPE OF REPORT

The scope of this report is the landscape character and visual effects of a proposed urban rezoning of the non-ONL part of the site. I have not considered matters that relate to internal urban design, internal amenity and internal functionality. Those matters will be subject to detailed design and consenting at a later juncture.

In preparing this evidence I have reviewed the following documents and reports of other experts involved in the proposed rezoning that are relevant to my area of expertise, including:

- (a) The Indicative Master Plan. This is indicative only, and under an MDR framework the final form and style of development may differ but would be within the framework anticipated by the provisions of the MDR zoning (Attachment **[A]**).

- (b) The Strategic Directions (Chapter 3), Landscapes and Rural Character (Chapter 6), the Medium Density Residential zone (Chapter 8), the Rural zone provisions (Chapter 21) and the Subdivision and Development chapter (Chapter 25) of the PDP. I have reviewed the Council's annotated appeals version of chapters 6, 8, 21 and 25 and recognise that some parts of these chapters are still subject to challenge. For Chapter 3 I have referred to the version shown in Council's Strategic Section 42A report for Stage 3 of the PDP, which includes updated provisions following interim decisions of the Environment Court.
- (c) The Joint Witness Statement signed for Sunshine Bay Ltd by Yvonne Pflueger and for QLDC by Bridget Gilbert (Attachment **[B]**).
- (d) The Environment Court Consent Order dated 23 September 2019 confirming the landscape lines for the PDP (Attachment **[C]**).
- (e) The reports of Mr Kelvin Lloyd (Wildlands Consultants) on (1) the ecological values of the site dated August 2019, and (2) the ecological mitigation and offsetting options dated May 2020.

I have also briefly reviewed previous reports and consent decisions relating to landscape issues relevant to the site that were prepared before this rezoning request. However, the recent decision of the Environment Court that has confirmed the location of the landscape lines following the PDP process means that reports and consent decisions issued prior to that date now have limited relevance.

3. THE SITE

The site is legally described as Lot 1 DP 397058 and is of 6.47 hectares in area. To the north-west of the site, an unformed legal road is present, which contains the Arawata Track. High voltage power lines supplying Glenorchy are also present on or near this unformed legal road (and in one place where there is a triple pole formation, are on the subject site), and these provide a useful landmark for identifying the site. To the north-east of the site, another unformed legal road separates the site from the existing low-density residential development of Sunshine Bay. The Glenorchy-Queenstown Road runs topographically below the site. Between the Glenorchy-Queenstown Road and Lake Wakatipu is a thin strip of reserve land. The site is shown in Figure 1 below:

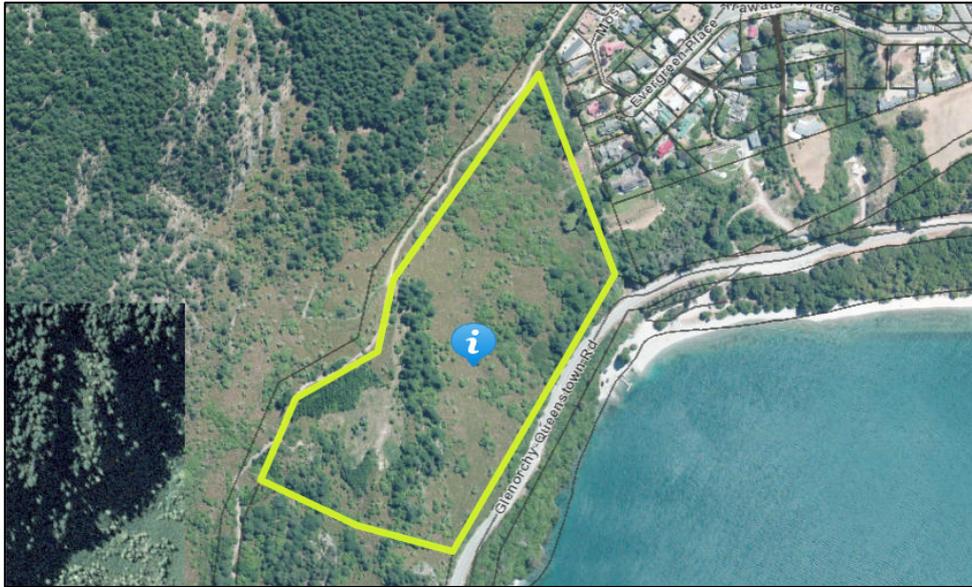


Figure 1: Site location

The site has been farmed in the past, however in recent decades has largely lost its pasture and become covered in regenerating native plants and weed species including wilding conifers. Mr Kelvin Lloyd (ecologist with Wildlands Ltd) has assessed the site and recorded that it was last cleared by fire in 1974, and the regenerating native vegetation has established since that time.

4. PROPOSED REZONING AND INDICATIVE MASTER PLAN

I have read the detailed description of the proposal in the report prepared by Blair Devlin of Vivian+Espie titled 'Request for Rezoning through the PDP Process – Sunshine Bay Limited' dated May 2020. I will not repeat a full description here, other than to make the following summary points that are particularly relevant to landscape issues.

The proposal is to rezone the site from Rural to an urban zone to enable residential development of the land. The most likely scenario is an MDR zoning within the UGB. An indicative master plan has been prepared, based on an MDR zoning and is shown in Figure 3 below. The ONL line is shown as a dashed yellow line, and the proposed rezoning (and associated development) is to be applied to the non-ONL part of the site:



Figure 3: Indicative Master Plan

This indicative master plan could enable at least 200 residential units, recreation reserves, as well as an allowance for visitor accommodation and limited retail. Specific building designs have not been formulated. It is likely the road layout shown in the indicative master plan would be implemented in some form, as I understand this road layout has been designed to achieve QLDC gradient requirements. Overall, the proposal would provide urban development across the non-ONL parts of site, extending the size of the current Sunshine Bay suburb.

Under an MDR framework, on sloping sites building heights of up to 8m are anticipated, with a building coverage of 45% and up to three residential units per site. A minimum lot size of 250m² is also provided for in the subdivision chapter.

5. DESCRIPTION OF LANDSCAPE SETTING

The Joint Witness Statement submitted as part of PDP appeals regarding landscape categorisation and lines contains a fulsome description of the landscape setting. I append that document as Attachment [B] and do not

repeat that description in full. I provide a short summary of the key points of that description under the same three headings used:

5.1 Landform

- Within the wider Wakatipu Basin area (including at Sunshine Bay), there is a marked geomorphological change between the mountain peaks and the valleys. Glacial action has scoured the steep sides of the valleys and lakes, while the jagged mountain peaks were not glaciated and have not been scoured.
- The geology in the immediate vicinity of the developed portion of Sunshine Bay is dominated by glacial till deposits. These comparatively young sediment deposits were transported to their current location by glacial ice, where they now form relatively gentle slopes around Sunshine Bay and Fernhill (in comparison to the very steep mountainous backdrop).
- Further to the west of these glacial till deposits, distinctive ribs of bedrock are exposed and form rocky outcrops, with a small roche moutonnée located at the western end of Arawata Track. Broadly encircling this patterning of glacial till deposits (edged by bedrock ribs and rocky outcrops) are the very steep mountainous schist formations associated with Ben Lomond to the north.
- These exposed bedrock features are a distinctive element of the landscape of the lower lying area near Sunshine Bay and serve to reinforce the connection of the area to the dramatic exposed rock faces evident in places throughout the steep mountainous landscape to the north and west (for example, on the roche moutonnée).
- The landform change from glacial till deposits, bedrock ribs and steep mountainous schist occurs on the eastern side of a small sub-bay, approximately 200m southwest of the jetty in Sunshine Bay. The change in the geomorphology of the landscape between the exposed bedrock ribs and glacial till 'shelf' is also perceived travelling along the Glenorchy-Queenstown Road. The exposed schist outcrops of the rock ribs form impressive rocky tors, separated by incised gullies. The rock is prominent in road cuttings.
- For the section of the road that coincides with the glacial till deposits (i.e. closer to the Sunshine Bay settlement area), the (comparatively) gentler terrain and absence of visible rock outcrops signals the change in the underlying landform character.
- In Attachment [D] is a plan showing the 1m contours for the area. These reveal the steep slope patterning along the eastern side of the south end of the rocky outcrop extending from Glenorchy-Queenstown Road to the Arawata Track.

5.2 Land cover

- The land cover around the Sunshine Bay urban area is generally dominated by mature, mostly exotic, wilding conifers.

- Exceptions to this are evident on the northern (i.e. uphill) side of the Arawata Track on its eastern part, and on either side of the Arawata Track west of the triple power pole where regenerating native vegetation is more prolific.
- The report of Mr Kelvin Lloyd (Wildlands Ltd) has assessed the vegetation on the site. He notes the site is currently dominated by relatively young regenerating indigenous broadleaved forest and bracken fern land vegetation, having regenerated for approximately 45 years since previous clearance. The indigenous forest vegetation has relatively low diversity, and is typical of similar forest vegetation elsewhere on the lower slopes above Lake Wakatipu¹.

5.3 Land use

- The area proposed to be rezoned adjoins the urban area of Sunshine Bay.
- There are no existing buildings, structures or accessways within the area to be rezoned with the exception of the power infrastructure and informal walking track described below. The area is generally relatively 'unmanaged' (as evidenced by the vegetation characteristics). The exceptions to this are:
 - The power lines that traverse the area from the north-east to the south-west. In the east the lines generally follow the alignment of the Arawata Track (west of Sunshine Bay). Near the north western corner of the site, the lines rise in a north westerly direction to an elevated point on the Ben Lomond ridgeline. The triple power pole marks the point where the alignment of the power lines changes direction.
 - The public access track within a cutting on legal road reserve, occupied by the Arawata Track
 - Below the proposed rezoning area, is the Glenorchy- Queenstown Road, a two-lane road separating the rezoning area from the lake.

5.4 Previous reports regarding landscape issues

The most recent report is the Joint Witness Statement appended as Attachment [B]. I agree with the findings of the Pfluger and Gilbert Joint Witness Statement with regard to the location of the ONL landscape line.

The Joint Witness Statement does not consider the landscape effects of urbanising the non-ONL part of the site.

I am also aware of the package of material prepared by Boffa Miskell and provided to QLDC as part of the overall 'Concept Masterplan Set' that showed the visibility of the site from certain locations (relevant images are Attachment [F]). I comment further on the visibility in section 7 to follow.

¹ P.14 Wildlands Report titled Ecological Assessment Of The Proposed Sunshine Bay Urban Development, Queenstown, dated August 2019

6. HIGH LEVEL PDP CONTEXT

The site is zoned Rural General pursuant to the Operative District Plan (ODP) and Rural Zone pursuant to the Decisions Version Proposed District Plan (PDP). In relation to landscape categorisation, based on the Environment Court Consent Order (Attachment [C]), the majority of the site is (by default) a Rural Character Landscape (RCL) and the balance of the site is an Outstanding Natural Landscape (ONL). The PDP landscape line is shown in yellow in Figure 2 below.

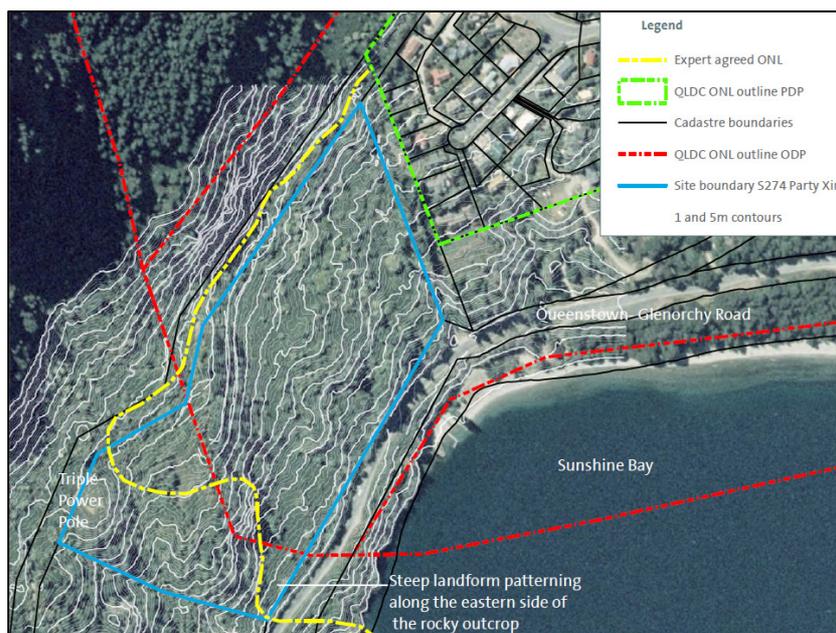


Figure 2: ONL line (yellow) from Environment Court Consent Order

In Section 9 of this report I consider the proposal against the strategic objectives and policies relating to landscape matters.

7. IDENTIFICATION OF VISUAL CATCHMENT

A high-level Zone of Theoretical Visibility assessment was undertaken using Google Earth Pro using a 9m height pole above original ground level (to provide a margin of error, an extra 1m was added to the 8m height limit anticipated under the MDR).

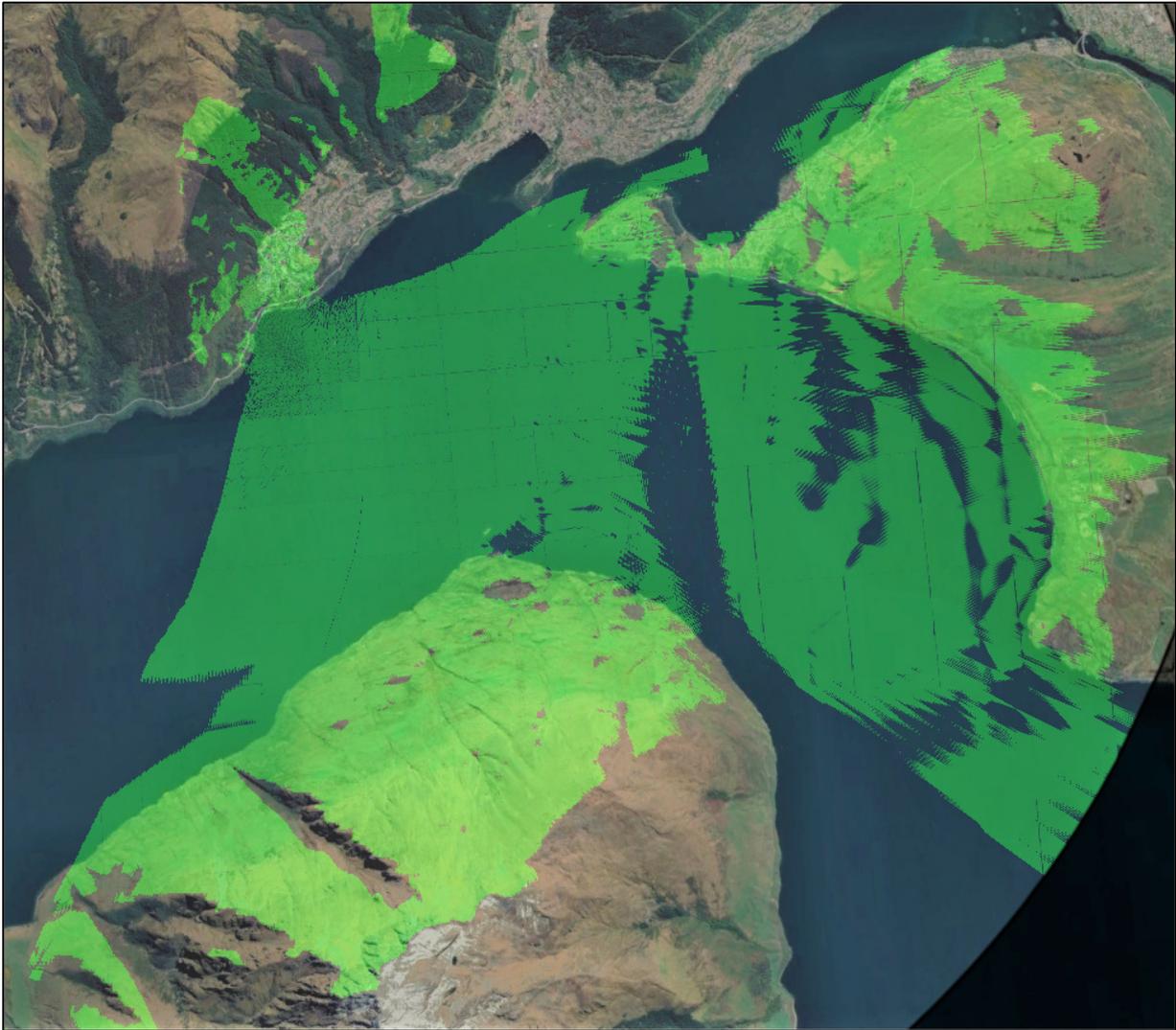


Figure 3: Zone of Theoretical Visibility

While this form of viewshed mapping is approximate, and is not a substitute for viewing the site from the ground, at a high level it demonstrates that the site has limited visibility from most urban areas of Queenstown. The images in Attachment [E] provide more clarity. An inner and outer visual catchment can be identified as follows:

7.1 Inner Visual Catchment (within 2km of the site)

The urban areas that have clear visibility of some or all of the proposed site are:

- The south facing slopes of Sunshine Bay, including particularly the elevated streets of MacKinnon Terrace, McKerrow Place, Miller Place and Broadview Rise.
- The south facing elevated slopes of Fernhill, including but not limited to roads such as Dart Place, Bird Place, Caples Place and Greenstone Place.

7.2 Outer Visual Catchment (more than 2km from the site)

More distant views of the site are available from the following urban parts of Queenstown:

- The urban area of Kelvin Heights (approximately 4.6 kilometres from the nearest street (Grove Lane)).
- The more urbanised Jacks Point Village (11.1 kilometres) although some of the larger residences on the tablelands are 8.7 kilometres away from the site.

With regard to non-urban areas, the site is visible from the following locations:

- Lake Wakatipu
- Cecil Peak
- Rural parts of Peninsula Hill
- The upper slopes of Ben Lomond
- Parts of Sunshine Bay beach

I agree with the images prepared by Boffa Miskell as part of the concept masterplan set, and as provided in the Joint Witness Statement appended as Attachment [F] to this report that the part of the site to be rezoned is not visible from the following locations:

- Queenstown Bay
- Queenstown Gardens (a small part of the ONL part of the site is visible)

8. ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

8.1 Landscape Character

The re-zoning will result in the introduction of urban development comprising of roads, buildings and associated urban infrastructure such as street lights, kerb and channel, and urban style landscaping. The sloping nature of the site will require earthworks to place the roads and structures, with resulting retaining or cut rock faces that are less weathered than the surrounds. Buildings would likely comprise a mix of attached and detached forms with pitched roofs and windows orientated towards Lake Wakatipu. The MDR framework does not control the external colour or materials of buildings, so it is likely a range of colours and materials would be present in the built form.

The ecological mitigation package described by Mr Lloyd would assist in mitigating the effects of urbanisation, however the rezoning would result in rural and natural character being significantly altered in the non-ONL part of the site, and the urban character of the Sunshine Bay suburb spreading south. A natural consequence of this is a reduction in openness, expressiveness, naturalness and rural character. While the indicative master plan shows large areas unaffected by development (the ONL and other steep parts of the site), the overall change for the non-ONL part of the site will be a loss of landscape and natural character and its replacement with built development with an urban character.

I consider that in terms of landscape planning, the area proposed for rezoning to the south of the Sunshine Bay urban areas is considerably less sensitive to landscape change than the vast majority of locations within the rural parts of the district and is suitable for urban/suburban development. This is primarily because:

- a) It is located in a relatively topographically contained part of the landscape, as shown in the ZTV analysis. It is not prominent or particularly visually displayed. It is only observed from a relatively small and localised visual catchment. From almost all of urban Queenstown it is tucked behind the hill separating Fernhill from Sunshine Bay.
- b) It is immediately adjacent to an urban area, being the suburb of Sunshine Bay. Specifically, it is immediately adjacent to the low residential streets of Arawata Terrace, Moss Lane and Evergreen Place. It would amount to an expansion of the existing urban area.
- c) It is located on a relatively steeply sloping section of land that is of very limited productive value. The site appears as if it was a development block formed when Sunshine Bay was developed, with a legal road running above the site. Hence, development here would appear much less anomalous in relation to established patterns that it would in many other rural locations around the district.
- d) Due to its limited productive value, it does not impart classically pastoral or picturesque aesthetics in the way that some of the more verdant parts of the district's rural areas do. However it does have a high degree of natural character from the regenerating native vegetation.
- e) It is not part of, and can be visually separated from the ONL.

8.2 Views and visual amenity

Development would not substantially obstruct any important view corridors from public roads in the vicinity, but it would be indirectly in the foreground of views from some public roads that provide views towards the lake and Cecil / Walter Peaks beyond.

I have considered the unformed legal road corridor of Arawata Track. The topography of the site means that views from the legal road formation occupied by the Arawata Track would generally be over the top of the built form, except for in the very southernmost part of the site where the indicative master plan shows the 'integrated accommodation' area at a similar contour to the existing walking track.

For the nine properties that immediately adjoin the site², located on the southern edge of Sunshine Bay, these sites are separated by a 20m wide unformed legal road reserve that follows a water course. This separation space is densely vegetated. In the indicative master plan a row of detached houses are shown on the side of this unformed legal road. I understand this is to match the scale and character of the existing Sunshine Bay low density style

² 4, 6, 8A & 8B Moss Lane, and 13, 15, 28, 30, 32 Evergreen Place

residential development before development of the site moves into MDR style development. The landscape effect of the rezoning on these properties would be a reduction in openness and privacy, through the introduction of built form where there is presently none. However I consider the effect to be of a relatively low degree given the separation distance and intervening vegetation in the gully which is likely to be retained.

For the elevated properties in Sunshine Bay that look toward the site, particularly those on MacKinnon Terrace, McKerrow Place, Miller Place and Broadview Rise, these properties are oriented towards the lake / site. These properties will clearly see the landscape change from its current form with no structures to one dominated by structures and urban infrastructure. Views from Mackinnon Terrace (in the middle of this area) are approximately 500m from the edge of the site. The change will be clearly visible as an urban extension of Sunshine Bay into what was a rural landscape. I consider this visual effect will be moderate in degree, as there will a clear change from a rural to an urban character, but in a location where this appears as an urban extension.

For the elevated properties in Fernhill that look toward the site, including but not limited to roads such as Dart Place, Bird Place, Caples Place and Greenstone Place, these properties typically do not have visibility of the full site. This is due to intervening topography and other built form in Fernhill. The change from a rural character to an urban character will be visible from some of these properties. I consider the effect will be moderate / low due to the partial views available, the distance from which the change will be observed, and the fact that it will be a small change in a very broad panorama of views generally oriented towards the lake and mountains beyond.

8.3 Rural Amenities

Rural amenity is generally considered to include aspects such as privacy, a sense of spaciousness, clean air, visual access to open space and, at times, quietness. The level of rural amenity enjoyed by residents of Sunshine Bay and Fernhill near the site has been modified to some extent by the existing high voltage power lines and creation of the Arawata Track. Extension of an urban zone onto the non-ONL part of the site would exacerbate these existing adverse effects, particularly for nearby residents, who would experience a loss of quietness, privacy, spaciousness and rural outlook when urban development is completed. This is mitigated to a significant extent by the unformed legal road corridor adjacent to the existing built form of Sunshine Bay. This 20m unformed legal road forms a setback / buffer between the site and these immediately adjoining neighbouring properties. In broad landscape planning terms, if we are to accommodate increased population by expanding exiting urban areas (as is logical), it is inevitable that there will be some adverse effects on existing urban residents that are adjacent to the expansion.

8.4 Edge Treatment

Notwithstanding the above, edge treatment in regard to a new urban expansion is a relevant issue in relation to both landscape character and visual amenity. The indicative master plan maximises the use of the flatter parts of the site for development, and shows a hard edge of urban development on the ONL line. The MDR zoning would enable buildings up to 8m above original ground level directly adjacent to the ONL.

I am satisfied that the possibility of 8m high buildings near the boundary with the ONL will not result in adverse effects on views of the ONL, given the relatively discrete viewing catchment from which the boundary will be observed and the fact that the ONL will be visually distinct from the urban area. Although an area beside the ONL will change, the ONL itself will remain entirely intact.

For an urban/suburban area that is surrounded by rural land, I do not consider a hard edge to be problematic; i.e. there is no automatic merit in feathering out density on the edge of a suburban area. However, I consider that the actual boundary line should be handled in a soft way such that an abrupt visual barrier (such as a line of 2m high paling fences) is avoided. Ideally, the lots on the edges of the development should gain some views and open space benefit from the rural land adjacent to them while also allowing for some privacy and shelter as appropriate.

In this regard, I recommend that through a rezoning proposal, consideration be given to an additional rule relating to these edge boundaries. This could then be addressed through a consent notice on a future subdivision. I recommend treating them with a maximum fence height of 1.2m rather than the permitted 2m, and also a requirement that fences are visually permeable (post-and-wire, post-and-rail, or similar). Controls of this sort mean that while there will be a clear demarcation between rural and urban, the edge itself will be a varied, soft, broken, green edge when observed from the surrounding landscape. Future lot owners along the ONL boundary can then create shelter and privacy (if they wish to) via vegetation rather than via built form.

8.5 Overall Landscape Planning considerations

In terms of broad scale landscape planning and the management of the rural landscape generally, I support the general principle that if the district is to support an increased population over coming decades, expansion of existing towns and urban areas in a way that provides relatively high density is significantly preferable to scattered development through the rural areas of the district. Therefore, locations such as the subject site are particularly suitable. From my experience of the district, I suggest that sites that meet my criteria (a) to (e) in the section 8.1 above are relatively few and far between.

Regarding the effects on landscape character and visual amenity that have been identified, I reiterate that from a landscape planning perspective, I support an overall strategy for accommodating increased population through intensifying and expanding existing urban areas rather than spreading population through rural areas (and I consider that this is supported by the Strategy section of the decisions version of the PDP and the associated interim decisions of the Environment Court in section 9). If we are to follow such a strategy then we need not be embarrassed by some visibility of expanded urban/suburban areas. The existing towns and settlements of the district generally sit comfortably, attractively and expectedly within the rural landscapes that make up the district. I consider the same is true of expanded urban areas, provided location, design controls and edge treatments are appropriate.

9. ASSESSMENT AGAINST PDP STRATEGIC LANDSCAPE POLICIES

As this is a re-zoning rather than a resource consent, the proposal must be assessed against the Strategic Directions of the PDP. Interim Decisions of the Environment Court on Topics 1 and 2 are included within an annotated Strategic Directions chapter in the Council's Strategic S42A report on the Stage 3 PDP provisions. The following explanatory text is now inserted:

3.1B Interpretation and Application of this Chapter

3.1B.1 For the purpose of plan development, including plan changes, the Strategic Objectives and Strategic Policies in this Chapter provide direction for the development of the more detailed provisions contained elsewhere in the District Plan in relation to the Strategic Issues.

While this report is not a planning assessment of the proposal against the Strategic Directions, which must consider a broad range of matters, the relevant Strategic Objectives and Policies are set out below and commented on in relation to landscape matters.

b. 'Landscape values' in relation to any an Outstanding Natural Feature, Outstanding Natural Landscape or Rural Character Landscape includes biophysical, sensory and associative attributes (and 'values' has a corresponding meaning);

I note the reference above from section 3.1B.7 to landscape values include biophysical, sensory and associative attributes.

Strategic Objective 3.2.2, and the associated policy is directly relevant to the proposal:

3.2.2 Urban growth is managed in a strategic and integrated manner. (addresses Issue 2)

3.2.2.1 Urban development occurs in a logical manner so as to:

- a. promote a compact, well designed and integrated urban form;
 - b. build on historical urban settlement patterns;
 - c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;
 - d. minimise the natural hazard risk, taking into account the predicted effects of climate change;
 - e. protect the District's rural landscapes from sporadic and sprawling development;
 - f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;
 - g. contain a high quality network of open spaces and community facilities; and.
- h. be integrated with existing, and planned future, infrastructure. (also elaborates on S.O. 3.2.3, 3.2.5 and 3.2.6 following)

With regard to the first part of policy 3.2.2.1, from a landscape perspective I consider the proposal will read as a 'logical' urban extension to Sunshine Bay. It will also achieve Parts (a) and (b) of the policy, as from a landscape perspective it will directly adjoin the existing urban area, will result in a compact urban form, will integrate with existing urban development and will build on the historic urban settlement pattern of the Sunshine Bay area.

Part (e) of the policy seeks to protect the district's landscapes from sporadic and sprawling development. Most definitions of the term "*sprawl*" refer to spread or expansion that is unplanned, irregular or unrestrained. I consider that sprawl is not the correct term to refer to the rezoning proposed since it is not unrestrained or unplanned. In any event, I reiterate my comments that the expansion of an existing urban area in order to accommodate population has considerable merit in terms of landscape planning principles and, importantly, the proposed expansion avoids the ONL.

Rural Character Landscapes

3.2.5.2 **The rural character and visual amenity values in identified Rural Character Landscapes are maintained or enhanced by directing new subdivision, use or development to occur in those areas that have the potential to absorb change without materially detracting from those values.**

Within Rural Character Landscapes, adverse effects on landscape character and visual amenity values from subdivision or development are anticipated and effectively managed, through policies and rules, so that:

a. landscape character is maintained; and

b. visual amenity values are maintained or enhanced.

3.2.5.iv **In Rural Character Landscapes, new subdivision, use and development in proximity to any Outstanding Natural Feature or Outstanding Natural Landscape does not compromise the landscape values of that Feature or Landscape.**

With regard to Strategic Policy 3.2.5.2, the wording of this Strategic Policy is such that it is directed towards QLDC who write the 'policies and rules' so that landscape character is maintained and visual amenity values are maintained and enhanced. In this case the Council would be agreeing to notifying a proposed rezoning that would propose to remove the Rural / RCL zoning on and replace it with a MDR zoning.

The proposal would not maintain the RCL landscape character or maintain or enhance the visual amenity of this particular piece of the RCL (i.e. the area of rezoning itself). It would result in urban development of this somewhat unique, isolated portion of RCL land. As can be seen on Figure 2, this particular area of RCL is a small area contained between the lake, the existing Sunshine Bay urban area and the ONL that surrounds it. It is a remnant of Rural Zone land that sits separately from the ONL and is isolated from any other RCL area; it is not part of any broad, continuous RCL. Therefore, the wider RCL landscapes of the district will not be affected by the rezoning. Unlike most RCLs which cover vast areas, the rezoning of this portion will remove a distinct and contained remnant part of RCL that is unusual in the PDP context.

With regard to Strategic Policy 3.2.5.iv, I have commented on this above. While the area of proposed rezoning is close to an ONL, it is distinct from it. The new area of zoning will sit very much as the existing urban area of Sunshine Bay does; a suburb with rugged, unimproved mountain slopes (i.e. the ONL) around it. The identified ONL will continue to have its existing character, separate from the expanded urban area. I am satisfied that having built form practically up to the edge of the ONL in this location will continue to protect the values of the ONL beyond. The ONL will remain legible, and of a very recognisable different character to the non-ONL, as it does around the area existing of Fernhill / Sunshine Bay, and a number of other suburbs of Queenstown that immediately abut the ONL mountain slopes.

I understand the rezoning must be considered against the full 'Part Two: Strategy section of the PDP, which includes the Urban Development chapter. The Chapter 3 Strategic Landscape objectives and policies (discussed above) must be weighed against the Chapter 4: Urban Development objectives and policies.

4.2.2 A Objective - A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.

4.2.2 B Objective - Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)

In Urban Development Objective 4.22A and B above, the proposed rezoning would achieve the objectives as the urban extension will still result in a compact urban form, and will protect the adjoining ONL, as has been set out previously. Urban Development Policy 4.2.2.2 also guides the allocation of land within UGBs:

4.2.2.2 Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:

- a. its topography;
- b. its ecological, heritage, cultural or landscape significance if any;
- c. any risk of natural hazards, taking into account the effects of climate change;
- d. connectivity and integration with existing urban development;
- e. convenient linkages with public transport;
- f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;
- g. the need to make provision for the location and efficient operation of regionally significant infrastructure;

With regard to the Strategic Policy 4.2.2.2 above, I consider the proposed rezoning of this particular parcel of land to MDR is an allocation of land into a zone that is an appropriate land use with regard to parts (a) and (b) above.

The relatively gentle topography of site is, in many respects a key driver of its RCL classification, and the landscape significance is limited for the reasons I have set out in the paragraphs above.

9.0 CONCLUSION

The subject site sits to the immediate south of the existing Sunshine Bay suburb on rural land that is not used productively. It is nestled into a less steep part of the lower slopes of Ben Lomond, is adjacent to (but outside) the recently settled ONL and is observable from a relatively localised visual catchment.

I conclude that the area to the south of Sunshine Bay is considerably less sensitive to landscape change than the vast majority of locations within the rural parts of the district and is suitable for urban/suburban development. This is primarily because:

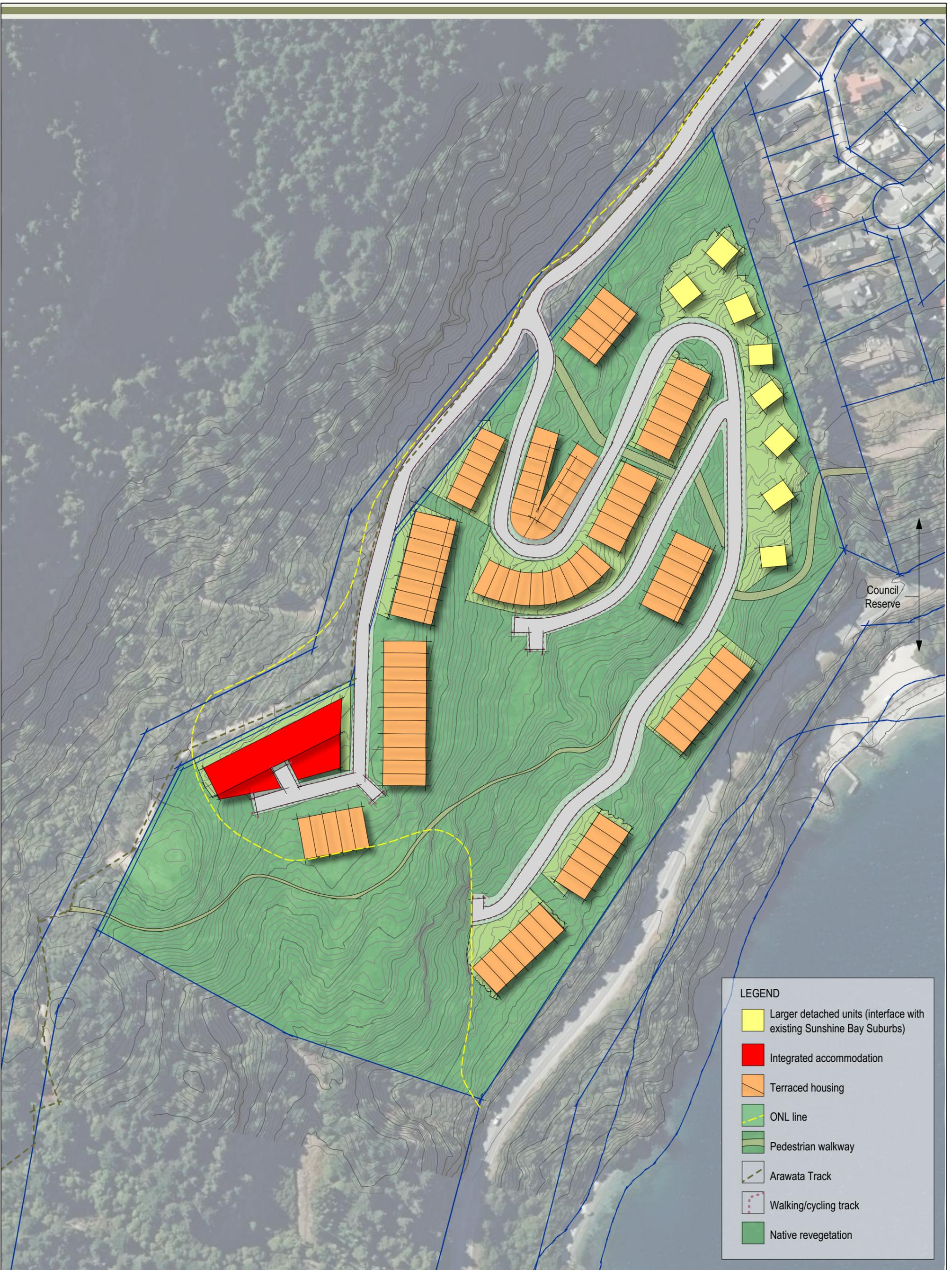
- It is immediately adjacent to an urban area, being the suburb of Sunshine Bay. Specifically, it adjoins the low residential streets of Arawata Terrace, Moss Lane and Evergreen Place.
- It is located in a relatively contained part of the landscape and is only observed from a relatively small and localised visual catchment.
- It is located on land that is of limited productive value.
- It is not part of, and can be visually separated from the ONL. It is an isolated piece of RCL land.

Overall, I consider that the site is suitable for urban/suburban expansion for the reasons set out in this evidence. While effects on landscape character and visual amenity are inevitable, I consider that they have been well mitigated by the location and characteristics of the site mean that these effects will be much less than they would be in many other rural locations within the district.

BEN ESPIE

Dated 21 May 2020

- [A]** Indicative Master Plan
- [B]** Joint Witness Statement
- [C]** Environment Court Consent Order dated 23 September 2019
- [D]** 1m LIDAR contour image
- [E]** Zone of Theoretical Visibility analysis
- [F]** Relevant images from Boffa Miskell 'Concept Masterplan Set'



LEGEND

- Larger detached units (interface with existing Sunshine Bay Suburbs)
- Integrated accommodation
- Terraced housing
- ONL line
- Pedestrian walkway
- Arawata Track
- Walking/cycling track
- Native revegetation

REF: 1363-01
 DATE: 18.05.2020
 SCALE: 1:1500 @ A3

Sunshine Bay Limited Indicative Master Plan

Sunshine Bay, Queenstown

vivian+espie
 resource management and landscape planning
 vivian+espie Limited Resource Management and Landscape Planning
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In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-056

Under	the Resource Management Act 1991
In the matter of	an appeal under clause 14(1) of Schedule 1 of the RMA in relation to the Queenstown Lakes Proposed District Plan
Between	Upper Clutha Environmental Society Incorporated Appellant
And	Queenstown Lakes District Council Respondent
And	Steve Xin Section 274 party

Joint Witness Statement of Bridget Gilbert for the Respondent and Yvonne Pfluger for the section 274 party

Topic 2: Rural Landscapes, Subtopic 1: Amendments to ONL and ONF lines

Dated 5 July 2019

Section 274 party's solicitors:

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**anderson
lloyd.**

Scope of Joint Witness Statement

- 1 This joint witness statement (**JWS**) is the outcome of landscape expert conferencing between Yvonne Pfluger and Bridget Gilbert in relation to the Upper Clutha Environment Society Incorporated (**UCESI**) appeal¹ and, more specifically, the section 274 party interests of Mr Steve Xin, which concern the position of the Outstanding Natural Landscape (**ONL**) boundary as it relates to Sunshine Bay. This JWS does not consider other ONL boundaries within the Queenstown Lakes District.
- 2 Yvonne Pfluger has been engaged by Mr Xin to provide landscape expert advice in relation to his section 274 party interests. Mr Xin's interests arise from the relief sought by UCESI that the landscape lines shown on the Operative District Plan (**ODP**) maps are “rolled over in their exact current form”², and specifically the position of the ONL boundary that demarks the western margin of the Sunshine Bay residential area (**appeal area**).
- 3 **Figure 1** (attached) shows the extent of the study area. The Xin land is located to the west of the existing Sunshine Bay settlement and is defined by the blue line on **Figure A** (overleaf) and **Figure 1** (attached). Glenorchy-Queenstown Road defines the southern edge of the property. A narrow section of unformed legal road forms the eastern boundary and serves to separate the Xin site from the (urban zoned) Sunshine Bay properties. The northern boundary coincides with the Arawata Track. This track follows a legal road and links between Glenorchy-Queenstown Road and the western edge of the Sunshine Bay settlement, and it is via the Arawata Track that access can be gained to the Xin land. The western boundary of the Xin land cuts across a steep valley.
- 4 Bridget Gilbert has been engaged by the Respondent, Queenstown Lakes District Council (**QLDC**), to provide expert landscape advice in relation to the location of the ONL boundary for the appeal area.
- 5 Our previous relevant experience, and experience with the PDP process, is described in **Appendices A and B**, respectively. During the preparation of this JWS we undertook a joint site visit on 6 June 2019 to assess the landscape attributes and values associated with the appeal area and the wider western Sunshine Bay area, on the ground, as well as from elevated locations. Prior to the joint site visit, background information and a graphic attachment were provided by

1 ENV-2018-CHC-056.

2 Clause 7 of relief sought – UCESI appeal

Ms Pfluger to Ms Gilbert, including maps, photographs and illustrations from site visits previously undertaken by Ms Pfluger.

- 6 In preparing this statement we have considered Dr Read's *Report to QLDC on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features*, dated 1 April 2014 (**2014 Report**). The 2014 Report shows a recommended ONL boundary for the Sunshine Bay area that was subsequently adopted for the notification of Stage 1 the Proposed District Plan (**PDP**), and then confirmed through the PDP Stage 1 Council decisions (refer **Figure 1** green dashed line).

Code of Conduct for Expert Witnesses

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

Executive Summary

- 8 The ONL boundary that runs along the western margin of Sunshine Bay, which is included in the PDP Stage 1 Decisions Version mapping, adopts a 'zone boundary' (or 'landuse') delineation approach (refer **Figures A and 1** green dashed line).
- 9 We do not agree that this ONL boundary delineation method is the most appropriate for this location, as we consider that there is a legible 'landscape' or geomorphological boundary in the area that derives from the underlying landform characteristics and patterning. We note that reliance on a geomorphological boundary was agreed in the Topic 2 Landscape Joint Witness Statement (**Landscape JWS**) to be the preferred boundary delineation method for ONLs (and ONFs).³
- 10 Our agreed ONL boundary line is shown in **Figure 1 (yellow dashed line)** attached and reflects the visual expression of the underlying landform characteristics and patterning.
- 11 In summary, our agreed ONL boundary follows the eastern edge of the distinctive rocky outcrop that extends from the Glenorchy-Queenstown Road towards the

3 Refer JOINT STATEMENT ARISING FROM EXPERT CONFERENCING TOPIC: LANDSCAPE METHODOLOGY AND SUPTOPICS 2, 3, 5, 6, 7, 8 AND 10, dated 29 January 2019, paragraph 1.7(a).

Arawata Track and then veers north eastwards to run along the south eastern edge of the Arawata Track. In recommending this boundary, the shallower glacial till deposits immediately to the west of the Sunshine Bay residential area are excluded from the ONL, up until the point where they meet the exposed rock faces that form a legible geomorphological boundary. In this instance it is a combination of landform characteristics (the underlying geology) and landform patterning (the exposed rock faces and steep eastern profile of the rock outcrop) that delineate the geomorphological boundary for the ONL.

- 12 The area of Rural zoned land to the west of Sunshine Bay that is excluded from the ONL as a result of our agreed amendments (and which was included in the PDP Stage 1 Decisions Version ONL mapping), corresponds with the more moderately sloping glacial till deposits on which the majority of the existing Sunshine Bay development is situated.

Background to ONL Boundary in the Operative and Proposed District Plans

- 13 The ONL boundary around Sunshine Bay included in the ODP was derived from Environment Court decision C180/99. We understand that the solid (i.e. confirmed) ONL boundaries for the Wakatipu Basin, from C180/99, were confirmed by C75/2001, and should have been shown as solid rather than dashed lines in Appendix 8A of the ODP.
- 14 The ONL boundary in C180/99 and the ODP (refer **Figure A**), extends in a north-westerly direction from the lake edge to the base of the steeply rising slopes of Ben Lomond following the change in terrain.
- 15 Dr Read states the following in relation to the ONL boundary at Sunshine Bay in her 2014 Report (paragraph 4.3.3.1):⁴

“An anomaly exists with regard to the location of the boundary of the ONL (Wakatipu Basin) within Sunshine Bay. Text of C180/99 states that the Wakatipu ONL excludes all lands zoned residential, industrial or commercial. Consequently the putative line delineating the inner boundary of the ONL generally follows the zone boundary. At the western edge of Sunshine Bay, however, it is located approximately 400m to the west of the Low Density Residential zone incorporating an area of Rural General land within the township. In my opinion the appropriate position for the boundary line is contiguous with the zone boundary in this location, there being no identifiable features to distinguish this land from that adjoining it to the west.”

4 Appended to Dr Read's evidence for Topic 2, dated 6 April 2016

- 16 The PDP Stage 1 Decisions Version ONL mapping adopts the boundary delineation method recommended by Dr Read and locates the ONL boundary along the Low Density Rural Zone boundary at Sunshine Bay. This results in a 'landuse' ONL boundary delineation method.
- 17 We note that reliance on a geomorphological boundary was agreed in the Landscape JWS to be the preferred boundary delineation method for ONLs (and ONFs). The 'next preferred' delineation methods include marked changes in landcover and landuse (e.g. settlement edges, production forestry).⁵
- 18 We consider that, in this location, a legible geomorphological boundary exists and should be preferred over the PDP Stage 1 Decisions Version 'landuse' ONL boundary delineation method.
- 19 Our preferred boundary is primarily derived from landform characteristics and patterns, as discussed in the following sections of this JWS.

Study Area Description

- 20 The urban zoned land at Sunshine Bay / Fernhill is located to the north of the Glenorchy-Queenstown Road corridor, extending north-eastwards to Fernhill. The majority of the settlement area comprises moderately to steeply sloping hillsides (for urban zoned land), with south or south eastern facing properties that were mostly developed in the 1970s. More recently, infill housing has occurred and today the Sunshine Bay 'settlement' effectively merges with (the similarly sloping and south facing) Fernhill residential area further to the east.
- 21 The extent of the 'study area' is depicted on the map overleaf.

5 Refer JOINT STATEMENT ARISING FROM EXPERT CONFERENCING TOPIC: LANDSCAPE METHODOLOGY AND SUPTOPICS 2, 3, 5, 6, 7, 8 AND 10, dated 29 January 2019, paragraph 1.7(a).

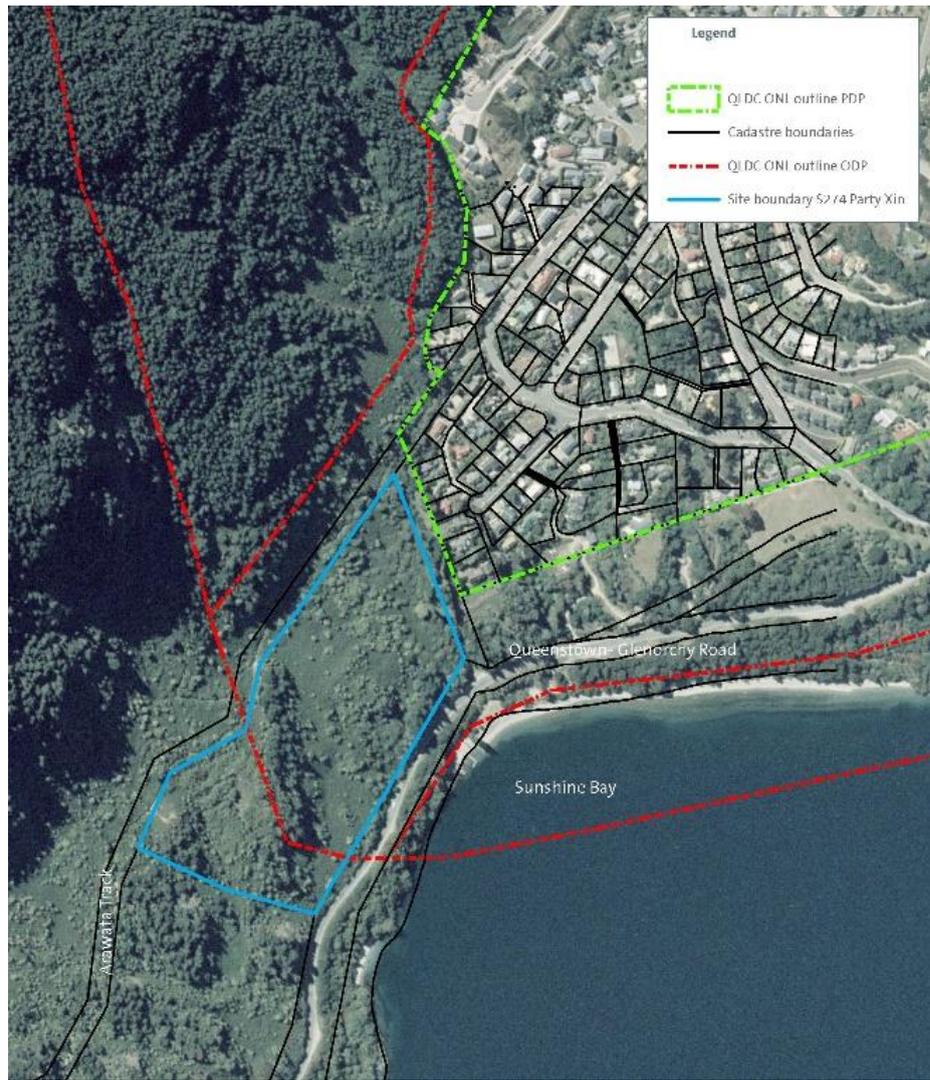


Figure A: Study Area. Red dashed line: ODP ONL boundary; Green dashed line: PDP Stage 1 Decisions Version ONL boundary; Blue line: s274 Party (Xin) property boundary; Black lines to the north of the Xin property showing the Arawata Track.

Landform

22 **Figures 2 and 3** attached illustrate the geology, soils and slope at Sunshine Bay.⁶

23 Within the wider Wakatipu Basin area (including at Sunshine Bay), there is a marked geomorphological change between the mountain peaks and the valleys. Glacial action has scoured the steep sides of the valleys and lakes, while the jagged soaring peaks were not covered by glaciers and have not been similarly

6 The geological data is represented on maps at a scale 1:250,000 (by the Institute of Geological and Nuclear Sciences) and the New Zealand Land Resource Inventory – Soil (by Landcare Research) provides consistent coverage of soils across the entire country at a nominal scale of 1:50 000. This indicates that the accuracy of the mapping of this data is relatively coarse and needs to be interpreted at a site specific scale. We endeavoured to interpret the geology based on the visible display of the substrate, taking into account visible rock outcrops where bedrock is visible.

scoured. The erosional force of glaciation can be particularly well seen on the “roche moutonnées” in the Wakatipu Basin. These rock formations display scoured base-rock slopes on the side facing the flow of the glacier, while the steeper downstream side shows signs of the glacier plucking loose rocks out of the surface. Similar to the valley slopes, roche moutonnées often show signs of striation, where the glacier scoured the surface as it passed over the landform. An example of a roche moutonnée is found in close proximity to Sunshine Bay on the eastern side of the Ben Lomond ridgeline, near the western end of the Arawata Track (Refer **Figures A and 1** for the track location and **Figure 2** for the location of the roche moutonnée).

- 24 The geology in the immediate vicinity of the developed portion of Sunshine Bay is dominated by glacial till deposits. These comparatively young sediment deposits were transported to their current location by glacial ice, where they now form relatively gentle slopes around Sunshine Bay and Fernhill (in comparison to the very steep mountainous backdrop). The glacial tills extend roughly to the west of the current Sunshine Bay residential area and southwards of the Arawata Track, as shown on the geological map in **Figure 2**. Further to the west of these glacial till deposits, distinctive ribs of bedrock are exposed and form rocky outcrops, with the small roche moutonnée (Point 432masl and referred to above), located at the western end of Arawata Track. Broadly encircling this patterning of glacial till deposits edged by bedrock ribs and rocky outcrops are the very steep mountainous schist formations associated with Ben Lomond to the north (noting an isolated schist outcrop east of Sunshine Bay that effectively serves to separate Sunshine Bay from the lake edges of Fernhill) (Refer **Figures 7 and 8**).
- 25 These exposed bedrock features are a distinctive element of the landscape of the lower lying area near Sunshine Bay and serve to reinforce the connection of the area to the dramatic exposed rock faces evident in places throughout the steep mountainous landscape to the north and west (for example, on the roche moutonnée).
- 26 We note that some of these exposed bedrock features are currently obscured by weed cover, making them difficult to see from the surrounding area and within the Xin land itself.
- 27 The landform change from glacial till deposits, bedrock ribs and steep mountainous schist occurs on the eastern side of a small sub-bay, approximately 200m southwest of the jetty in Sunshine Bay. The small promontory that defines the eastern end of this small embayment forms the continuation of the rock rib closest to Sunshine Bay. To the west of the rock rib is a steeply incised ephemeral stream/gully that drains into Lake Wakatipu. Approximately mid-way along the Arawata Track, the rock rib is easily detected below the triple power pole that is located on the outcrop (described shortly).

- 28 The change in the geomorphology of the landscape between the exposed bedrock ribs and glacial till 'shelf' is also perceived travelling along the Glenorchy-Queenstown Road (refer **Figure 12**). The exposed schist outcrops of the rock ribs form impressive rocky tors, intersected by deeply incised gully systems. The rock is prominent in views from the road, as it had to be partially removed for the construction of the carriageway. The change of elevation between the lake shore and the road (at around 30m above lake level) is pronounced, with another steep rise from the road to the Arawata Track (around 60m above road). Beyond this is the elevated and gentle terrain transitions into the steep slopes of Ben Lomond further to the north and west. The steeply rising terrain largely obscures views towards the upper slopes and views from the road are oriented towards the base of the (unnamed) headland and lake.
- 29 For the section of the road that coincides with the glacial till deposits (i.e. closer to the Sunshine Bay settlement area), the (comparatively) gentler terrain and absence of visible rock outcrops signals the change in the underlying landform character.
- 30 **Figure 1** shows the 1m contours for the area and reveals the steep slope patterning along the eastern side of the south end of the rocky outcrop extending from Glenorchy-Queenstown Road to the Arawata Track.
- 31 As shown on **Figure 3**, Argillic soils (based on deposited clays) are found on the more moderate slopes of Fernhill, and Allophanic soils (dominated by minerals from volcanic rock) on the steeper terrain above the Arawata Track and to the west throughout the central and lower reaches of the ridgeline extending from Ben Lomond southwards to Lake Wakatipu. We note that the soils patterning broadly reinforces the underlying geology (although is not particularly expressed in a change of landcover or landuse).

Landcover

- 32 The land cover around the Sunshine Bay settlement area is generally dominated by mature, mostly exotic, woody vegetation. Exceptions to this are evident on the northern (i.e. uphill) side of the Arawata Track on its eastern part, and on either side of the Arawata Track west of the triple power pole where regenerating native vegetation is more prolific (Refer **Figures 1, 6, 7 and 8** for the location of the triple power pole).
- 33 We consider that the vegetation across much of the area west of Sunshine Bay settlement (roughly coinciding with the Xin land) is of variable quality with a mix of exotic species and sporadic regenerating native shrubs.

Landuse

- 34 Power lines traverse the area from the north-east to the south-west. In the east the lines generally follow the alignment of the Arawata Track (west of Sunshine Bay). Near the north western corner of the Xin property, the lines rise in a north westerly direction to a higher-lying point on the Ben Lomond ridgeline. The triple power pole marks the point where the alignment changes direction.
- 35 With the exception of the maintained public access along the Arawata Track, the appeal area is generally relatively 'unmanaged' (as evidenced by the vegetation characteristics).
- 36 There are no existing buildings, structures or accessways within the appeal area, (excepting the power infrastructure and informal walking track described above).

Agreed ONL Boundary

- 37 Our agreed ONL boundary is shown in **Figure 1** attached (yellow dashed line).
- 38 Our agreed ONL boundary is based on our on-site findings and reflects the physical expression of the underlying landform characteristics (geology) and patterning (exposed rock faces and steep slopes) described above.
- 39 In our opinion, the patterning of exposed bedrock signals the change in the geomorphological characteristics across the appeal area.
- 40 As explained previously, this change in the geomorphology across the appeal area is reinforced by the visibility of exposed bedrock faces along Glenorchy-Queenstown Road (refer **Figure 12**).
- 41 Further, the change in topography between the glacial till deposits and the exposed bed rock ribs and outcrops is distinctive throughout the central and southern end of the rocky outcrop, both when viewed from above and from the ground serving to further emphasise this change in landform patterning.
- 42 In summary, we agree that the ONL boundary within the appeal area should follow the eastern edge of the distinctive rocky outcrop that extends from the Glenorchy-Queenstown Road towards the Arawata Track and then veer north eastwards to run along the south eastern edge of the Arawata Track. In recommending this boundary, the shallower glacial till deposits immediately to the west of the Sunshine Bay residential area are excluded from the ONL, up until the point where they meet the exposed rock faces that form a legible geomorphological boundary. In this instance it is a combination of landform characteristics (the underlying geology) and landform patterning (the exposed rock faces and steep eastern profile of the rock outcrop) that delineate the geomorphological boundary for the ONL.

- 43 Our agreed ONL boundary effectively captures all land to the west of Sunshine Bay beyond the exposed rock rib and where exposed rock faces are evident.
- 44 Further, in our view, the land to the west of Sunshine Bay that will be excluded from the ONL reads as part of the glacial till dominated landscape throughout which the majority of Sunshine Bay development has occurred.
- 45 We note, however, that our agreed ONL boundary will not capture all of the glacial till area as shown on the Geology mapping in **Figure 2**. In our opinion this is the consequence of our landscape evaluation taking into consideration the legible expression of the underlying bedrock via exposed rock faces and changes in slope profile and the coarse grain of the Geology mapping (as explained earlier). Put another way, it is the legible geological characteristics of the area and the landform patterning (slopes) that drive the delineation of the ONL, rather than the 'Geology patterning' (as depicted in **Figure 2**) on its own.
- 46 For completeness, we agree that in this circumstance, land cover is of limited use in the determination of the ONL boundary in this location due to its (generally) fragmented patterning.
- 47 We consider that the legible landform characteristics and patterning of our preferred ONL area firmly establish it is a part of the far larger mountainous ONL that extends to the north of Sunshine Bay (Ben Lomond environs). In particular we consider that the ONL portion of the appeal area displays high biophysical (visible bedrock) and associative values (walking track), and moderate-high sensory (and in particular, naturalness) values. Overall, the ONL portion of the appeal area reads as part of the broader mountain context. **Appendix 3** attached provides a more detailed description of the landscape attributes and values associated with this broader ONL area.
- 48 Conversely, we consider that the part of the appeal area excluded from our preferred ONL reads as part of the gentler sloping till landform associated with the Sunshine Bay settlement area. Whilst the absence of built development and weed dominated vegetation cover serves to differentiate it from the developed area, in our opinion it does not read as part of the dramatic mountainous backdrop due to the absence of visible bedrock features. In our view, to include it within the broader mountainous ONL on the basis of the absence of built development would be artificial.

49 We also note that our agreed ONL boundary broadly aligns with the ONL mapping in C180/99,⁷ which informed the ODP ONL mapping for the appeal area (noting that the ODP ONL mapping was erroneously shown as a dashed rather than a solid [confirmed] ONL boundary at Sunshine Bay). However, our agreed ONL boundary departs from the ODP ONL mapping along the western edge of the appeal area, where our agreed boundary follows the eastern edge of the exposed rock rib (and encompasses the land further to the west where exposed rock faces are evident) as opposed to being a straight line extending down from the Arawata Track. This is shown in **Figure 1** attached.

Bridget Gilbert



Yvonne Pfluger



Dated 5 July 2019

⁷ We understand, the solid ONL lines for the Wakatipu Basin from C180/99 were confirmed by C75/2001, and should have been shown as solid lines in Appendix 8A of the ODP.

Appendix 1 - Qualifications and Experience Yvonne Pfluger

- 50 My name is Yvonne Pflüger. I am employed as a Principal Landscape Planner for Boffa Miskell Limited (“BML”), an environmental consultancy specialising in planning, design and ecology. I have been employed at BML’s Christchurch office for thirteen years and am a Senior Principal in the company.
- 51 I hold a Masters degree in Landscape Planning from BOKU University, Vienna (Austria, 2001) and a Masters degree in Natural Resources Management and Ecological Engineering from Lincoln University (NZ, 2005). I am a Full Member of the Resource Management Law Association and a registered member of the New Zealand Institute of Landscape Architects, as well as a Certified Environmental Practitioner under the Environment Institute of Australia and New Zealand.
- 52 I have practised as a landscape planner for over 16 years on a wide range of projects including environmental and visual effects assessments, nature conservation and river restoration, and recreation planning. As part of my professional career in Austria, I have been involved as a project co-ordinator in several projects funded by the European Union, which involved the preparation of management plans for designated protected areas.
- 53 During my time at Boffa Miskell I have played a key role in preparing several landscape studies for various territorial authorities throughout New Zealand’s South Island, including studies for Banks Peninsula, the Southland Coast, the Te Anau Basin, which included the assessment of the landscape’s capacity to absorb future development. I was the project manager and key author of the Canterbury Regional Landscape Study Review (2010) and Ashburton, Invercargill, Hurunui and Christchurch District landscape studies (2009-2015). Over the past year I also prepared landscape studies for Timaru District and the Southland Region. The preparation of the above-mentioned studies involved evaluating landscape character and quality for these regions and districts and advising councils on objectives and policies for the ongoing management of the landscape.
- 54 I have also prepared a large number of landscape and visual assessments for development projects of varying scales within sensitive environments, including preparation of landscape evidence for Council and Environment Court hearings. Relevant projects I was involved in within the Queenstown Lakes District included Treble Cone gondola, Parkins Bay resort and golf course, a number of gravel extraction operations, the Queenstown airport runway extension and several consent applications for private rural subdivisions.
- 55 I have also provided expert landscape and visual effects evidence on a range of land uses for district, regional and Environment Court hearings. Recently I provided landscape evidence at the PC 44 hearing for Jack Point/ Henley Downs and have prepared the landscape assessments for a number of submitters for the QLDC

Plan Review, most notably the submissions for Jacks Point/ Henley Downs and The Hills. I also presented evidence on landscape related issues within Chapter 21 Rural and Chapter 22 Rural Residential and Rural Lifestyle of the Proposed District Plan ("PDP"), as well as for the Wakatipu Basin variation on behalf of several submitters.

Appendix 2 - Qualifications and Experience Bridget Gilbert

- 56 My full name is Bridget Mary Gilbert. I am a Landscape Architect and Director of Bridget Gilbert Landscape Architecture Ltd, Auckland. I hold the qualifications of Bachelor of Horticulture from Massey University and a postgraduate Diploma in Landscape Architecture from Lincoln College. I am an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects.
- 57 I have practised as a Landscape Architect for over twenty-five years in both New Zealand and England. Upon my return to New Zealand, I worked with Boffa Miskell Ltd in their Auckland office for seven years. I have been operating my own practice for the last thirteen years, also in Auckland.
- 58 During the course of my career I have been involved in a wide range of work in expert landscape evaluation, assessment and advice throughout New Zealand including:
- a) landscape assessment in relation to Regional and District Plan policy;
 - b) preparation of structure plans for rural and coastal developments;
 - c) conceptual design and landscape assessment of infrastructure, rural, coastal, and urban development; and
 - d) detailed design and implementation supervision of infrastructure, rural, coastal, and urban projects.
- 1.4 Of particular relevance to Topic 2: Rural Landscape, I have been involved in:
- a) the conceptual design of, and landscape and visual effects assessment of a range of rural living, tourism, infrastructure and urban developments within, or adjacent to, Outstanding Natural Landscapes (ONLs), Outstanding Natural Features (ONFs), RMA s7(c) amenity landscapes and more 'working rural landscapes' throughout Auckland, Hauraki Gulf Islands, Waikato, Taranaki, Far North, Whangarei, Rodney, Waipa, Waitomo and Thames Coromandel districts;
 - b) the assessment and identification of ONFs, ONLs and RMA s7(c) amenity landscapes and the development of appropriate policy for such landscapes as part of regional and district plan review processes (e.g. Rodney District Plan, Hauraki Gulf Islands District Plan, Waipa District Plan, Whangarei District Plan, Thames Coromandel District Plan, Waitomo District Plan, Auckland Unitary Plan: Operative in Part); and
 - c) the Queenstown Lakes Proposed District Plan (PDP) work, which I describe in more detail in Section 3 below.
- 59 I am currently a panel member of the Auckland Urban Design Panel and an Independent Hearing Commissioner for Auckland Council.

Appendix 3: Description of the Attributes and Values associated with the ONL in the vicinity of Sunshine Bay

- 60 The slopes above Fernhill and Sunshine Bay form part of a large ONL that extends to the north, east and west, and includes the Richardson and Harris Mountains and extends into Mount Aspiring National Park. The values around the eastern edges, such as surrounding the Queenstown gondola and Ben Lomond, differ from other parts of the wider, much more unmodified landscape that fall within this wider ONL. The focus of this evaluation is on the more localised area of the southern slopes of Ben Lomond, including Sunshine Bay. The key values of the ONL around Ben Lomond to the west of Queenstown Hills can be described as follows.

Biophysical Values of ONL

- 61 The Wakatipu Basin is one of the landscapes in the South Island that clearly expresses its formative processes through glaciation during the ice ages. The trough of Lake Wakatipu has been carved out by the glaciers protruding from the headwaters of today's lake. The glaciers of the ice ages have shaped the steep-sided, U-shaped valley slopes that contain the lake catchment with a series of ice advances and retreats over about the last two million years. The oldest advances were the largest, excavating the deepest into the landscape and then getting progressively smaller. The last major advance 18,000 years ago reached as far as Kingston, with the top of the ice about 100 metres above present lake level.⁸
- 62 The underlying landform of Ben Lomond and its south facing slopes clearly display its formative glacial processes resulting in a steep terrain, in particular on the mid and upper slopes. The deeply incised streams reflect the fluvial forces occurring in the area, in combination with the impressive erosion occurring on the exposed rocky ridgelines which create the rugged character typical of the mountain ranges surrounding the Wakatipu Basin.
- 63 The majority of vegetation around Ben Lomond would have comprised native beech forest with broad-leaved species in the damper gullies and along the lake edge and a few interspersed podocarps⁹ on the lower slopes and gullies with tussocks and alpine shrubs above the treeline. Today, extensive tussock grasslands are present on the upper slopes and below the rocky ridgeline of Ben Lomond and remnant pockets of beech forest are found within the wetter gullies, such as One Mile and Two Mile Creeks. However, the invading exotic conifers (mostly Douglas Fir/ *Pseudotsuga menziesii*) that cover a large part of the Ben

⁸ Department of Conservation Wakatipu landscapes: <https://www.doc.govt.nz/Documents/about-doc/concessions-and-permits/conservation-revealed/wakatipu-landscapes-lowres.pdf>

⁹ Ben Lomond and Queenstown Hill Reserves Draft Management Plan (QLDC, 2005), p17

Lomond south faces pose a threat to the openness of these tussock-clad slopes and its native alpine vegetation, as beech forest is relatively confined in its extent. In some areas, including above Fernhill/Sunshine Bay sections of the exotic forest have been sprayed as a weed control measure.

Sensory Values of ONL

- 64 The geomorphological processes that shaped Ben Lomond and the adjacent mountain ranges that frame the Wakatipu Lake catchment are highly legible and highly expressive of the landscape's formative processes. This is especially so on the ridges and upper slopes where no exotic forest is present.
- 65 While the lower slopes (including the appeal area) are more modified through the exotic forest cover, transmission lines, adjacent residential areas and roads, and other man-made structures, the sheer scale and dominance of the wider dramatic landscape setting of Ben Lomond peak in combination with Lake Wakatipu and its encircling mountains confers a moderate-high level of naturalness. The general absence of built modification and increased proliferation of native vegetation throughout the higher slopes suggests a higher rating for naturalness.
- 66 The striking scale and texture of the craggy ridges, peaks and rocky outcrops viewed alongside the picturesque lake make for highly scenic and memorable views to and from the area for both locals and visitors.
- 67 The mountains that surround this part of Lake Wakatipu Basin generally read as visually coherent, although the fragmented patterning of vegetation in places and the areas of sprayed conifers serve to detract from this visual coherence to a limited degree.
- 68 With respect to naturalness, the general absence of built modification is somewhat tempered on the lower slopes by the proliferation of exotic vegetation. However, for international visitors the conifer-clad-slopes are potentially perceived as part of a "typical (northern hemisphere) alpine resort landscape".
- 69 Snow-capped mountains and rugged ridgelines together with dramatic changing light and weather conditions typical of the area confer high transient values on the area.

Associative Values of ONL

- 70 Historical associations have given rise to the vegetative cover that shaped the cultural landscape at the base of Ben Lomond.¹⁰ Although a cultural landscape, the conifer forests have become part of the local and visitor's identification/association of an alpine resort. The massif of Ben Lomond is widely recognised by the local community as one of the key landmarks of Queenstown. It is a popular visitor destination as a day walk and the mountain is closely associated with the township, including Fernhill and Sunshine Bay. A network of popular mountain bike trails extends across the lower slopes above Fernhill and Queenstown. The DOC managed Arawata Track on the western side of Sunshine Bay is partly located on legal road and comprises a popular short walk or bike ride, mainly used by locals. It also serves as access to a rock climbing area on private land.

¹⁰ During the 1940's and 50's as part of Arbour Day activities, school children planted trees along the foot of Bob's Peak and Queenstown Hill. Trees such as Douglas Fir, Larch and Sycamore in particular have found the conditions ideal and have become prolific in places and still spreading. An aerial drop of seed assisted the spread of Douglas Fir in 1964 (Ben Lomond and Queenstown Hill Reserves Draft Management Plan (QLDC, 2005), p18)

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA**

IN THE MATTER of the Resource Management Act 1991
AND of an appeal under Clause 14 of the First
 Schedule of the Act
BETWEEN UPPER CLUTHA ENVIRONMENTAL
 SOCIETY INCORPORATED
 (ENV-2018-CHC-56)
 Appellant
AND QUEENSTOWN LAKES DISTRICT
 COUNCIL
 Respondent

Environment Judge J J M Hassan – sitting alone pursuant to s279 of the Act

In Chambers at Christchurch

Date of Consent Order: 23 September 2019

CONSENT ORDER

A: Under s279(1)(b) of the Resource Management Act 1991, the Environment Court, by consent, orders that:

- (1) the appeal is allowed to the extent that the Queenstown Lakes District Council is directed to amend the Outstanding Natural Landscape boundary line on Map 34 of the Proposed Queenstown Lakes District Plan, as set out in Appendix 1 (attached to and forming part of this Order);
- (2) the appeal otherwise remains extant.

B: Under s285 of the Resource Management Act 1991, there is no order as to costs.



REASONS

Introduction

[1] This proceeding concerns an appeal by the Upper Clutha Environmental Society Incorporated ('UCESI') against part of a decision of the Queenstown Lakes District Council. This consent order resolves the interests of a s274 Mr S Xin relating to the Outstanding Natural Landscape ('ONL') line on Map 34 of the proposed Queenstown Lakes District Plan – Stage 1.

[2] The court has now read and considered the consent memorandum of the parties dated 26 July 2019, which proposes to resolve Mr Xin's interests in this appeal.

Other relevant matters

[3] Twenty-five persons gave notice of their intention to become a party to the UCESI appeal under s274 of the Act. Only Mr Xin lodged a s274 notice in relation to the ONL boundary line along the western edge of the Sunshine Bay residential area. The consent memorandum was therefore only signed by UCESI, the Council and Mr Xin but the court gave opportunity¹ for any other s274 party to oppose the relief. No opposition was received.

[4] Other consent orders which have been filed in relation to the proposed district plan are being held in abeyance. The court is satisfied that these orders are able to be made at this time since the orders resolve a discrete issue which will not impact on other proposed plan appeals before the court. For completeness, I record that I am satisfied that the making of the order sought is duly consistent with a substantive decision, imminently to be issued, on other 'Sub-topic 1' matters.

Order

[5] The court makes this order under s279(1) RMA, such order being by consent, rather than representing a decision or determination on the merits pursuant to s297. The court understands for present purposes that:



¹ By way of Minute dated 30 July 2019.

- (a) all parties to the proceedings have executed the memorandum requesting this order; and
- (b) all parties are satisfied that all matters proposed for the court's endorsement fall within the court's jurisdiction and conform to the relevant requirements and objectives of the RMA including, in particular, pt 2.

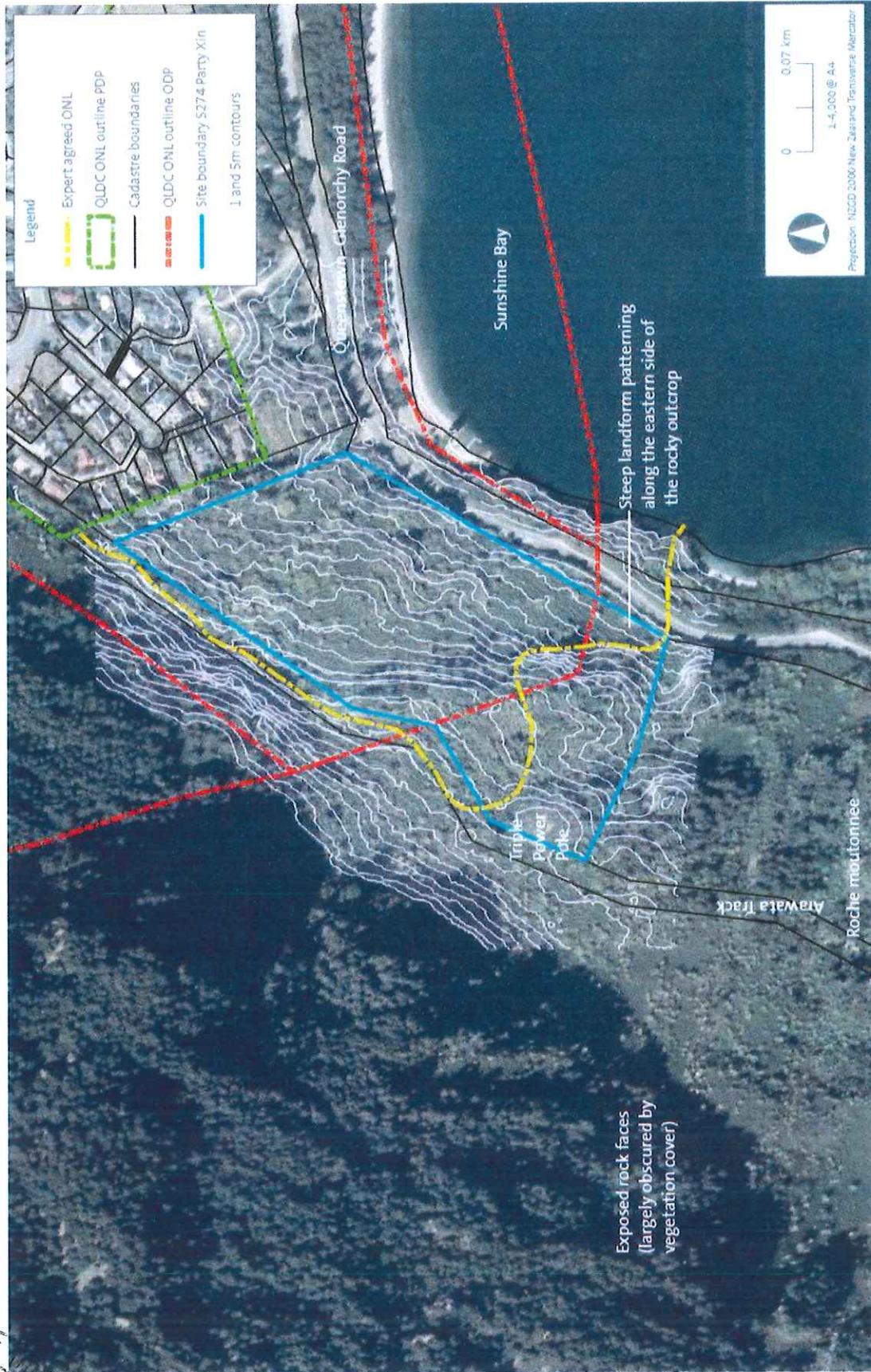


J J M Hassan
Environment Judge



APPENDIX 1

Figure 1: Amended Outstanding Natural Landscape Boundary line at Sunshine Bay





Section 1
SO 431667

Lot 1
DP 397058
6.4760ha
387117

Lot 2
DP 397058

Note:
- Contours sourced from QLDC Lidar Records, and ground-proofed by GPS survey where ground could be accessed and is indicative only.
- Ground-proofing found Lidar to be accurate to +/- 100mm
- Topographical survey of the terrain with higher accuracy can only be conducted with extensive clearance of vegetation

LEGEND:

- POWER POLE
- SEWAGE INFRASTRUCTURE
- STORMWATER INFRASTRUCTURE
- WATER SUPPLY
- OVERHEAD PWR LINES

DATA QUALITY STATEMENTS

PROPERTY DATA
The property data has been sourced from land Information New Zealand (LINZ) and is current as at October 2017. The boundary data has been compiled from various existing surveys of different ages. Boundary lengths shown as calculated may vary from those shown on the Certificate of Title, and are subject to a legal redefinition survey. The accuracy of the boundary data is estimated to be within 30mm.

SURVEY DATA
Surveyed data has been captured using survey equipment, to a relative accuracy within approximately 50mm (horizontal and vertical).

SERVICES DATA
The locations of underground services have been compiled from records supplied by the local Council and Utility Authorities. Where those services have features visible on the surface, their positions have been verified by field survey. The accuracy of unverified services is unknown. Also there may be services for which no records were provided and which are not shown on this plan. In all cases, if the location of a service is considered important, the relevant service provider should be consulted.

SURVEY DATUMS
Horizontal coordinates are in terms of NZ Geodetic Datum 2000, Mount Nicholas 2000 Circuit.
The origin of coordinates is OIT XI SO 18441, 809722.92 mN 417728.25 mE.
Vertical elevations are in terms of Dunedin Vertical Datum (MSL).
The origin of levels is OIT XI SO 18441, RL 384.55.
Contour interval is 1.0m

TITLE: LIDAR CONTOUR PLAN

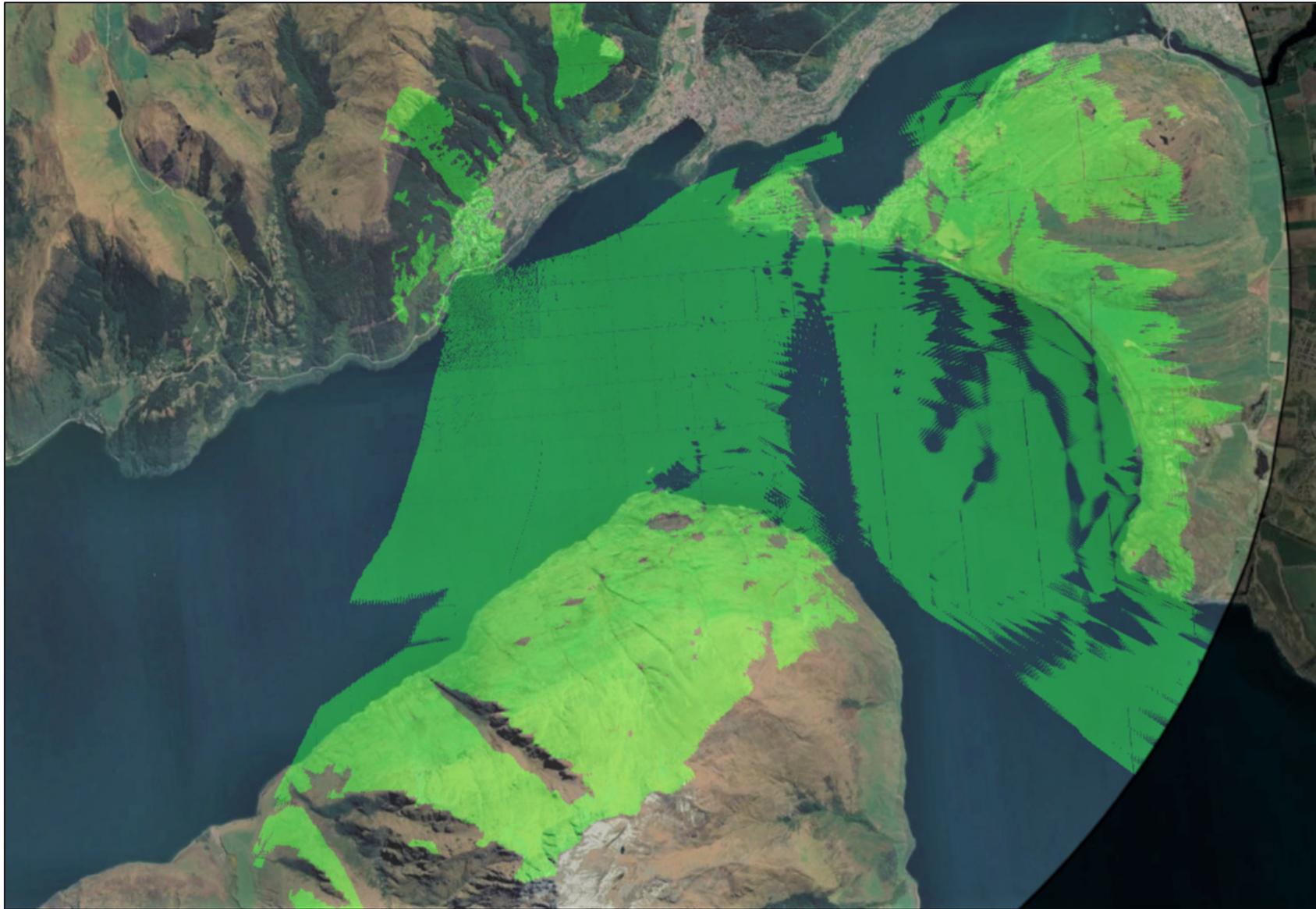
Project: LOT 1 DP 397058
SUNSHINE BAY
for SUNSHINE BAY LIMITED

ISSUE DATE: 26 July 2019	ISSUE: A - Original Issue	PREPARED BY: Craig Woodcock
		Scale 1:1000 @ A1 1:2000 @ A3
		DRAWING & ISSUE No. 5099.1T.1A

AURUM SURVEY

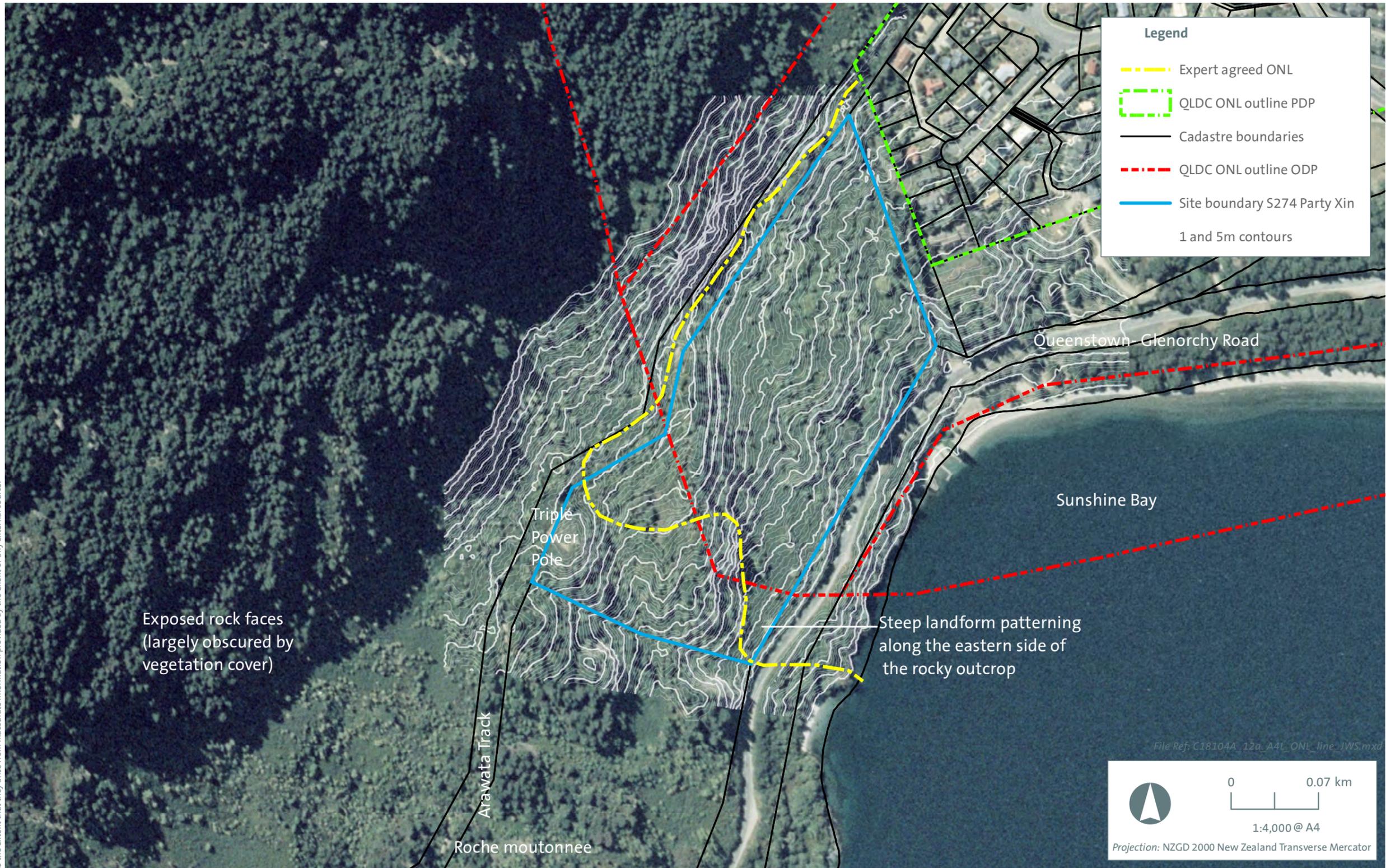
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Zone of Theoretical Visibility – Sunshine Bay Site (Using 9m height pole) – Source: Google Earth Pro

This plan has been prepared by Boffa Miskell Limited on the specific instructions of our Client. It is solely for our Clients use in accordance with the agreed scope of work. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate. No liability or responsibility is accepted by Boffa Miskell Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



File Ref: C18104A_12a_A4L_ONL_line_JWS.mxd



<ITA> Data Sources: QLDC OPD Appendix 8A

Sunshine Bay ONL evidence- QLDC DPR Appeal Topic 2
ONL outline agreed by B Gilbert and Y Pfluger

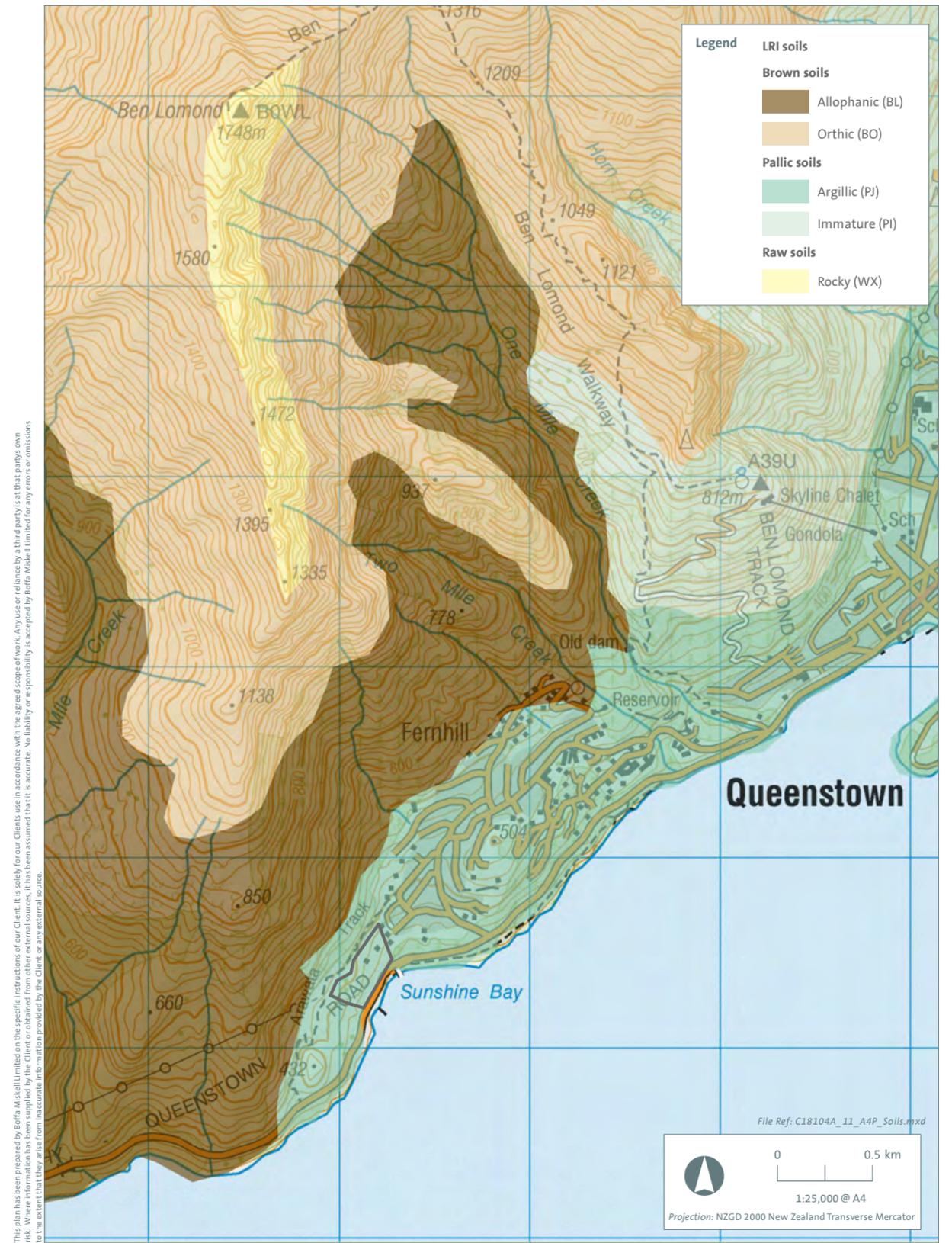
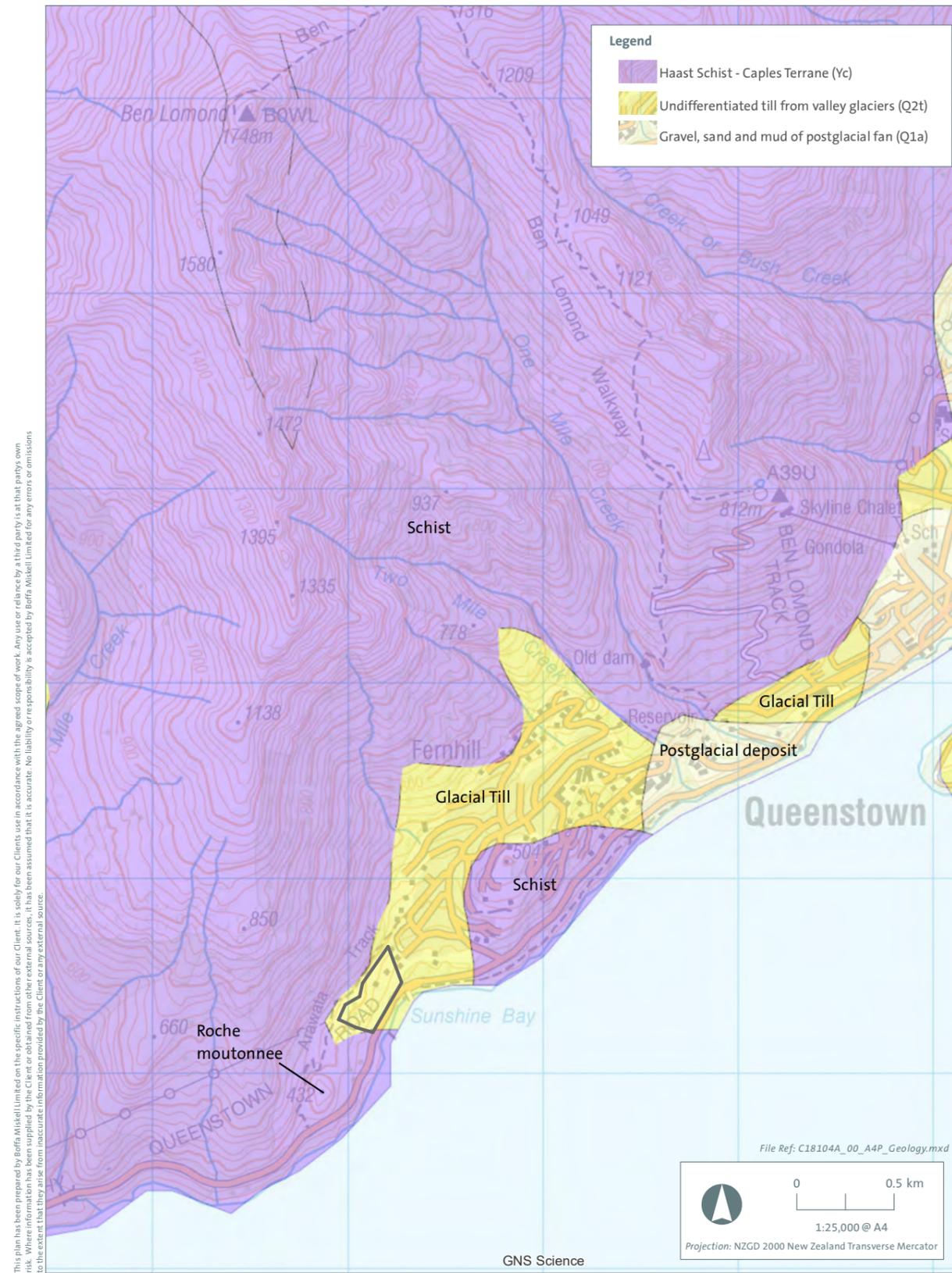
Date: 28 June 2019 | Revision: 2

Plan prepared for S Xin (S274 Party) by Boffa Miskell Limited

Project Manager: yvonne.pfluger@boffamiskell.co.nz | Drawn: BMc | Checked: YPf

Figure 1

Figure 1: ONL outline agreed by Experts in JWS



Sunshine Bay ONL evidence- QLDC DPR Appeal Topic 2
Geology - GNS Science
 Date: 22 January 2019 | Revision: 0
 Plan prepared for S Xin (S274 Party) by Boffa Miskell Limited
 Project Manager: yvonne.pfluger@boffamiskell.co.nz | Drawn: BMC | Checked: YPF

Figure 02

Sunshine Bay ONL evidence- QLDC DPR Appeal Topic 2
Soils - Land Resource Inventory
 Date: 22 January 2019 | Revision: 0
 Plan prepared for S Xin (S274 Party) by Boffa Miskell Limited
 Project Manager: yvonne.pfluger@boffamiskell.co.nz | Drawn: BMC | Checked: YPF

Figure 03

Figure 2: Geology Map

Figure 3: Soil Map

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Figure 4: View Point Map for Photographs

LEGEND

■ Agreed ONL line JWS

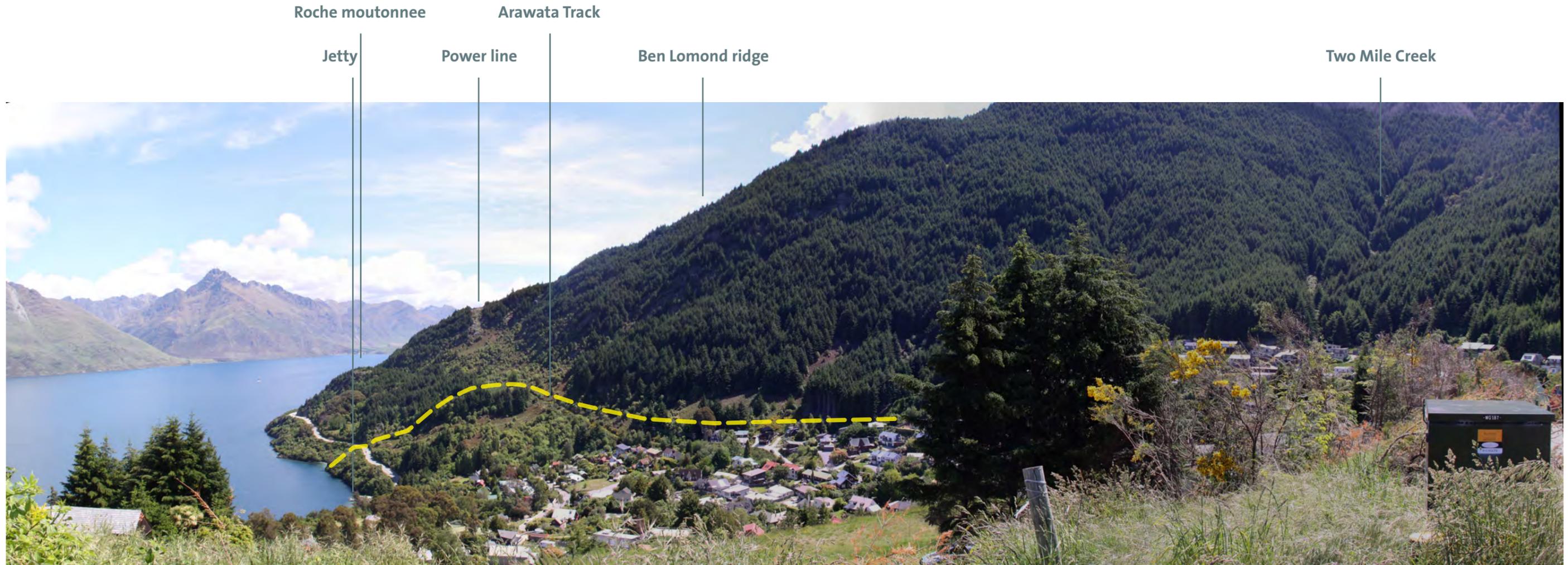


Figure 5: Photo Viewpoint 1- Sunshine Bay Panorama



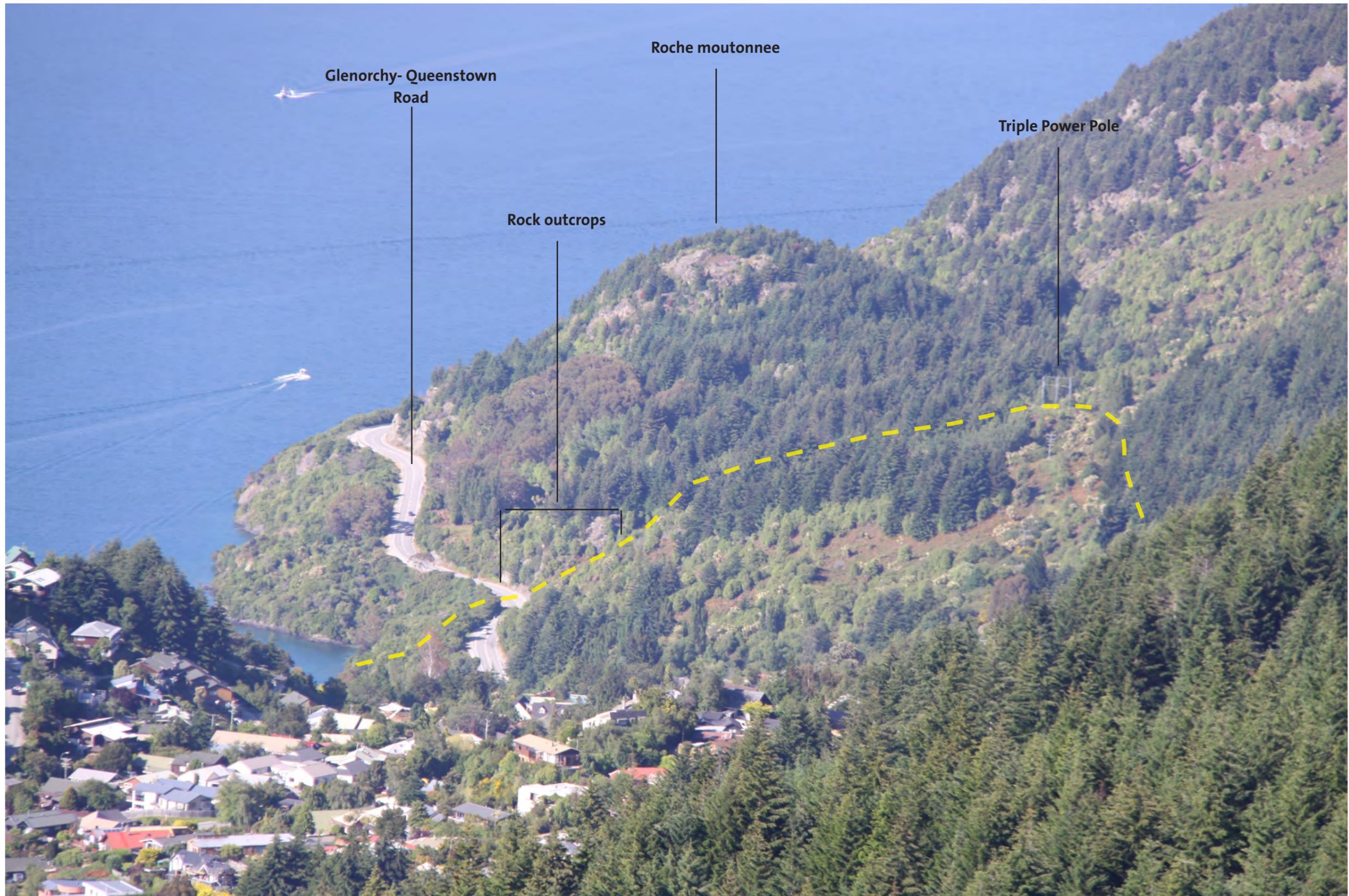
Yellow line shows agreed ONL outline that follows the landform boundary, reflecting the underlying geology of the area west of the Sunshine Bay residential zone.

Figure 6: Photo Viewpoint 1- Sunshine Bay recommended ONL outline



Yellow line shows approximate location of agreed ONL outline.

Figure 7: Photo Viewpoint 2 - Ben Lomond track



The underlying bedrock is visible on the roche moutonnee and adjacent rock ribs. The ONL boundary has been agreed along the base of the eastern rock rib, extending to the triple power pole.

Figure 8: Viewpoint 2 - Ben Lomond Track (zoomed in view)

Photo taken by Yvonne Pfluger - Canon Eos 50D (140mm)
date 7/12/2018



View along Arawata Track in a easterly direction towards the residential zone of Sunshine Bay. The area is dominated by a dense cover of woody weeds with occasional regenerating native shrubs. The power lines follows the track alignment.

Figure 9: Viewpoint 3 - Arawata Track



The photo shows the view west towards the rocky outcrops behind the gully system that extends from the Glenorchy- Queenstown Road (out of view on left) to the Arawata Track (located where the triple power pole is visible). Based on the landform change discussed in the JWS, alignment of the ONL outline with the spur extending towards the highpoint (triple power pole) is recommended.

Figure 10: Viewpoint 4 - below Arawata Track



The change in steepness of terrain between the lower and more gently sloping glacial till deposits around Sunshine Bay and the rising slopes of Ben Lomond is distinctive around the Arawata Track/ power line alignment. The slopes above the track (to the north) contain more regenerating native vegetation than the lower lying slopes to the south (right of view). The dense exotic conifer forest that covers the majority of Ben Lomond is visible beyond.

Figure 11: Viewpoint 5 - below Arawata Track



The rocky outcrops are visible along Glenorchy-Queenstown Road where they had to be partially removed for carriageway construction, displaying the underlying geology. The eastern rock rib is visible in the mid-ground of the photo. The ONL includes the rock outcrop.

Figure 12: Viewpoint 6 - Queenstown Glenorchy Road

Site Panoramas



Viewpoint location



Viewpoint location

Site Panoramas



Viewpoint location



Viewpoint location

Site Panoramas



Viewpoint location



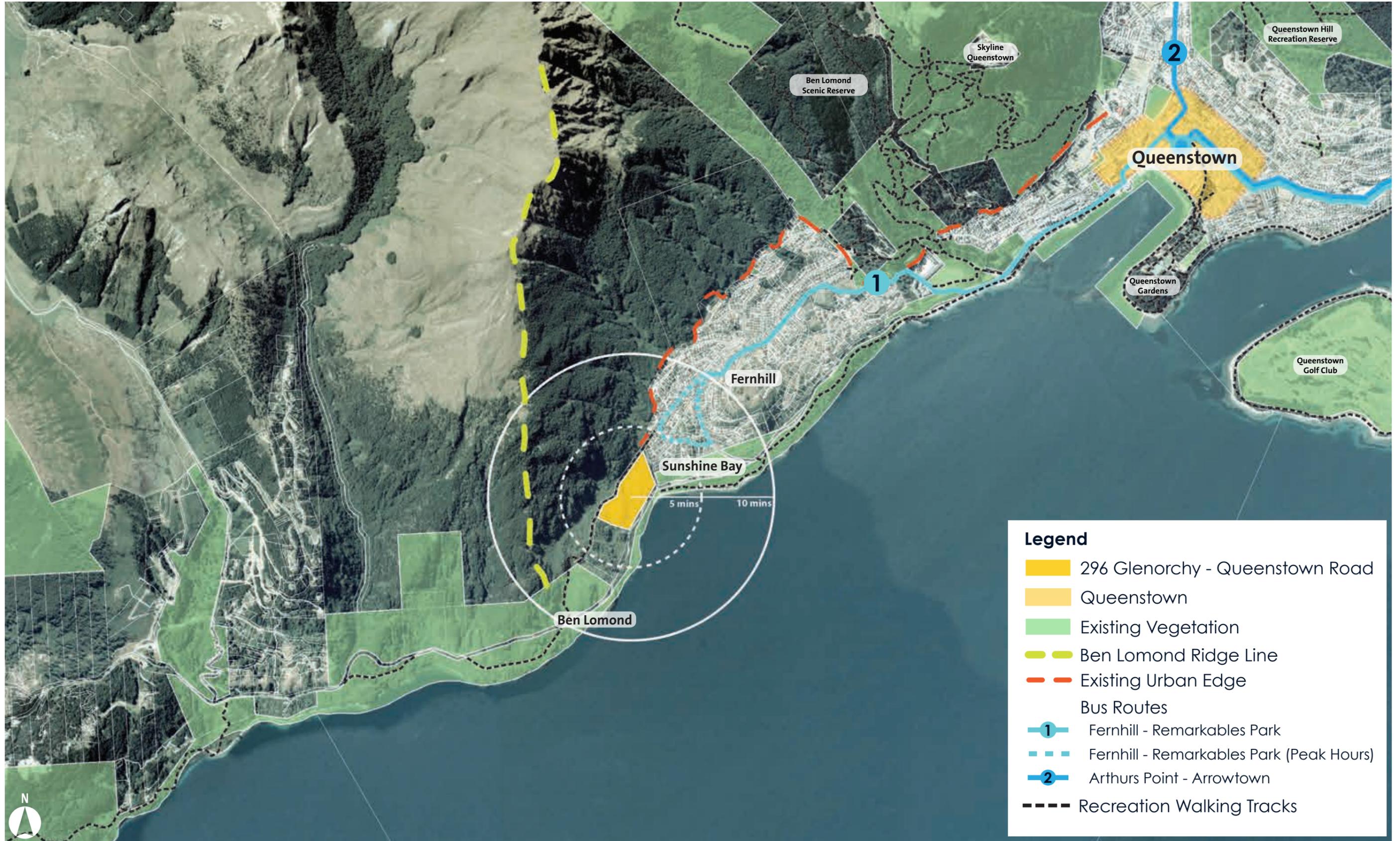
Viewpoint location

Site Panoramas



Viewpoint location

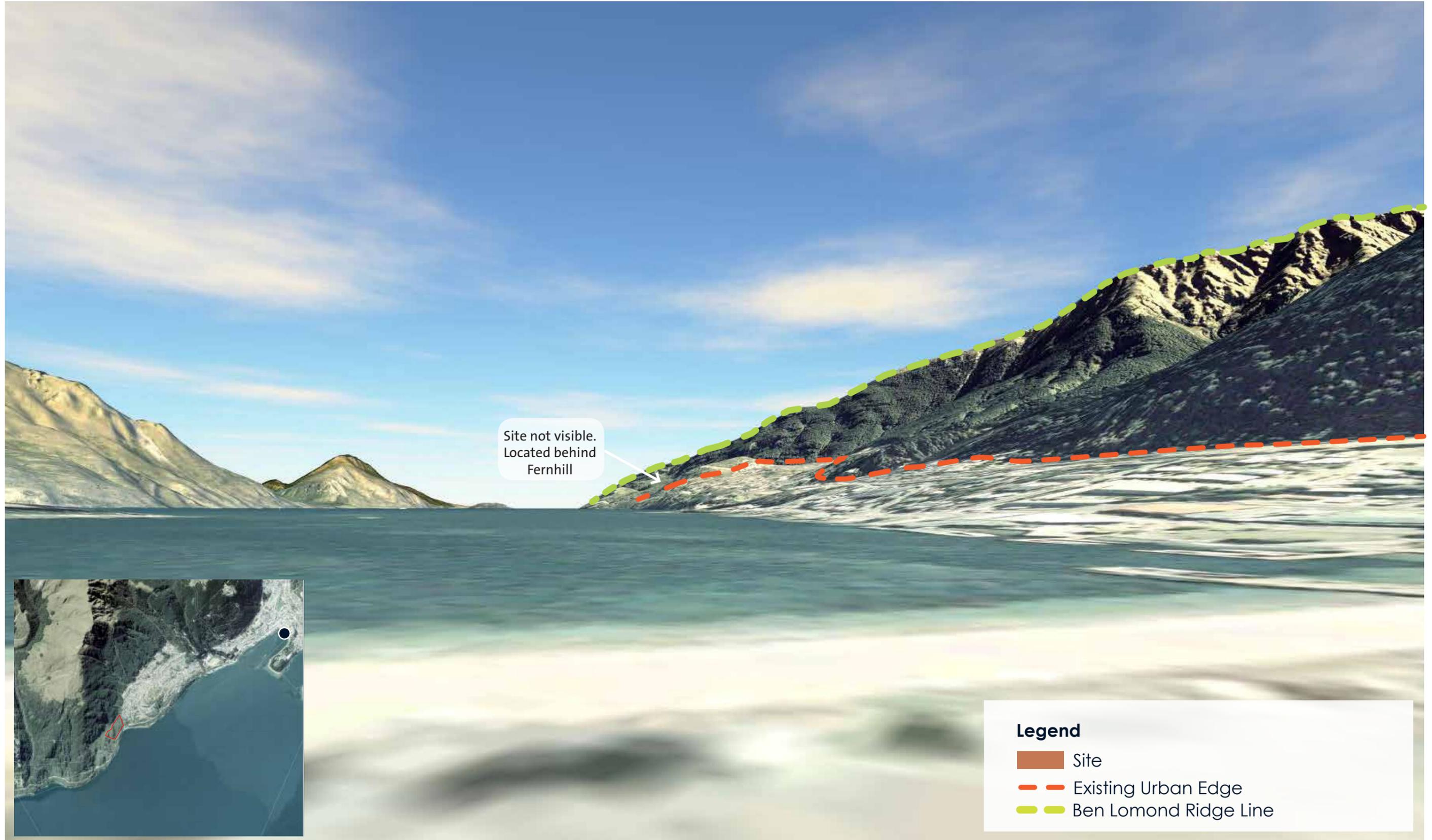
Site Context



Legend

- 296 Glenorchy - Queenstown Road
- Queenstown
- Existing Vegetation
- Ben Lomond Ridge Line
- Existing Urban Edge
- Bus Routes
- 1 Fernhill - Remarkables Park
- 1 Fernhill - Remarkables Park (Peak Hours)
- 2 Arthurs Point - Arrowtown
- Recreation Walking Tracks

Marine Parade Queenstown Centre

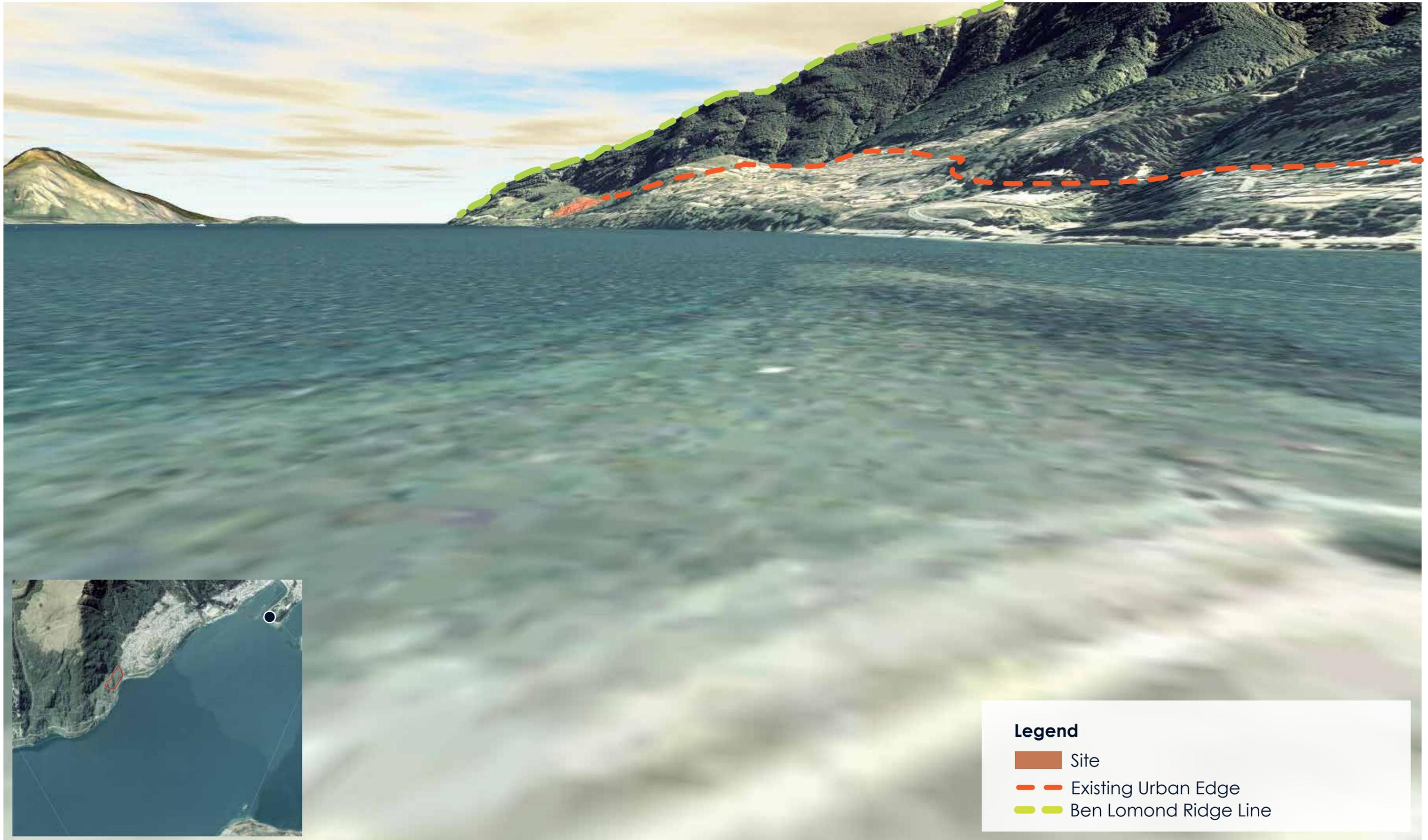


Site not visible.
Located behind
Fernhill

Legend

- Site
- Existing Urban Edge
- Ben Lomond Ridge Line

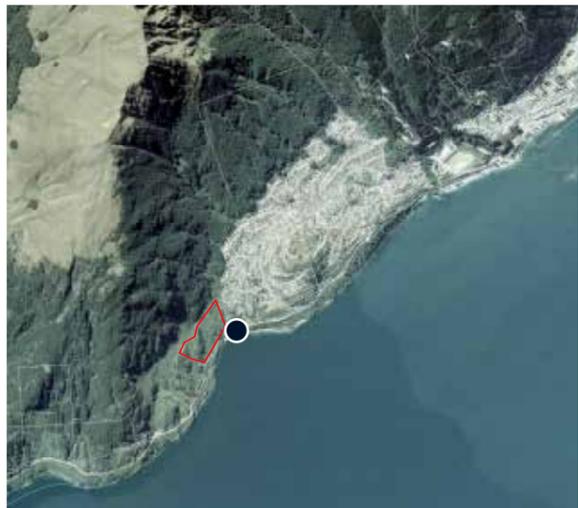
Queenstown Gardens



Legend

- Site
- - Existing Urban Edge
- - Ben Lomond Ridge Line

Sunshine Bay Beach View: Illustrates the limited visibility of the site from the immediate lake shore and Glenorchy Rd



Legend

— Ben Lomond Ridge Line