

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 13 –
Queenstown Mapping
Annotations and
Rezoning Requests

**REBUTTAL EVIDENCE OF MARION READ
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

LANDSCAPE

7 July 2017

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1. INTRODUCTION

- 1.1 My full name is Marion Read. I am a landscape planner and am Principal of my own consultancy, Read Landscapes.
- 1.2 My qualifications and experience are set out in my statement of evidence in chief dated 24 May 2017.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise except where I state that I am relying on the evidence of another person.

2. SCOPE

- 2.1 My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:
- (a) Mr J Bentley and Mr C Ferguson for Universal Developments (177), Peter and Margaret Arnott (399), Hansen Family Partnership (751), FII Holdings Limited (847) and The Jandel Trust (717);
 - (b) Messrs Espie and Vivien for Loch Linnhe (447);
 - (c) Mr S Skelton for Wakatipu Station Ltd (478);
 - (d) Mr B Espie for Gertrude's Saddlery Ltd (494);
 - (e) Ms M Snodgrass and Mr S Dent for Skyline Enterprises Ltd (574);
 - (f) Mr B Farrell for Te Anau Developments Ltd (607);
 - (g) Mr S Edgar and Mr P Baxter for Land Information New Zealand (**LINZ**, 661);
 - (h) Mr B Espie for Jardine Family Trust (715);
 - (i) Mr S Skelton and Mr C Ferguson for Mount Christina Ltd (764);
 - (j) Mr S Skelton for QLDC (790);
 - (k) Ms N Smetham for Gibbston Valley Station Ltd (827);

- (l) Ms M Snodgrass for Scope Resources Ltd (361); and
- (m) Mr B Espie and Mr C Vivian for Loch Linnhe Station (447).

2.2 I have read the evidence of the following experts, and consider that no response is needed:

- (a) Mr N Geddes for Gutzewitz and Boyd (328);
- (b) Mr B Espie for Sampson and Cooper (495);
- (c) Ms L Millton for W and M Grant (455); and
- (d) Mr T Walsh for PJ and GH Hensman and Southern Lakes Holdings (543).

2.3 I have also provided an assessment of the portion of the submission by Middleton Family Trust (338) which applies to land addressed by the Wakatipu Basin Land Use Planning Study (**WBLUPS**).

2.4 My evidence has the following attachments:

- (a) **Attachment 1:** Skyline Subzone – recommended amendments;
- (b) **Attachment 2:** Ferry Hill– Outstanding Natural Landscape (ONL) boundaries as notified and as sought by submitter;
- (c) **Attachment 3:** Maps of ONL boundary in the vicinity of Ferry Hill; and
- (d) **Attachment 4:** Landform boundary at Arthurs Point.

3. MEMORANDUM OF COUNSEL DATED 31 JUNE 2017

3.1 I refer to the Memorandum of Counsel filed on behalf of QLDC regarding the Panel's Minute concerning annotations on maps, dated 30 June 2017. I understand this memorandum confirms the approach the Council will take in this hearing, in light of the views of the Panel relating to its jurisdiction, as expressed in its Minute dated 12 June 2017.

3.2 Some of the evidence I have presented in my evidence in chief relates to submissions on ONLs/ONFs notified over Stages 2-4 or Volume B land. For example:

- (a) paragraph 5.15 relating to the request for the ONL boundary to be moved upslope so that it bisects lots that are within the Quail Rise zone, and paragraph 5.16 as far as it relates to submission 501(4);
- (b) paragraph 5.22 relating to the request that the UGB should be moved south to follow the ONL boundary across the Quail Rise zone on Ferry Hill; and
- (c) paragraph 6.12 to 6.16 which contains an assessment of submission 488 (Schist Holdings Limited and BNZL Properties Limited), but only insofar as part of Lot 1 DP 391483 has not been notified in Stage 1 and is zoned Industrial A in the ODP. The other part of that Lot 1, and Lot 2 is zoned Rural, and I understand is still subject to the Panel's recommendations.

4. QUEENSTOWN URBAN – BUSINESS AND INDUSTRIAL (GROUP 1A)

MS MICHELLE SNODGRASS AND MR SEAN DENT FOR SKYLINE ENTERPRISES (574)

4.1 Ms Snodgrass and Mr Dent have provided evidence in relation to the submission by Skyline Enterprises which seeks to create a new subzone within the Rural zone to facilitate the operations and future development of the Skyline restaurant and gondola complex.

4.2 In paragraph 4 of her evidence Ms Snodgrass states:

There is an operational requirement to maintain 45m wide strip underneath the line clear of vegetation for safety and fire reasons. The area outside of the safety corridor and within the 150m wide gondola clearance corridor could feasibly include revegetation with suitable indigenous species.

4.3 I accept that this means that this 45m strip cannot be revegetated in the sense of the re-establishment of self-sustaining indigenous plant communities. I very much doubt, however, that 'clear of vegetation' means that this area is to be kept bare earth (which would have

significant adverse landscape effects. Rather I anticipate that this means clear of any shrub or tree species. If I am correct then I consider that this corridor, which is extremely steep and rocky, should be seeded with indigenous grasses which would form an appropriate and far from continuous ground cover.

- 4.4** At paragraphs 75 to 82 of his evidence Mr Dent describes the activities which operate from within and adjacent to the Sky Line Enterprises Lease area. He concludes by saying that, "*Collectively, the conglomeration of these activities and their associated built form is a direct contrast to the ONL classification in which the proposed site of the re-zoning sits*". I simply note that most of these activities entail little in the way of built form and that most of them have also been assessed and consented since the landscape was identified as being an ONL. Having said that, I agree with his assertion that the Skyline Building itself, and the gondola, are Queenstown landmarks in and of themselves.
- 4.5** At paragraphs 83 to 113 Mr Dent indicates that he has accepted (or on reconsideration adopted) the bulk of my recommendations regarding the status of activities within the proposed subzone. Regarding the status of passenger lift systems, in my evidence in chief I stated that a similar rule to that proposed for the Ski Area Sub Zones (**SASZ**) with a restricted discretionary status would be appropriate. Mr Dent has proposed lowering the maximum allowable height for towers from 15m to 12m. On this basis I consider that controlled activity status, as he proposes, would be appropriate.
- 4.6** I do note that the boundaries of the proposed subzone as proposed in Mr Dent's evidence are slightly different to those of the original submission, and encompass a slightly larger area. Following a site visit where these new boundaries were identified on the ground I am confident that they are, in the main, located appropriately from a landscape perspective. That is, they provide a degree of containment to the proposed subzone. The one area where this does not occur is adjacent to the lower reaches of the existing luge chairlift. In this area the proposed subzone boundary, which follows the lease area boundary, extends over a distinct ridgeline to the north. Built form on

this slope would likely be prominent in views from Gorge Road and its environs. Consequently I consider that it would be necessary to either move the boundary or impose a no-build area. I have identified the area concerned on the plan attached as **Attachment 1** to this rebuttal evidence.

- 4.7** Regarding the proposed rules, I note Mr Dent is now proposing a maximum building coverage in the Bobs Peak part of the subzone be 35%. The current lease area is approximately 41,600m² in area (as measured off the QLDC GIS map), and the three additional areas from the primary submission total 16,052m², giving the originally proposed Bobs Peak part of the subzone a total area of approximately 5.8ha. A 35% site coverage would allow for 2.3ha of built form. I consider this to be excessive, and unlikely to be able to be executed without significant adverse effects on the landscape of the vicinity. In my opinion a limit on site coverage of 15% is more appropriate, and should allow for more than a doubling of the existing built form on the site, subject to all other controls.

5. QUEENSTOWN URBAN – FRANKTON AND SOUTH (GROUP 1B)

MR SCOTT EDGAR AND MR PADDY BAXTER FOR LAND INFORMATION NEW ZEALAND (661)

- 5.1** Evidence has been presented by Mr Edgar (planning) and Mr Baxter (landscape) regarding the submission by LINZ which seeks the rezoning of an area of land between the Kingston Highway and Peninsula Road. This land is zoned Rural within the Proposed District Plan (**PDP**) and identified as ONL.
- 5.2** Both Mr Edgar and Mr Baxter comment that given my assessment, they may have been conservative in their approach to the possible development of the land in question. I agree with this approach and continue to consider that the site could absorb High Density Residential (**HDR**) development and that the final zoning should be decided on grounds other than landscape.

- 5.3** Mr Baxter proposes a pedestrian link between Peninsula Road and what he says is to become a pedestrian precinct in the vicinity of the Kawarau Falls bridge. I consider that this proposal has considerable merit, providing a direct connection between the Low Density Residential (**LDR**) zoned land upslope of Peninsula Road and the pedestrian and cycle way along the lake edge and into Frankton. Further, if the existing road corridor adjacent to the Kawarau Falls bridge is to become a pedestrian precinct (presumably with cycle access) then the lower north western part of this site would be an ideal location for cafés and other small businesses. In this location they could take advantage of the high amenity provided by the proximity of the river.
- 5.4** Mr Baxter proposes a range of design and landscape controls for the site, should the development he proposes be approved. While I consider that the proposed design controls would ensure that this development had a subtlety which would make it appear recessive in this location, and the landscape controls would provide an attractive context for the development, I do not think that either are necessary to protect the wider ONL of Peninsula Hill, or the ONF of the Kawarau River.

MR JAMES BENTLEY AND MR CHRISTOPHER FERGUSON FOR UNIVERSAL DEVELOPMENTS (177), PETER AND MARGARET ARNOTT (399), HANSEN FAMILY PARTNERSHIP (751), FII HOLDINGS LIMITED (847) AND THE JANDEL TRUST (717)

- 5.5** Statements of evidence regarding the appropriate location of the boundary between the ONL of Ferry Hill, K Number 2 and Queenstown Hill and Frankton Flats have been lodged in support of submissions 177, 399, 717, 751 and 847. My rebuttal evidence addresses the evidence of Mr Bentley (landscape) and Mr Ferguson (planning).
- 5.6** I remain of the opinion that the landscape boundary between the Frankton Flats and the elevated ONL is located appropriately on the PDP maps.

5.7 This boundary was originally based on the maps from the Environment Court decision,¹ which provided the original landscape classifications for the District based, in my understanding, primarily on the work of Ralf Kruger who provided landscape architectural evidence for the Wakatipu Environmental Society. These boundaries were included in the Appendix 8A and B maps appended to the Operative District Plan. They have, from time to time, been challenged by both references to the Court and through resource consent applications.

5.8 In response to the evidence from the submitter that the landscape boundary is inappropriately located, I provide the following assessment of the landscape of the Ferry Hill / A3B2 massif, and of the Frankton Flats (which is based on a first principles approach):

- (a) geologically speaking, Ferry Hill and knob A3B2 form an outpost of the Rakaia terrain which is separate from the Caples terrain of which Queenstown Hill and K Number 2 are a part. The knob, the vicinity of Lake Johnson and Ferry Hill form a single, ice scoured feature. The Frankton Flats are a portion of the alluvial plain formed by the Shotover River at a time when the level was higher;
- (b) topographically, the Ferry Hill / A3B2 massif is a steeply sided roche moutonnée. Its south eastern sides are noticeably steeper than its north western sides, indicating the direction of glacial flow. Ferry Hill is a sharply pointed hill, almost triangular in plan-view. On the northern and eastern sides of the landform a series of river terraces are present. Both the northern and southern facing slopes are cut by a number of water channels which have created relatively deep gullies in which a mix of indigenous and exotic scrub species are to be found. The Frankton Flats are, as the name suggests a large area of relatively flat land, although they decline to the south by 20m or more before dropping precipitously to the Kawarau River corridor. At the northern edge the flats butt up against the slopes of the

1 *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* EnvC Christchurch C180/99, 2 November 1999

Ferry Hill massif, forming a distinct transition along most of the southern edge of the landform. This transition becomes less distinct in the northern most corner of the Flats where hummocky moraine material is present;

- (c) the majority of the elevated landform is highly modified in ecological terms. Exotic pasture grasses are the dominant vegetation over it in its entirety. A number of rows of Lombardy poplars are present. These trees also occur on the lower slopes and are also dotted over the saddle adjacent to and above Lake Johnson. Some scrub occurs on the steeper slopes and while this is dominated by matagouri and coprosma, briar is common and elder and hawthorn are also present. This vegetation occurs within the gullies which extend to the Frankton Flats to the south and the Shotover corridor to the north. Willows are present around the margins of Lake Johnson. The ecology of the fringe of the Frankton Flats is similarly modified, but lacking in any spontaneously occurring indigenous vegetation. There are a wider range of exotic tree species occurring in this area than in the more elevated areas of the hill;
- (d) the hill is a moderately dynamic landscape with a large slip (with a dwelling built on it) on its north eastern slope and shallow debris flows are a risk on the steep south eastern slopes. The flats are stable;
- (e) the Ferry Hill / A3B2 massif is a highly memorable landscape on its own and in association with K Number 2, Sugar Loaf and Queenstown Hill. The southern slopes provide a highly scenic edge to the entrance to Queenstown and this despite the presence of power pylons running along the lower slopes. The vicinity of Lake Johnson is highly picturesque. The landform is a notable feature in the wider landscape of the Wakatipu Basin. The Frankton Flats are now largely a landscape in transition with large development sites and roadworks disrupting the landscape to the south of the State Highway. The flats landscape to the north of the highway remains picturesque and pastoral but its main appeal is as a foreground to the hill slopes behind it;

- (f) the perceived naturalness (as opposed to the ecological integrity) of the hill landscape is moderately high. The primary detractors from this perceived naturalness are the power pylons and the reservoir, but these are relatively small features and their combined impact on the overarching naturalness of this landscape is low. The perceived naturalness of the Flats is much lower. The area to the north of the highway is currently the location of a contractor's yard edged with high bunding, a number of dwellings, an electricity substation and an engineering works. These structures and their associated parking areas and landscaping together diminish the sense of naturalness of this remnant of the Flats landscape although the area of open pasture, through which views of the hillside are most clear, appears more natural;
- (g) both landforms are highly legible and highly expressive of their formative processes;
- (h) the landscape of Ferry Hill expresses transient values through the seasonality of the exotic vegetation which is scattered over it and through the presence of snow on elevated slopes for periods in winter. The Flats similarly express seasonality through the exotic vegetation which is relatively dense in areas adjacent to the State Highway; and
- (i) the Frankton Flats have historical importance as an area of high agricultural productivity. I am unaware of any particular significance to Tangata Whenua.

5.9 It is not a matter of debate that Ferry Hill is part of an ONL. What is the subject of disagreement is the location of the boundary which encloses it. I continue to consider the interface between the Frankton Flats and the hill slope to be the appropriate location for this boundary because there is a geological, geomorphological, ecological, visual and aesthetic logic to it.

5.10 Mr Bentley continues to consider that a water race, located at approximately the 420m contour is the appropriate location for the ONL boundary around the southern and south eastern portions of Ferry Hill. For this to be an appropriate boundary it would, in my

opinion, be necessary for the landscape on one side of it to be distinguishable from the landscape on the other. I find myself unable to make this distinction and consider that my analysis of the landscape as presented above supports this. I attach as **Attachment 2** composite photographs of two portions of the area in question with Mr Bentley's and the notified lines included.

- 5.11** Mr Bentley argues that removing the ONL status from the lower slopes would somehow provide greater protection to the ONL. He implies that he considers that there should be some sort of buffer (perhaps open space) between development and the ONL. I would simply note in response that all of the Queenstown urban zones currently abut directly either ONLs or ONFs (the Shotover and Kawarau river corridors) with no buffers. In some locations these boundaries coincide with geomorphological features and in these locations the town boundaries are obvious and readily defensible. In other locations, Queenstown Hill for example, the boundary between development and the ONL of the Hill is arbitrary from a landscape perspective.
- 5.12** It has been stated,² as an argument for moving the ONL boundary north at least to the northern boundary of the properties located in Frankton – Ladies Mile, that it is inappropriate to have an ONL boundary within Medium Density Residential (**MDR**) zoned land. I agree. The identification of the landscape boundary predates the decision to rezone these properties MDR in the PDP and it appears the ONL's location was not taken into consideration when the decision for rezoning was made. I understand that Ms Banks is recommending some amendments through her rebuttal evidence, as a result of my assessment and because of the impacts of the Outer Control Boundary which also bisects this area.
- 5.13** As I have stated, in my view the boundary between the ONL of Ferry Hill and A3B2 should be located along the interface between the Flats landscape and the hill landscape. This means it is also necessary for me to determine its location at the eastern end of the Flats, where it

2 RM151046, paragraphs 28 & 55; Submission 408, paragraph 3.2(c); Submission 751, paragraph 19.

has to find some sort of connection with the boundaries of the residential development within the Quail Rise zone.

- 5.14** As noted in my evidence in chief, the point at which I consider that the boundary appropriately climbed the hill occurs on the property at 145 Frankton – Ladies Mile. The reasoning behind this is that the more northern part of this property, at the time I did my original assessment, had had earthworks undertaken which affected the natural interface of the land forms. The neighbouring property to the north west has a dwelling located right at the topographical transition and had an extensive garden extending up the slope. Consequently I drew the boundary to exclude these features and to skirt up the hill to meet up with the south western corner of the Quail Rise zone.
- 5.15** This is a relatively arbitrary location with little specific landscape justification. It does exclude the northern corner of the Flats and hummocky moraine material which is located in the north eastern part of Lot 2 DP 497316 which is a part of the landforms over which the south western portion of the Quail Rise development is located. That is, this hummocky landform is neither a part of the Flats nor a part of Ferry Hill.
- 5.16** I note that Mr Espie's review of the landscape boundary (undertaken at the time of the release of the boundaries report) produced a boundary almost identical to mine, and that in fact it is Mr Espie's line which has been included in the notified PDP.
- 5.17** Mr Ferguson has included in his evidence a copy of an email sent from me to Mr D Curley on 13 February 2015 in which I state that the line which was sent out for consultation is in the wrong place and that all of Lot 2 DP 497316 is outside of the ONL. I have checked all my records and, other than the email itself, I have no other documentation which sheds light on the context or detail of this email. However, I have looked at the maps I prepared in 2011 and 2014. These maps show that the ONL line recommended by me is in the same location as the notified ONL, and I was therefore in error in my response to Mr Curley. I attach the first map of the area drawn by me

in 2011; Mr Espie's review map from 2014; the final map drawn by me in 2014; and the notified line from the PDP as **Attachment 3**.

MIDDLETON FAMILY TRUST (338)

5.18 In my evidence in chief, I discussed the part of this submission which relates to land within the ONL of Ferry Hill and Lake Johnson. My opinion of this portion of the submission remains unchanged.

5.19 I did not include an assessment of the portion of the submission which applies to the land below the ONL boundary adjacent to the Shotover River corridor, as this area was addressed by the WBLUPS. It was my understanding that this part of the submission was to be considered in the future Wakatipu Basin mapping stream. I now understand that this part of this submission is to be heard in this stream and so I now include my assessment of this part of the submission in this evidence. The submission seeks LDR zoning on elevated river terraces, and Rural Residential zoning on the lower land adjacent to the Shotover River corridor. I note that these areas discussed here are represented in the images which were included in my evidence in chief and that they may be referred to for assistance in identifying the areas under consideration.

5.20 The terraces for which LDR zoning is requested, are a mix of glacial and alluvial deposits which have been deposited and then eroded by the Shotover River and by tributary creeks. The two terraces onto which it is proposed to apply LDR zoning are areas of relatively flat pasture, contained by a combination of topography and tall exotic vegetation, mainly poplars with conifers and eucalyptus around the margins on the steeper enclosing escarpments. These terraces comprise, together, an area of approximately 14ha. The character of this area is pastoral but smaller scale and more domesticated than the higher slopes with a number of farm buildings present.

5.21 This part of the site is below the ONL boundary and is within the area considered in the WBLUPS. The WBLUPS authors assessed this area, and the lower margins adjacent to the river corridor (together as the western part of Landscape Character Unit 4), as having a low

ability to absorb change. I do agree that the higher terrace areas have a low ability to absorb change and could not absorb LDR development without significant adverse effects on landscape character and quality. In my opinion the zoning of this portion of the site should remain Rural.

5.22 The northern fringe of the site, a further area of approximately 18ha, is identified by the submission which requests that this area be rezoned Rural Residential. This area is more complex than the more elevated terraces, being a series of smaller river terraces separated by lower escarpments and with more exotic tree and shrub vegetation present. This area has a finer grain than the areas discussed above. Its character is still pastoral, but it is more enclosed and associated with the river to its north. This land is located below the ONL and adjacent to the existing RR zone at the northern end of Hansen Road and is also within the area considered by the WBLUPS to have a low ability to absorb change.

5.23 I understand that the WBLUPS determination that this area has a low capacity to absorb development is based on its moderate naturalness; its location between two ONLs (the slopes to the south and the Shotover River to its north; and its 'Sense of (relative) remoteness and connection with the riverscape and surrounding mountains at the western end of the unit.¹³ I accept this characterisation but disagree with the conclusion. It is my opinion that these lower terraces could absorb some development similar to that existing and consented to the east. While this area of existing RR zoning has a minimum lot size of 4000m², most of the lots on the steeper terrain are larger (7000m² to 1.7ha). I consider that this density of development is the maximum which could be absorbed and thus consider that Rural Lifestyle zoning with a minimum of 1ha per lot with an overall average of 2ha, and the requirement to establish a building platform at the time of subdivision would be more appropriate. This would allow for development but would ensure that it responded appropriately to the somewhat complex land forms in the vicinity, and did not result in over-domestication of the landscape, or in adverse effects on the ONLs to the south and north of the area.

**6. QUEENSTOWN URBAN – CENTRAL, WEST AND ARTHURS POINT
(GROUP 1C)**

**MR STEPHEN SKELTON FOR QUEENSTOWN LAKES DISTRICT COUNCIL
(790)**

6.1 Mr Skelton has provided landscape evidence on behalf of QLDC (Corporate) regarding the proposed rezoning of two areas of Council owned land on Queenstown Hill. These are in Kerry Drive and adjacent to Vancouver Drive.

6.2 Regarding the Kerry Drive site, I agree with Mr Skelton that the site makes only a small contribution to the backdrop of Queenstown township. I do consider, however, that it contributes significantly to the amenity of the surrounding residential area, and that this is important and should not be dismissed. While the route he proposes for an alternate pedestrian connection to the Queenstown Hill Trail has a high degree of merit in my opinion, it would not provide the pedestrian connection between Malaghan Street and Kerry Drive that the existing trail provides, meaning pedestrians wishing to access Kerry Drive or Belfast Terrace would have to go as far east as Edgar Street to climb the hill, significantly reducing the permeability of the urban form on Queenstown Hill.

6.3 My opinions regarding the Vancouver Drive site remain unchanged.

**MR BEN ESPIE FOR GERTRUDE'S SADDLERY LTD (494) AND
LARCHMONT DEVELOPMENTS LTD (527)**

6.4 Landscape evidence has been provided by Mr Espie in relation to the submission by Gertrude's Saddlery and Larchmont Developments Ltd seeking the rezoning of an area of land at Arthurs Point from Rural to Low Density Residential. The evidence includes, helpfully, topographic information for the site and its vicinity with 1m contour information which has enabled me to refine my analysis.

- 6.5** Mr Espie discusses at some length the landscape classification of the Rural land in the vicinity of and including the subject site. He concludes that the river gorge of the Shotover River including the slopes above the enclosing cliffs is the ONF of the river. I agree with this classification. He also concludes that the subject site is not ONL. I do not agree with this conclusion.
- 6.6** Mr Espie's map at his Appendix 1 is very helpful, providing a high level of topographic detail of both the subject site and a key part of the Shotover Gorge. Mr Espie has located on this plan a green line which he considers to be the boundary of the ONF of the gorge. I agree with this location as it relates to the subject site.
- 6.7** Mr Espie does not consider the subject site to be ONL. He notes that the zone boundaries in the Arthurs Point area, which are *de facto* landscape boundaries if it is accepted that the development area is surrounded by ONL, do not follow changes in landform or landscape character. I agree that this is the case but note that zone boundaries within the District rarely, if ever, coincide with landscape boundaries in this way.⁴ I have identified on his plan (my **Attachment 4**), where I consider the actual boundary of the terrace and plateau landform on which this eastern portion of Arthurs Point is located with a black dotted line. I think that in both Mr Espie's and my own ideal worlds this would have been the boundary of the Low Density Residential Zone. I note that this excludes the majority of the subject site, including most of the portion of it currently zoned LDR. That is, the zone boundary transgresses this landscape boundary. I have identified the notified LDR in pale pink. Mr Espie continues to state that the land within the subject site which is zoned LDR does not differ in character and quality from the adjacent land which is zoned Rural and that this is a reason to consider the Rural land to not be ONL.
- 6.8** I agree with Mr Espie that the character of these areas is, at this time, similar but in my view this is predominantly because the LDR portion

4 A good example of an instance where zoning penetrates an area of ONL is the Rural Residential zone on the face of Morven Hill above Lake Hayes. Another is the boundary of the LDR zone on Peninsula Hill. In neither case does the zone boundary in any way relate to any identifiable landscape boundary except after the fact.

has not yet been developed. It comprises an area of approximately 9746m² (as measured off Council's GIS maps) and contains one dwelling. Using Council's 68% yield formula with one residential unit per 300m², this means that this area of the site could contain 22 residential units. At 800m² per dwelling, which is more of the scale of the majority of development in the LDR in the vicinity, eight dwellings could be located within this area. Either level of development would ensure that the landscape of the LDR and the adjacent Rural zoned land were quite distinct.

- 6.9** The area in question is a schistose knoll which forms the end of a hard peninsula protruding from the base of Mount Dewar. This harder rock has forced the Shotover River to cut around its margins. The plateau and river terraces to the north of the knoll are remnant glacial till which has been cut into by the river over millennia. The topography of the wider area is that of a mountainous landscape which shows the impacts of both glacial and fluvial activity creating both wide 'U' shaped glacial valleys and deep riverine canyons. The Shotover River runs along the boundary between the Richardson and Harris Mountain ranges.
- 6.10** The topography of the knoll is that of a roche moutonnée sloping up moderately from the north west and dropping steeply to the south. The vegetation of the vicinity is modified, the indigenous cover having been largely replaced with pasture. In more recent times some indigenous vegetation has regenerated but wilding conifers have also spread throughout the Arthurs Point area. The knoll is fairly densely clad with a mix of Douglas fir and larches which have self-seeded and become established there. The wider landscape is highly memorable with soaring mountains enclosing the vicinity but with valleys allowing views up the Shotover River and into the Wakatipu Basin. The knoll provides a highly memorable southern backdrop to the existing LDR development.
- 6.11** Overall the landscape, and the knoll, has moderately high natural character. The landscape and the knoll are, together and separately, highly expressive of their formative processes and these are readily legible to those with a small degree of understanding. The larches in

the vicinity, and particularly on the subject site, provide stunning autumn colours, and snow in winter on the surrounding mountains, together provide transient qualities of high value.

- 6.12** I consider that the entire vicinity is an ONL into which an area of residential (and other) development has been located (the Arthurs Point residential and Rural Visitor Zones). There is no area of land in the vicinity which could be deemed to be of a sufficiently different character, quality or size to be considered to be another landscape. Consequently, I consider the majority of the subject site, to be a part of this ONL.
- 6.13** Mr Espie has selected a number of locations from which he has assessed the impacts of LDR development over the knoll on the visual amenity of public and private views. It is my opinion that Mr Espie considerably understates the importance of the knoll in the visual amenity of the residents of the wider Arthurs Point area. The knoll provides a sense of containment, both actual and visual, to the southern side of the residential area. Far from being of visual significance to only the immediate neighbours, it provides a visual backdrop to the settlement and has high aesthetic value in views from much of the surrounding residential area.
- 6.14** It is the case that much of the amenity value of these views accrues from the trees, which are wilding species, and from the fact that the existing area of LDR zoning within the site is substantially undeveloped. Were the trees to be removed, the natural landform would, in my opinion, continue to have a high aesthetic quality. I note that some of the trees on the knoll are required to be maintained as a condition of RM980348 which granted consent to the partially constructed concrete dwelling on Lot 2 DP 398656. I am unclear as to whether or not the trees have been retained as required. Under the existing conditions of the site, should this dwelling be completed, it would alter the views of the knoll, by screening it partially from view from the north. This will impact the visual amenity which the knoll provides in these views. The view from Watties Track would remain substantially unchanged and the changes to the view from the Arthurs Point bus stop would be slightly modified.

6.15 I continue to consider that some more of the northern side of the knoll could be rezoned LDR without significant additional adverse effects, either visual or on the landscape character and quality. This is because the cumulative effect of the additional development with that which is already anticipated would not be significant. I have identified where I consider that the LDR boundary could be located with a pink dotted line on Attachment 4 and identified the area on which additional LDR zoning could be appropriate in dark pink. In this scenario views from Watties Track would remain unchanged from those anticipated. Views from the west would include more development but with a substantially natural backdrop, albeit diminished in scale. I consider that extending the LDR boundary to the location identified by Mr Espie would have significant and adverse visual effects from a wide catchment, and would allow urban development to impinge significantly on the ONL.

7. QUEENSTOWN URBAN – JACKS POINT EXTENSION (GROUP 1D)

MR BEN ESPIE FOR JARDINE FAMILY TRUST, REMARKABLES STATION LTD AND HOMESTEAD BAY TRUSTEES LTD (715)

7.1 My rebuttal evidence responds to the refined relief now sought by the submitter, as set out in the submitter's Memorandum of Counsel dated 15 May 2017, and the statement of evidence of Mr Espie dated 9 June 2017 as it relates to that amended relief. In a separate section, I have also responded to the evidence provided by Mr T Williams (601).

7.2 I note that the amended relief is different to the relief sought in the primary submission as follows:

- (a) the Education and Innovation Campus (**EIC**) Activity Area has been deleted;
- (b) Rule 41.5.2.7 (as notified) was to be deleted. The submitter now seeks its retention with amendments as follows:
 - 41.5.2.7 Within the OSR Activity Area, at least ~~50%~~ 20% of any site shall be planted in native vegetation, prior to*

building. Discretion is restricted to any effects on nature conservation values.

Mr Espie notes that this is intended to make this equivalent to the Home Sites;

- (c) the R(HB) Activity Areas A, B, and C have been reconfigured; and
- (d) earthworks and native planting are proposed to provide screening between SH6 and the proposed R(HB) Activity Areas A, B, and C and to the east of proposed Activity Area R(HB) D.

7.3 I consider the deletion of the EIC to be positive.

7.4 Mr Espie asserts that he considers my concerns, expressed at paragraphs 12.34 and 12.35 of my evidence in chief regarding the effects of the development of R(HB) A, B, and C (and the proposed mitigation), have been addressed. This is not the case.

7.5 I note that evidence demonstrating the effects of the proposed mitigation on the views available from some parts of the southern edge of the existing Jacks Point residential area has been included in Mr Espie's evidence (Appendix 9: Sight Line Sections from R(JP-SH)-1). This demonstrates that residential development within areas R(HB) A and B would be visible from properties in Hacket Road and Brett Lane. The existing topography suggests that properties further west than this, in Jacks Point Drive, may also have views of this development, but no sight lines from this area have been provided.

7.6 No evidence demonstrating the effects of the proposed mitigation on views from the State Highway have been provided beyond Mr Espie's assertion in paragraph 5.11 that "built form will be entirely screened in views from SH6". He goes on to state at paragraph 5.15 that this "replicates the roadside treatment of the Jacks Point area to the north". While the mounding and planting proposed may obscure any built form from view from SH6, I dispute the assertion that this replicates the treatment to the north. I consider that the proposed earthworks (which Mr Espie himself describes at paragraph 5.11 as "considerable") and planting would have adverse effects on

landscape character and quality and on visual amenity, in and of themselves.

- 7.7** The Jacks Point area (**JPA**) of the Jacks Point zone is located in an area of much more complex topography than that of the Homestead Bay area (**HBA**) of the Jacks Point zone. Intensive farming over the wider area of the zone and adjacent valley floor lands has resulted in a characteristic vegetation pattern where the more gently sloping and cultivatable land has been transformed to improved pasture, and the steeper and poorer areas are a mosaic of pasture species and indigenous grasses and shrubs.
- 7.8** The approach which has been taken to the development of the JPA has been to build on this vegetation pattern. Thus the development and management of the steeper slopes, gullies and tablelands within the JPA has been designed to enhance their natural character. Over broad areas this is dominated by a natural process of regeneration, but in localised areas additional planting has been undertaken, or is required, to augment the range of species and for amenity value.
- 7.9** Residential development within the JPA is largely limited to the westerly facing slopes of the eastern side of the valley. This development is largely screened from view from the State Highway by landforms which, while augmented, are part of the original topographic relief. The Village area on the valley floor is yet to be developed. Scattered large lot residential development is restricted to the Tablelands where it has been carefully inserted into the pre-existing matrix of indigenous vegetation. Spontaneously occurring areas of indigenous vegetation are present where these landforms are steeper and less amenable to agriculture, and this has been augmented for amenity, ecological restoration and visual screening. Areas of indigenous trees have been planted along the eastern portion of the zone where landforms are not particularly effective at providing screening and while these do not have a natural appearance, they support the character of the wider development and provide (or will provide) high visual amenity.

- 7.10** The landforms of the HBA (as notified) and the extension requested by the submitter are much more simple than those of the JPA (accepting that this transition occurs in the southern part of the JPA). A long gently sloping plane extends from the vicinity of the State Highway towards the lake and to the valley floor. The landform is clearly that of an outwash fan formed by the actions of several unnamed creeks which descend from the Remarkables to the east. There are three deeply incised gullies within the area. One runs north to south within the valley floor adjacent to Jacks Point hill. The second runs north east to south west approximately 600m north west of the southern boundary of the site. The third, the largest, runs along the southern boundary of the site before looping to the north and then the north east, terminating at the State Highway approximately 400m north of the boundary of Lakeside Estates. A low ridge runs across the site, roughly north to south, approximately 850m west of the State Highway. To the west of this ridge the land falls in a series of terraces to the lake edge.
- 7.11** The vegetation cover, as a consequence of the gentle topography and subsequent agricultural practices over the majority of the site, is predominantly exotic, improved pasture. Conifer and eucalyptus shelter belts are present running east to west and along a portion of the boundary with the State Highway. Exotic amenity trees have been planted in the areas along the western edge of the site. Indigenous vegetation is restricted to the gullies and a small amount on the steeper parts of the lake terraces, but is extensive in its presence on the slopes of Jacks Point hill. As a result of this the overarching landscape character of this part of the wider Coneburn Valley is that of broad scale pastoral farming typified by large open paddocks; exotic pasture; conifer shelter belts; few structures; and amenity trees limited to areas in close proximity to residential development.
- 7.12** The settlement pattern proposed for the HBA within areas OSR, OSF, and R(HB) – D and E is similar in nature to that within the JPA. These areas are located much closer to the lake than any development within the JPA, but are located, in the main on western facing slopes or the valley floor. The R(HB) – A, B and C areas are to

be located on the open outwash plane. In order to reduce the visibility of residential development from the State Highway it is proposed to effectively dig a series of large holes into which the residential areas would be located. This is in contrast with the location of residential development on the surfaces of spurs and the western facing slopes within the JPA. The fill from these excavations is to be used to create a series of 4.5m high mounds surrounding the development areas, to their east, west and north. It is then intended to plant a reasonably dense mix of indigenous vegetation on these mounds to provide further visual mitigation. This, again, is directly contrary to the approach taken in the JPA where indigenous vegetation has been used to augment naturally occurring vegetation and not to create entirely new areas of vegetation.

7.13 While the R(HB) – A, B and C areas were located in naturally occurring hollows, the reconfigured activity areas seem less sympathetic to the natural landforms, as indicated by the view shed analysis which was provided with the primary submission.⁵ The mounding proposed is wide and consequently gently sloping. In combination with the proposed planting, however, it would, in my opinion, significantly alter the character of the landscape in the vicinity and I consider that this alteration would be adverse and of a significant extent.

7.14 In terms of visual amenity, the subject site provides views from State Highway 6 which have high aesthetic value and particularly important to this is the visibility of the lake's surface. Currently views across the site are extensive and expansive and include the surface of the lake. The construction of 4.5m bunding on top of the slight ridgeline which runs more or less parallel to the State Highway and approximately 850m west of it would obscure the lake from view. The introduction of the second band of mounding and vegetation across the site approximately 200m from the highway could obscure the proposed development from sight but would also obscure the lake's surface and significantly diminish the pastoral character of these views. I consider that this would be an adverse effect of significant extent.

5 Clark Fortune McDonald. Proposed Structure Plan and Extension to Jacks Point Zone Homestead Bay – Viewshed Analysis from Kingston Road Over Lots 1 to 8 DP 443832; Job 11189, Drawing 5, Rev A.

7.15 The amended relief seeks a new policy as follows:

Policy 41.2.1.38 to "provide for development within the Homestead Bay area in a way that maintains an open, rural form of landscape character and visual amenity as experienced from State Highway 6".

7.16 As noted in paragraphs 6.12 to 6.14 above, I consider that the mitigation proposed would significantly alter the pastoral character of the broader site, and significantly diminish the visual amenity available from the State Highway. Consequently, while I would support the inclusion of the policy, I consider the proposed mitigation works are directly contrary to it.

7.17 With regard to the re-inclusion of (amended) rule 41.5.2.7 as requested by the submitter, I would simply note that the Homesites within the JPA area are all located within an area in which an extensive matrix of indigenous vegetation already exists. The requirement of indigenous planting within the lots in that location serves to augment an existing pattern and landscape character and enhance the natural character of the area. The Open Space Residential (**OSR**) area of the HBA is open pasture. The requirement of indigenous planting within the lots would consequently be creating (or re-establishing) a new pattern and character for the residential area. While this is laudable it is an entirely different process, and would have a very different outcome, to the development of the homesites within the JPA. I consider that it would be necessary to have an overarching revegetation / planting plan for the entire OSR area and its adjacent vicinities, so as to avoid a piecemeal approach to the process of establishing this new character. Also there would need to be rules or other means to ensure that the planting was undertaken in a consistent manner between sites.

MR TIMOTHY WILLIAMS FOR TIM AND PAULA WILLIAMS (601, FS1252)

7.18 Mr Williams expresses concerns regarding the potential loss of rural outlook from residences in Jacks Point Rise. As noted above no

evidence has been presented to confirm the visibility or otherwise of development in areas R(HB) A, B and C from this part of the JPA. I support Mr Williams' proposed amendments to the Zone provisions, which he describes in paragraph 2.8 of his submission, should the rezoning extend to include these activity areas.

8. RURAL (GROUP 2)

MS MICHELLE SNODGRASS FOR SCOPE RESOURCES LTD (361)

8.1 Ms Snodgrass has provided landscape evidence in support of the submission by Scope Resources Ltd to establish a yard based industrial zone on a site in the Coneburn Valley, adjacent and to the north of the Hanley Downs portion of the Jacks Point zone. The evidence provided by the submitter now includes a series of plans (Job 11014 4_A and Job 11014 4_B) analysing the potential visibility of built form in locations within the site from SH6 and upon which I understand the structure plan and internal height limits have been based. These plans appear to indicate that the area within the proposed zone is not widely visible from the State Highway.

8.2 Accompanying the submission is a further set of plans identifying height limits within the proposed zone (Job 11014 8_01, 02, and 03). These plans identify areas within the proposed zone with registered levels (**RLs**) varying from 335 to 395. It is my understanding that buildings must not exceed these heights in these areas. Further, the submission requests that Performance Standard 10a should read:

Building Height – Coneburn N-C

For the purposes of this Rule "registered Level" means the height above sea level as specified on the Industrial B – Coneburn Structure Plan (Height)

The maximum height of any building shall not exceed the Registered Level directly above that point.

<i>Height A</i>	<i>6.5m</i>
<i>Height B</i>	<i>7.0m</i>
<i>Height C</i>	<i>7.5m</i>
<i>Height D</i>	<i>9.0m</i>
<i>Height E</i>	<i>12m.</i>

- 8.3** I understand that the heights A to E have been included in error.⁶
- 8.4** At paragraph 7(c) Ms Snodgrass states that the height limits imposed would ensure that buildings within the zone "*are not highly visible when viewed from the State Highway*". I use the term 'visible' to describe a fact. That is, something is either visible or it is not, and that is simply a function of whether or not light hitting the object may be reflected onto the retina of an observer. My understanding of what is generally meant by 'highly visible' is that a building (or any other feature) is both visible and visually prominent.
- 8.5** I accept Ms Snodgrass' assessment that buildings within the zone will not be prominent in views from the State Highway, but I consider this to be the case only in relatively close proximity to the site. I note that she accepts that buildings within the proposed zone would be visible from a wide visual catchment and I share this opinion. I consider that she underestimates the effect of this visibility, however.
- 8.6** While I agree that the area in which the proposed zone is to be located is visually complex now, I consider that the proposed zoning would increase this complexity, making the area of the zone stand out more from its context than is now the case. Increased excavation within the site to establish buildings would create a deeper pattern of light and shade. Cut batters would be difficult to revegetate accentuating the excavations. Buildings would be visible. Street lighting would make the area prominent at night. It would appear as an urban area within a rural landscape, as Ms Snodgrass states at paragraph 11 of her evidence. I consider that this would have an adverse effect on both the character of the landscape which is a part of the foreground of Remarkables, and on the visual amenity enjoyed of views of the Remarkables. I consider these adverse effects would be moderate to moderately significant in extent.
- 8.7** As a consequence I remain of the opinion that the relief requested should not be granted.

6 Memorandum of Counsel for Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Limited, Trojan Holdings Limited and Grant Hylton Hensman & Noel Thomas van Wichen (361) dated 22 June 2017.

MR BEN FARRELL FOR TE ANAU DEVELOPMENTS LTD (607)

8.8 Mr Farrell has provided planning evidence in relation to the submission from Te Anau Developments seeking rezoning of land at Walter Peak. He has raised issues with regard to my recommendation that the sloping portion of the site the submitter seeks to have rezoned Rural Visitor Zone, in the south eastern corner of Beach Bay, be excluded from such rezoning.

8.9 At paragraph 16 of his evidence he opines that he "*is not entirely sure how the proposed rezoning would lead to inappropriate landscape effects...*". The RVZ allows for all buildings, including visitor accommodation as a controlled activity.⁷ The setback requirements for the RVZ are 6m but with 10m for residential development and 20m for visitor accommodation.⁸ Visitor accommodation buildings may be up to 12m in height; commercial, recreation and residential buildings 8m; and all other buildings and structures 7m.⁹ The external appearance of buildings and landscaping are subject to assessment matters which could assist in mitigating the visual effects of development.

8.10 It is my assessment that development which complied with these rules and assessment criteria could be absorbed into the landscape of Beach Bay if such development was restricted to the floor of the small valley to the west of the beach. In my opinion rezoning the steeply sloping lot to its south east and enabling this level of development would not ensure that 'Landscapes are managed and protected from the adverse effects of subdivision, use and development'. This sloping site extends out of the Bay and is visible from the Lake and from points along the northern side of the lake. In my opinion such development in this part of the ONL would be inappropriate and contrary to Policy 6.3.1.2.

8.11 Such development would degrade the landscape character and visual amenity of the landscape as experienced from the lake, contrary to

7 12.4.3.2(iii)(a) & (b)
8 12.4.5.1(i)
9 12.4.5.2(i)

Policy 6.3.1.9. Objective 6.3.2 requires that landscapes are protected from adverse cumulative effects of subdivision, use and development. In my opinion this is best done in this location by keeping development clustered within the low lying portion of the Bay. As proposed, the zone would not avoid subdivision and development that would degrade the important qualities of the landscape character and amenity of the Bay, allowing development to creep up the mountainside and is therefore not in accord with Policy 6.3.3.3.

8.12 Consequently I do not consider that bespoke rules as suggested by Mr Farrell would be appropriate. My opinion regarding the submission remains unchanged.

MR CHRISTOPHER FERGUSON AND MR STEPHEN SKELTON FOR MOUNT CHRISTINA LTD (764)

8.13 Mr Ferguson and Mr Skelton have provided evidence (planning and landscape respectively) on behalf of Mount Christina Station, seeking amended relief including special rules for the Rural Residential zone on the land located in the Glenorchy Paradise Road adjacent to Camp Hill. I note that the submission refers to both Lots 1 and 2 DP 395145 and Section 2 SO Plan 404113 (which I incorrectly identified as an unformed legal road in my evidence in chief).

8.14 These proposed rules are a:

- (a) 20m setback from the zone boundaries;
- (b) limit to the total number of dwellings of 36; and
- (c) limit to the height of future buildings to 5.5m.

8.15 The main features of the site which are, in my opinion, important from a landscape perspective are the terrace escarpments, which surround it on two sides, and Camp Hill, which provides its backdrop (but which is outside of the site). Further, it is important in my view to avoid buildings dominating the experience of passers-by in the Glenorchy Paradise Road. Internal amenity is also an important consideration. As the site boundaries and terrace escarpments are only approximately related along the western boundaries, it is my opinion

that rather than a 20m setback from the zone boundary, a 20m setback from the top of the terrace escarpments would be necessary to ensure that development did not adversely affect these landforms, or adversely affect the visual amenity they provide to the public. A 20m setback along the eastern zone boundary would be adequate, in my opinion, to ensure that buildings were adequately set back from the Camp Hill escarpment so as not to impinge on it either physically (gaining elevation over the rest of the zone) or visually.

8.16 The area of the existing zone is approximately 15ha. The submitter argues that this could give rise to 36 dwellings, and the original (now lapsed) subdivision consent granted this many lots. Consequently the submitter considers that limiting development within almost twice the area to 36 dwellings is reasonable. In order to fit 36 dwellings into 15ha, RM040455 arrayed 30 by 30m 'residential areas' as close together as 6m and in some cases with no allowance for setback requirements. It is my understanding that Council considers that, allowing for roading and other infrastructure, 0.68% is a realistic yield. This formula would provide for 25.5 dwellings on 15ha. This compares with the 26 currently consented (under RM050144). If retaining the existing yield while doubling the area of the zone is considered an appropriate response, then I consider it should allow for 26 dwellings and not the 36 the submitter requests. This would be a good outcome as it would have the effect of reducing the density of development, and would potentially allow for clustering. In this way the effects of the development of the zone could be mitigated to a degree.

8.17 I consider the proposal to limit the maximum height of buildings to 5.5m to be positive in that it would assist in ensuring that residential development in the zone was kept relatively low. This would assist in ensuring that this node of development was relatively subtle and would diminish the adverse effects it would have on the wider landscape.

MR STEPHEN SKELTON FOR LAKE WAKATIPU STATION LTD (478)

8.18 Mr Skelton has provided landscape evidence on behalf of Lake Wakatipu Station which proposes adding specific rules to the Rural Visitor Zone (**RVZ**) provisions concerning development within the proposed RVZ at Halfway Bay.

8.19 The proposed rules are as follows:

- (a) minimum 15m setback of all buildings from the bottom fold and/or top edge of any terrace escarpment;
- (b) all exterior surface of buildings shall be coloured in the range of browns, greens or greys and all exterior surface finishes should have a light reflectance value (**LRV**) of less than 30%; and
- (c) all exterior lights shall be no more than 1.2m in height and directed down.

8.20 I note that the RVZ as a whole is to be reviewed in a later stage of the District Plan Review, but based on the submitter's approach, the ODP rules along with these additional rules, would be inserted into the PDP for this particular land if the rezoning was accepted.

8.21 I agree that the protection of the terrace escarpments from development which detracted from its natural character and the visual amenity they provide is important, but I consider that the protection of their natural form and vegetation cover is also important.

8.22 The proposal to restrict exterior colours to browns, greens and greys with an LRV of less than 30% would make the RVZ provisions (as they applied in this instance) equivalent to those of the Rural zone provisions. I consider this would be positive and would assist in ensuring that future development had a recessive appearance.

8.23 The proposal to restrict exterior lighting also would make the RVZ provisions (as they applied in this instance) equivalent to those of the Rural Zone. I consider that this would be positive and would assist in ensuring that future development remained recessive at night.

- 8.24** The proposed amendments to the RVZ do not, however, alleviate my concerns regarding the extent and location of the proposed RVZ. Mr Skelton states that there are locations within the site which could absorb buildings of up to 12m in height and I do not dispute this. I do, however, consider that Mr Skelton places far too much reliance on the existing trees and shelterbelts within the valley to enable the absorption of future development. These trees and shelterbelts could be removed as a permitted activity at any time.
- 8.25** Consequently, while I consider that the proposed amendments to the rules are positive, I remain of the opinion that the area to which any rezoning should apply should be restricted to the more western area identified in my evidence in chief.

MR BEN ESPIE FOR LOCH LINNHE STATION (447)

- 8.26** Mr Espie has provided landscape evidence in regard to the submission by Loch Linnhe Station, seeking that two areas of land within the Station be rezoned either as Farm Base Areas (**FBA**) or as Rural Visitor Zone (**RVZ**) so as to facilitate a mix of residential, farm, and visitor accommodation activities.
- 8.27** The evidence amends the geographic extent of the relief sought in the primary submission. Both areas have been reconfigured and special conditions for their future development have been proposed. The submitter requests either the creation of FBAs within the Plan to allow for development within large stations (and specific areas of land for two FBAs on Loch Linnhe Station, or the imposition of RVZ with some specific rules to apply across the same two areas of land). These include a limit on the total footprint of built form in each area; a height limit of 6m for all buildings; and that on the more northern site, no building shall be visible from the highway. Some general matters of control are proposed for buildings only on Loch Linnhe Station.
- 8.28** I consider the intention to impose a 6m height limit on both areas to be positive, as lower buildings are more able to be absorbed into the landscape (the RVZ maximum height for visitor accommodation is

12m). I do note that this is significantly lower than the 10m height limit for farm buildings in the Rural zone.

8.29 In addition a number of new matters of control are proposed over built development. These are positive but differ significantly from the standards of the Rural zone and do not address aspects of the RVZ rules. Specifically they lack any controls over the exterior appearance of buildings. It is my opinion that the equivalent of Rule 21.5.15 should apply to all non-farm buildings within the proposed areas, and the equivalent of Rule 21.5.19 should apply to all farm buildings. In this way a level of consistency and quality can be ensured within the rural areas of the District whilst simultaneously facilitating different levels and types of activities.

8.30 The northern of the two areas of land sought to be rezoned has been moved and reconfigured. It has been moved west away from the highway and now abuts the marginal strip along the lake edge. I understand that Council's expert ecologist (Mr Davis) is concerned that this location impinges on an area of indigenous vegetation which he considers to be important and warranting of protection. It also impinges on a series of rocky outcrops which are a distinctive feature of the site and vicinity and which should, in my opinion, be protected from any impacts of development. It is unclear to me if any setback from the boundary would be required, should an RVZ extend right to the boundary with the marginal strip, and this would potentially allow for built development very close to the lake. I consider this to be undesirable from both landscape and visual amenity perspectives. I also consider that, as the State Highway is clearly visible to the south from within the area, that the proposed requirement that buildings would not be visible from it in this area would be very difficult if not impossible to achieve.

8.31 The submitter now proposes to limit the amount of built form within this northern area to a maximum of 1800m². This is positive, but as no maximum building footprint is proposed it is possible that this could facilitate one very large building. I consider that a maximum footprint of 500m², as provided for in the Rural, Rural Lifestyle and Rural Residential zones, should also apply to this FBA or RVZ. The

submitter also proposes a rule requiring that no built form should be visible from State Highway 6 in this northern area. This is positive also, but would not manage other aspects of development such as access, car parking and landscaping, which are adjunct to built development and which can also have significant visual (and landscape) effects.

8.32 The southern area of land sought to be rezoned has been altered from a roughly square area to a narrower, more elongated shape. This has the effect of pulling it back from the slope dropping to the State Highway to the west, and back from the mountainside to the east but extends it by approximately 300m further to the south. Pulling the area back from the slopes is positive, as it now does not impinge on the steeper slopes to the east, which have higher natural character and which are more visible from outside of the site. It has, however, been almost doubled in length and this raises the concern that it would potentially enable development to be sprawled over a distance of almost 700m. I consider that this would be inappropriate, exacerbating visibility from outside the site and extending the effects of development over a potentially wider area. I consider that either the area should be reduced so that its southern boundary is where it was in the primary submission, or it should be reconfigured to ensure that development is limited to being within close proximity to existing development and/ or establishes a second, similarly tight cluster leaving intervening space open and clear of development.

8.33 Within the southern area it is intended that the total footprint of buildings including those already present should not exceed 4700m². This would enable approximately 2850m² of building. As with the northern site, I consider that a maximum building footprint of 500m² should also be imposed in this area. While development in this area is potentially more visible than that of the northern block, I consider it to be less sensitive in the sense that it is located within a fairly domesticated area already, removed from the lake and elevated above the highway.

8.34 The additional matters of control proposed by Mr Vivien at paragraph 3.9 of his evidence are positive and I would support their inclusion. I

do, however, consider that proposed rule 21.5.53(b) should be amended as follows:

*Planting local native species ~~and/or non-wilding exotic species~~
and managing wilding tree spread;*

- 8.35** The planting of non-wilding exotic species is a permitted activity and this remains the case. Including it within the matters of control suggests that it is considered a positive activity. In my opinion, particularly within this landscape context, the planting of local native species with the attendant enhancement of natural character is much more desirable and should be encouraged as an approach.
- 8.36** In conclusion, I continue to consider that the amended areas have the ability to absorb some development. I consider that the limit on the total footprint of built form within each area is positive. I consider the proposed rule ensuring no built form on the northern site be visible from State Highway 6 to be unachievable. However, I cannot accept the overall adoption of the ODP RVZ rules with these changes into the PDP. I consider that development within the proposed zone areas should comply with the same development controls as development within the rest of the ONL. That is, in these locations it is potentially appropriate to facilitate development, but the final quality and character of that development should be appropriate to its location within an ONL.

MS NIKKI SMETHAM AND MR BRETT GIDDENS FOR GIBBSTON VALLEY STATION (827)

- 8.37** This evidence responds to the evidence of Ms Smetham on behalf of Gibbston Valley Station, and the proposed plan provisions in Appendix 3 of Mr Giddens' evidence. My evidence in chief was filed when only a basic framework and indicative plans for the proposed zone had been provided by the submitter. My rebuttal evidence responds to the refined relief now sought.
- 8.38** At paragraph 18 of her evidence Ms Smetham states that "*the landscape is currently in a state of change as a range of tourism and*

recreational activities are gradually replacing traditional farming activities". I find this statement hard to accept with regard to the Gibbston Valley. For example, Trip Advisor (a popular tourism website) indicates winery tours and biking as the primary recreational activities in the valley, neither of which are activities which have a significant impact on the landscape. While I accept that tourism and recreation activities are being developed in the Gibbston Valley, and that the submitter has consent for significant development, I have seen little alteration in the landscape as a consequence of these other activities.

- 8.39** At paragraph 28 of her evidence Ms Smetham asserts that the establishment of the consented golf course would "*noticeably change the outlook from the highway from a natural pastoral outlook to one of a contrived, manicured landscape...reflecting...a character typically associated with Millbrook*". While clearly the greens, and to a degree the fairways, would be noticeable, the master plan of the consented development makes it clear that the existing matrix of rock outcrops, grey shrubland, tussock and what the Masterplan refers to as 'indigenous savannah' would be retained and enhanced. This would, in my opinion, likely result in an outcome more akin to the Jacks Point Golf Course than to Millbrook, which has a highly manicured and international resort character. Ms Smetham goes on to say that in granting consent "*the Council has determined that the property is able to absorb a high level of development without [it] significantly impacting on the landscape character*". While I agree that this is correct, that does not mean that the landscape can necessarily absorb any further development.

Activity Areas

- 8.40** Activity Area 1 (AA1) is located around the existing Gibbston Valley winery and cheesery. Building in this area would be controlled rather than discretionary as is the case under the PDP. I continue to consider that this area can absorb further development which builds upon the existing node of built and consented development. I note that a comparison between the existing areas of vines and the areas of 'Productive Landscape Planting' identified on the proposed

structure plan indicates that a reduction in the areas of planting may be allowed, which I do not consider desirable from the point of view of the visual mitigation it provides. I also note that while Ms Smetham agrees with me that development should not be allowed to extend further upslope than the 380m contour, the proposed zone and activity area boundary appears to be located on the 400m contour.

8.41 Activity area 2 (AA2) is located to the north of AA1 and the north of State Highway 6. I note that the most northern portion of this area is actually located within the Rural zone of the PDP and not within the Gibbston Character Zone (**GCZ**). Under the existing consent, development within the Rural zoned area of the site is limited to parts of the golf course. This Rural zoned land is identified in the PDP as ONL. The more eastern area includes significant rock outcrops. Both areas form the southern edge of the river's margins, and buildings within both areas would likely impinge on the river corridor and be visible from the river's surface. I consider that this would have an adverse effect on both the character of the river corridor and the visual amenity available from the river's surface, and also on the sense of remoteness which can be experienced there. I am opposed to any alteration to the zoning of this area which would extend into the notified Rural zone.

8.42 Ms Smetham states that AA2 is to be the location of a "*tourism hub centred on a culinary and oenology school*". Buildings are restricted to 7m in height and are to be a controlled activity, rather than discretionary as under the PDP. It does appear that the GCZ limit to the footprint of buildings (to 500m²) would apply. Visitor accommodation is to be a controlled activity within AA2 (and AA1) as opposed to a discretionary activity elsewhere in the GCZ. Productive planting is proposed to the west of AA2 and along the margin of the site adjacent to the state highway and this would provide some visual mitigation and context for the proposed development. The proposed provisions do not include any statement to define the purpose of the area. Thus, as I read the proposed rules, any buildings could be constructed within the area. I note that Ms Smetham does not appear to consider the effects of the proposed car park which she mentions in her paragraph 33. I have not been able to find a consent

application for this car park, and note that it has not been included on the proposed structure plan. Built form in AA2 would be obscured from view from SH 6 from immediately opposite the site by a combination of topography and the proposed planting. It is likely that views of buildings would be possible from the State Highway to the west however, despite planting.

8.43 Activity Area 3 (AA3) is located along the face of the terrace escarpment to the east of the rocky point which bisects the southern part of the proposed zone. A spa is consented at the western end of this area adjacent to Toms Creek, and a staff accommodation and maintenance area is consented at its eastern end. It is proposed to allow for the construction of residential units arrayed along the area in addition to the consented spa. Buildings within this area are proposed to be restricted discretionary rather than discretionary. No density has been specified, but a height limit of 5.5m is to be imposed. It is proposed to undertake productive planting between the AA3 and the State Highway to provide visual mitigation. While I consider that this planting could potentially be effective to a degree, the lack of any density controls (or minimum lot sizes), means that the development could be urban in character which would impact on the character of the vicinity and on the visual amenity enjoyed from SH6 also. I consider the extent of the consented development in this area to be the maximum that the vicinity could absorb.

8.44 Activity Area 4 (AA4) subsumes the Vintner's Village. Buildings within this activity area are to be restricted discretionary rather than discretionary. Under the existing consent this area contains 13 buildings of varying size with a total foot print of 3000m² and it is anticipated to increase the density of built form within the area by a maximum of 2500m². Despite this being an almost doubling of built form, Ms Smetham opines that the effects on landscape character of this increased level of development 'will not be readily distinguishable from that already anticipated'. I do not agree. I consider that this expansion of potential built form is significant and would have an adverse effect on both landscape character and visual amenity. I note that a farmers' market of the type suggested in the submitter's evidence requires little more than an open space.

8.45 Activity Area 5 (AA5) is located on the northern side of the State Highway. The consented development in this location comprises a row of dwellings located at the foot of a steep escarpment to the north of the State Highway. The proposed AA5 extends some 200m further west and 150m further east than the consented development, allowing for approximately 15 further dwellings if a similar development to that consented was proposed. I understand the height of the consented dwellings is limited to 7m and this is carried over into AA5 in the proposed subzone. While it is my opinion that the consented dwellings would be barely noticeable from the Gibbston Road due to the topography, the potential additional development would extend the development out from this topographical containment. A stone wall along the road boundary is proposed, combined with indigenous planting to limit the views of buildings. While this might reduce the visibility of dwellings to a degree, it would also have a domesticating effect on the broader landscape. I note that one of the character features of the Gibbston Valley is that the vineyards and pasture are, generally, open to the road.

8.46 Activity Area 6 (AA6) is located south east of the Vintners Village. The existing consent anticipates 14 residential units to be located amongst the established trees in this location, occupying an area of approximately 1.5ha (as measured off the Master Plan). The proposed Structure Plan increases the area for possible development to approximately 3ha (as measured off the Structure Plan). Development within this area is proposed to be a controlled activity rather than discretionary. I consider that the location has a moderately high ability to absorb the consented level of development. The increase in potential development capacity proposed for the activity area considerably eclipses that ability, in my opinion. This could be addressed by limiting the density of development and reducing the proposed building heights to 5.5m instead of the 7m proposed.

8.47 Activity Area 7 (AA7) is located to the south west of the Vintners Village between AA3 and AA6. It is to remain open space with

buildings other than temporary ones being fully discretionary. Under the existing consent this area was to be the location of reasonably dense residential development. My only concern with regard to AA7 is that its continued use for outdoor concerts seems incompatible with adjacent residential development, which makes the future likelihood of a desire for further development in this location high in my opinion.

8.48 Activity Area 8 (AA8) is located to the south east of AA6 and is intended to provide for workers' accommodation and service areas. It is located within a natural basin which provides natural containment of any visual effects. It is proposed that buildings should be a controlled activity as opposed to discretionary. My only concern in regard to this is that for consistency, the location, scale, height and external appearance of the buildings should be a matter of control within the Activity Area as with other areas.

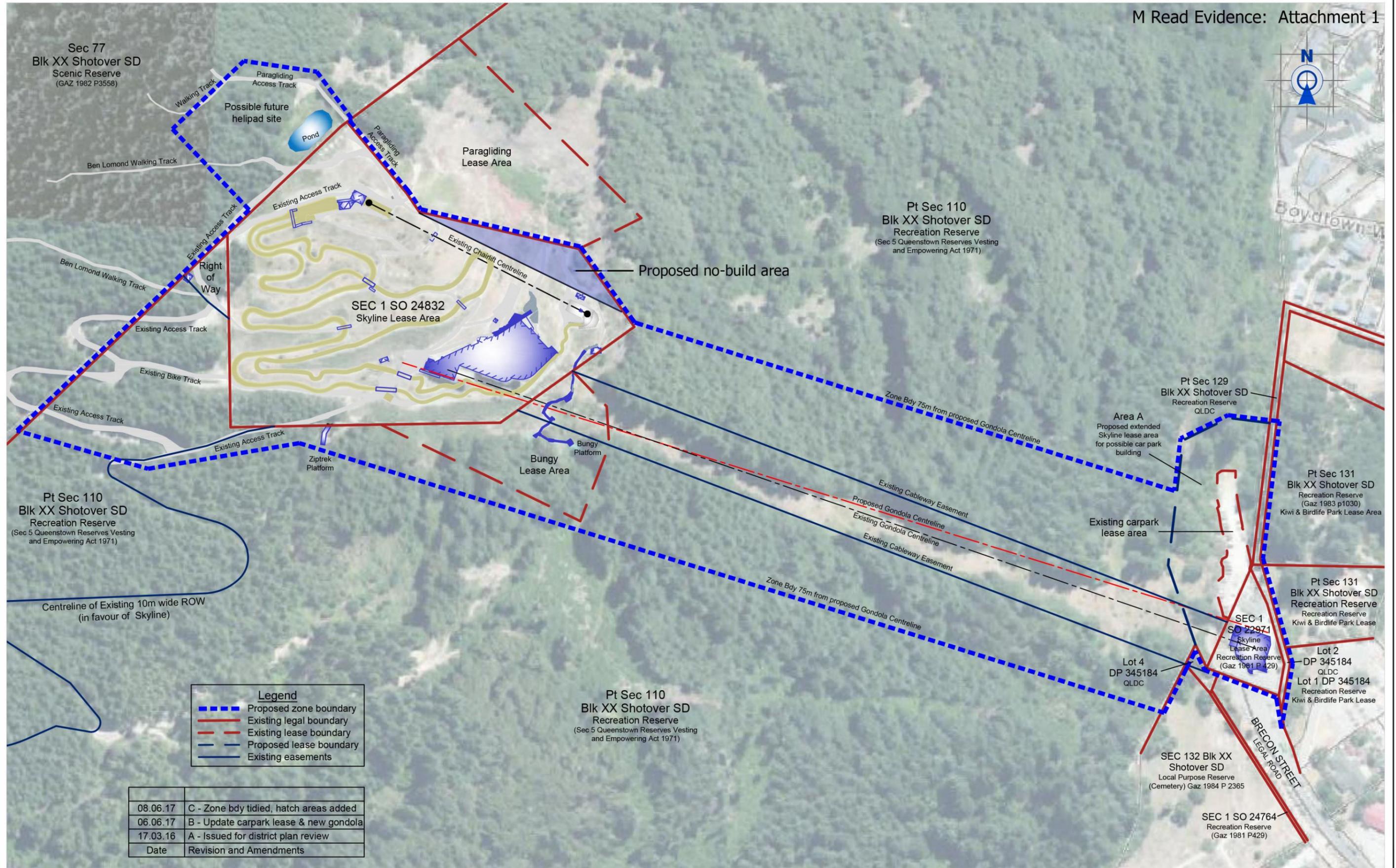
8.49 In general, while I consider that some parts of the proposed zone could absorb slightly more development than that consented without adverse effects on the broader landscape, I consider that the proposed provisions are too broad and uncertain to ensure that the development as portrayed in Ms Smetham's evidence in particular, is realised without adverse effects on the broader landscape or visual amenity. The activities proposed for each area are not actually defined (apart from the areas of productive planting). I consider that this would be necessary to ensure that ongoing development conformed to the overarching vision. The maximum amount of built form is defined on a zone wide basis, with nothing to ensure that it is distributed across the activity areas as proposed. No minimum lot sizes have been proposed for any of the activity areas, potentially risking high levels of fragmentation with subsequent adverse effects on landscape character and quality.

8.50 As a consequence of this analysis I remain of the opinion that the relief requested by the submitter should not be granted.



Marion Read

7 July 2017



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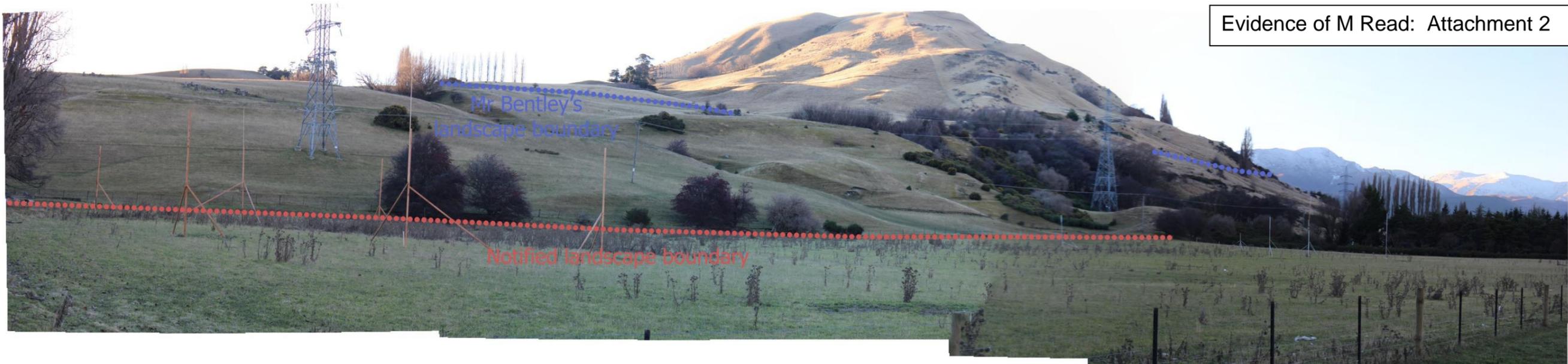
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Purpose/Drawing Title:
**QLDC PROPOSED DISTRICT PLAN
 PROPOSED COMMERCIAL RECREATION
 AND TOURISM SUB-ZONE BOUNDARY**

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Checked by:	SM Mar 2016	DO NOT SCALE	
Approved by:		Sheet No:	Revision No:
Job No:	Q4115J - 14	09	C
		Date Created:	08/06/2017



Stitched panorama taken from the southern corner of the Hanson property (adjacent to the boundary with 111 Frankton Ladies Mile) showing the location of the notified ONL boundary and Mr Bentley's ONL boundary.



Stitched panorama taken from Ferry Hill Drive in the vicinity of Hanbury Lane showing the location of the notified ONL boundary and Mr Bentley's ONL boundary. (Note that the higher slopes of Ferry Hill are not included.)



Stitched panorama taken from Hawthorne Drive showing the location of the notified ONL boundary and Mr Bentley's ONL boundary

M Read Evidence: Attachment 3

Ferry Hill

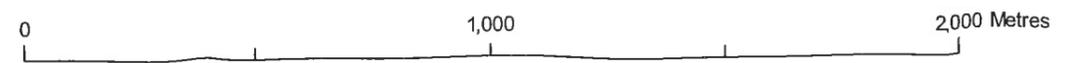
A4 MAP 3



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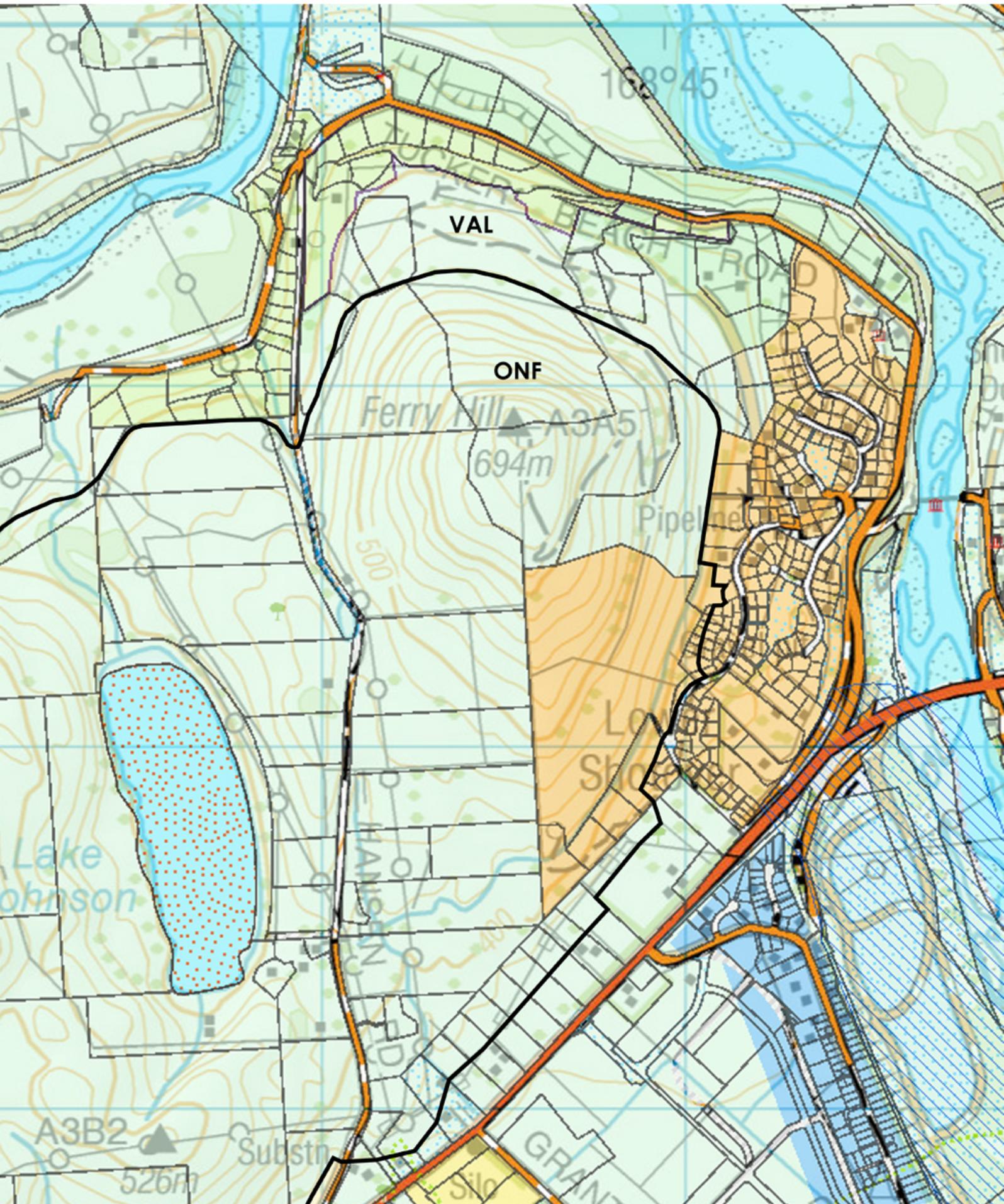
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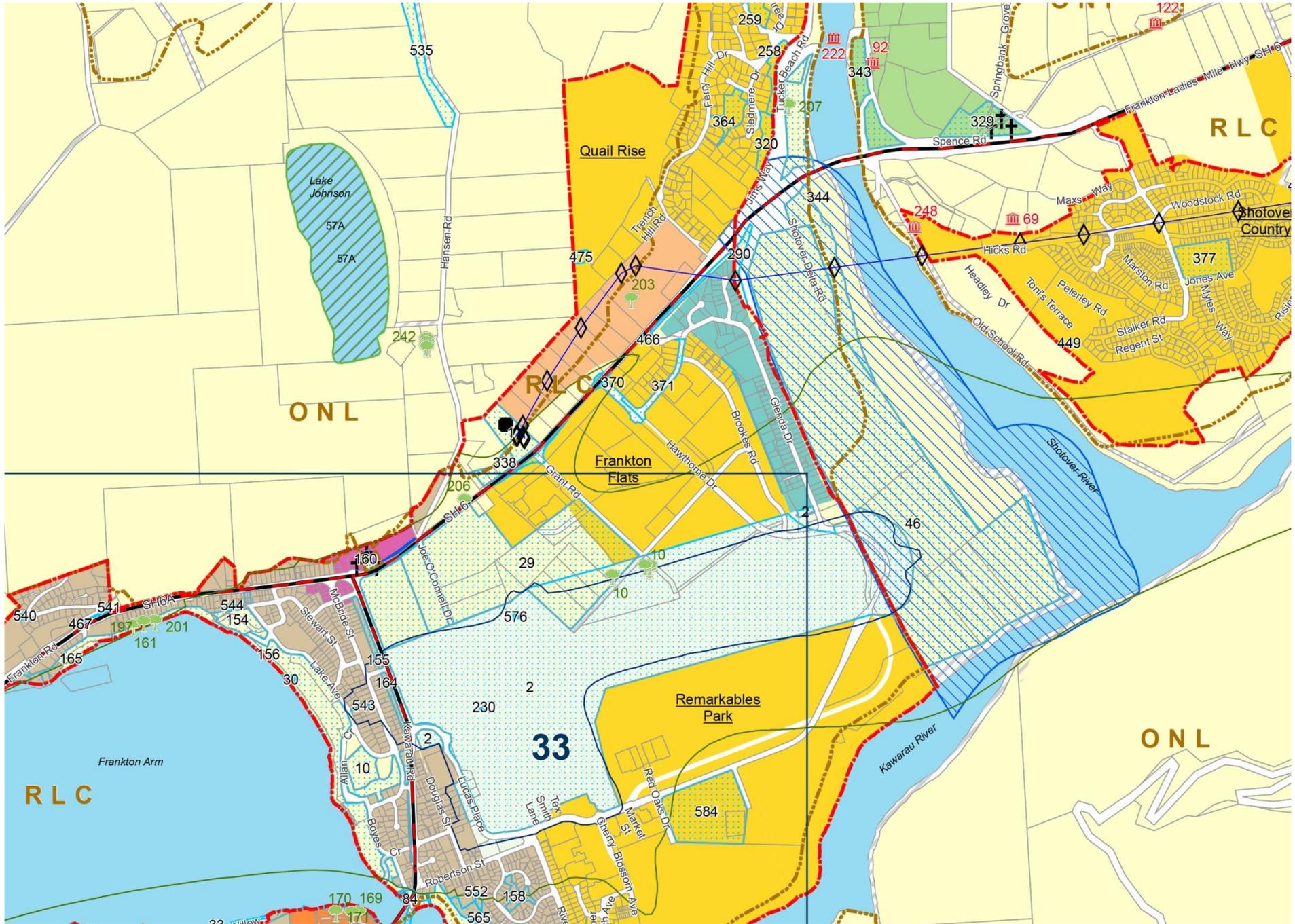


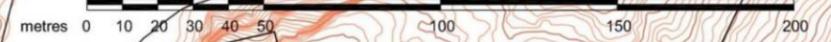
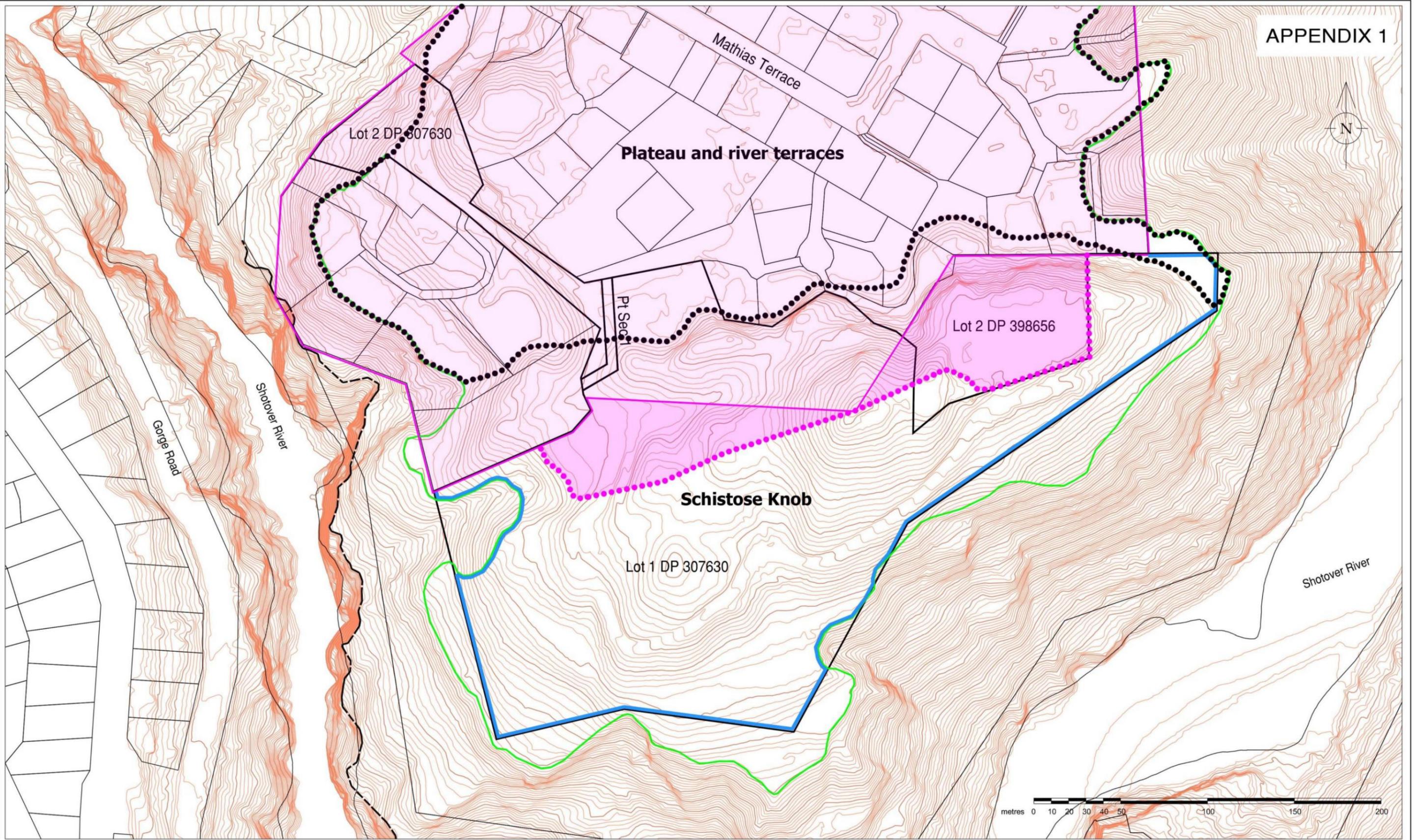
APPENDIX 3: Proposed landscape category boundary lines around Quail Rise (shown as a thick black line).



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- Legend**
-  Requested Low Density Residential Zone Boundary
 -  Operative/PDP Low Density Residential Zone Boundary
 -  Top of River Cliff
 -  Edge of the Shotover Gorge

Note: All areas and dimensions are subject to survey
 Note: Aerial image & contours from QLDC information
 Note: Not all easements are shown
 Note: Contour interval is 1.0m

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PROPOSED ZONE CHANGE
 Lots 1 & 2 DP 307630 & Pt Sec 1 SO 24074
 ARTHURS POINT
 FOR GERTRUDE'S SADDLERY LTD

DATE: 8 June 2017	Scale 1:2000	DRAWING & ISSUE No.
BY: B McLeod	Original Plan A3	4462-3R-1A

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