

**BEFORE THE QUEENSTOWN-LAKES DISTRICT COUCIL**

**IN THE MATTER**

of a hearing on submissions to the Proposed  
Queenstown Lakes District Plan pursuant to  
clause 8B of the First Schedule to the Resource  
Management Act 1991

**ON BEHALF OF**

**RCL QUEENSTOWN PTY LIMITED**  
Submitter

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**EVIDENCE OF BENJAMIN ESPIE  
(LANDSCAPE ARCHITECT)**

**2<sup>ND</sup> FEBRUARY 2017**

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## 1. INTRODUCTION

- 1.1 My name is Benjamin Espie. I reside in Queenstown. I hold the qualifications of Bachelor of Landscape Architecture (with honours) from Lincoln University and Bachelor of Arts from Canterbury University. I am a member of the Southern Branch of the New Zealand Institute of Landscape Architects and was the Chairman of that branch between 2007 and 2016. Since November 2004 I have been a director of Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown. Between March 2001 and November 2004 I was employed as Principal of Landscape Architecture by Civic Corporation Limited, a resource management consultancy company contracted to the Queenstown Lakes District Council (**QLDC**).
- 1.2 The majority of my work involves advising clients regarding the protection of landscapes and amenity that the Resource Management Act 1991 provides and regarding the landscape provisions of various district and regional plans. I also produce assessment reports and evidence in relation to proposed development. The primary objective of these assessments and evidence is to ascertain the effects of proposed development in relation to landscape character and visual amenity.
- 1.3 Much of my experience has involved providing landscape and amenity assessments on consent applications and plan changes, including advising on the avoidance, remediation or mitigation of the effects of proposed plan provisions or activities in rural areas, both to District Councils, and to private clients. I have compiled many assessment reports and briefs of Environment Court evidence relating to the landscape and amenity related aspects of proposed regimes of District Plan provisions to provide for development in the rural areas of a number of districts. I provided Environment Court evidence in relation to the landscape categorisation of the Coneburn Valley and have prepared many assessments in relation to developments within the operative Jacks Point Resort Zone. I prepared a Landscape Effects Assessment Report in relation to proposed Plan Change 44 (**PC44**) and presented evidence to the QLDC Commissioner hearing regarding PC44.
- 1.4 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note of November 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.

## 2. PURPOSE AND SCOPE OF THIS EVIDENCE

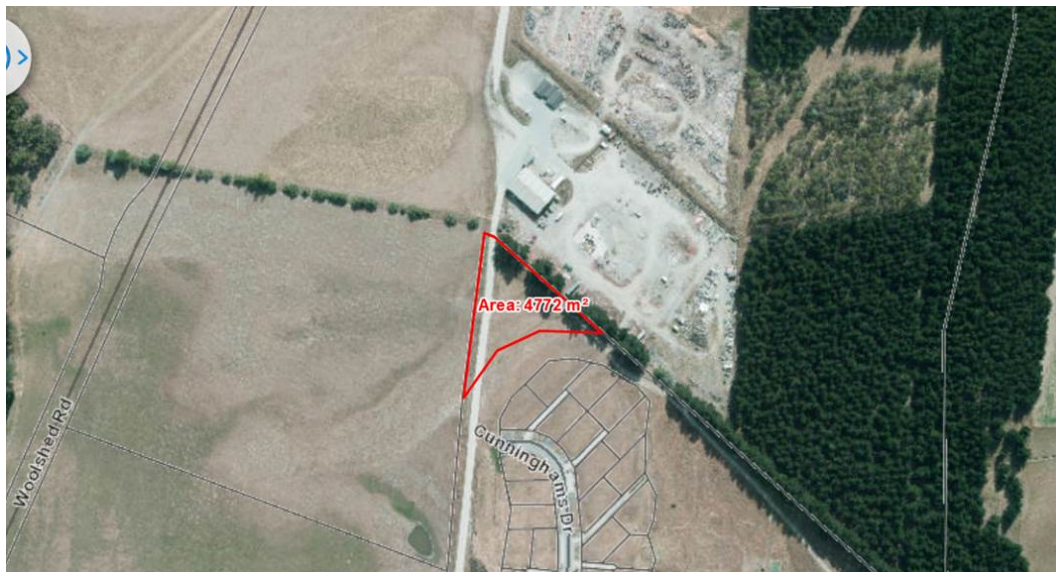
- 2.1 The purpose of this evidence is to assist the Hearings Panel on matters within my expertise of landscape architecture and landscape planning in relation to submission 632 by RCL Queenstown Pty Ltd (**RCL**) on the Proposed District Plan.
- 2.2 Specifically, I have been asked to examine and comment on:
- My assessment of the landscape and visual effects of PC44;
  - A small triangular extension to the R(HD)-B Activity Area that is included in the notified provisions;
  - The proposal to create an Open Space, Community and Recreation Activity Area.

## 3. PLAN CHANGE 44

- 3.1 RCL lodged PC44 in early 2013. As part of the proposed plan change, I prepared a Landscape Effects Assessment Report dated January 2013 (my PC44 report). I attach that report to this evidence as Appendix 1. PC44 sought to simplify the configuration of development within the Hanley Downs part of the Jack's Point Resort Zone and to increase its density. My PC44 report found that no development would be enabled within the outstanding natural landscape (the extent of the outstanding natural landscape is as per Appendix 8A – Map 3 of the Operative District Plan); development would be contained to the floor of the Coneburn Valley, would not be highly visible from outside the zone itself and would generally be appropriate in terms of landscape character and visual amenity.
- 3.2 By the time PC44 was heard by the QLDC, it had evolved and land ownership had changed. I presented evidence (my PC44 evidence) to the hearing in relation to development that PC44 would enable on land owned by RCL. Again, I found that this development would be generally appropriate. I attach my PC44 evidence to this evidence as Appendix 2.

## 4. PROPOSED EXTENSION TO ACTIVITY AREA R(HD)-B

- 4.1 The notified Proposed District Plan includes a small extension to the existing R(HD)-B Activity Area. The extension is to the immediate north of the Cunningham's Drive neighbourhood of Jack's Point, is roughly 4775m<sup>2</sup> in area and triangular in shape, and is shown on Figure 1 below.



**Figure 1: the proposed extension to the R(HD)-B Activity Area**

- 4.2** Under the operative situation, the area to the east, north and west of the identified triangle is Activity Area R(HD)-B. The area that is taken up by residential lots accessed off Cunningham's Drive is Activity Area R(JP)-3. Both of these activity areas provide for residential development. The triangle itself and the rest of the area immediately surrounding the residential lots accessed off Cunningham's Drive is (under the operative provisions) Activity Area OSA, which provides for recreation amenities, playgrounds, landscaping and pedestrian/cycle trails. The triangle is offset from the north-western boundaries of the residential lots accessed off Cunningham's Drive by 25 to 30 metres, as can be seen in Figure 1.
- 4.3** Under the operative situation, the identified triangle is OSA and could be realistically expected to accommodate some form of neighbourhood park-like open space activity; perhaps a playground or an informal grassed/vegetated area. Under the notified situation, the triangle could accommodate up to approximately 8 residential units of up to 8 metres in height. To achieve 8 residential units, a particularly dense, unit-like approach to the design of this triangle would need to be taken. In reality, the finished result may well be more in the order of 3 or 4 dwellings.
- 4.4** The identified triangle of land is not perceivable from anywhere other than its immediate vicinity. It cannot be seen from any public place. In relation to landscape and visual issues, I consider that the only potential effects of the notified situation would be those on the amenity of Cunningham's Drive residents.
- 4.5** Photographs A and B of Appendix 3 to this evidence are of the relevant area. With reference to Figure 1 above, a 25 to 40-metre-wide strip of Activity Area OSA would be maintained between the existing

Cunningham Drive properties and the extended R(HD)-B Activity area. This strip can be seen in Photograph A of Appendix 3 and it takes the form of a broad grassed mound. The new area of R(HD)-B would be on the lower, flatter ground to the north and northwest of the existing mounding.

**4.6** Under the operative situation, Cunningham's Drive residents will see R(HD)-B residential development to their west, north and east. Directly to their north, this development would be between 50 and 120 metres away from the north-western-most three lots of Cunningham's Drive. Under the notified situation, this development would be between 45 and 55 metres from these existing lots.

**4.7** Views to the north from the existing Cunningham's Drive lots are long views up the Coneburn Valley towards Coronet Peak. In any event, the foreground of these views will be characterised by built development enabled by Activity Area R(HD)-B. In relation to the reconfigured notified situation, I consider that the following points are particularly relevant:

- The area of the proposed R(HD)-B is lower in elevation than the Cunningham's Drive area;
- Development within the proposed R(HD)-B area will be at least 45 metres from the existing Cunningham's Drive lots;
- There will continue to be a 25 to 40-metre-wide strip of OSA Activity Area between the Cunningham's Drive properties and the proposed extended R(HD)-B Activity Area;
- The remaining strip of OSA Activity Area takes the form of a broad mound.

**4.8** Given the above points, I consider that the visual amenity of the Cunningham's Drive residents will not be significantly degraded. The composition of their northern views will include more built form but I consider that the character and amenity derived from these views will not fundamentally change. The Cunningham's Drive residents will continue to have the amenity of being in a residential area with recreational/park space to their immediate north and will long views north up the Coneburn Valley.

## **5. THE PROPOSED OPEN SPACE, COMMUNITY AND RECREATION ACTIVITY AREA**

**5.1** The RCL submission sought a new Open Space, Community and Recreation Activity Area to the south of the Jack's Point Rise neighbourhood of Jack's Point. The submission sought the provision for open

space, recreation and community activities with a maximum building height of 10 metres and a maximum building coverage of 10% of the activity area.

**5.2** RCL have now amended their submission regarding this area in that they seek that:

- the activity area enables open space, education and recreation activities, rather than open space, community and recreation activities;
- a maximum building height of 7 metres applies;
- the maximum building coverage within the activity area is 5000m<sup>2</sup> in total;
- any built form within the activity area integrates with the character of Jack's Point.

**5.3** Under the operative situation, the relevant area is identified as Golf Course, Open Space and Recreation Activity Area. In my understanding, the relevant operative provisions provide for buildings of up to 4 metres high as controlled activities, provided they are associated with golf, open space or recreational activities. In practical terms, I understand that activities such as a golf driving range, a sports training facility, a paintball (or similar) operation, a gym complex or a bike/skate park are provided for.

**5.4** The notified provisions identify the relevant area as being Open Space Landscape Protection / Farming Activity Area, with the existing oval of playing fields and the immediately adjacent area being Open Space Residential Amenity Activity Area. As per the operative provisions, recreation activities are provided for in these activity areas, as are associated buildings of up to 4 metres high. In my understanding the example activities listed in paragraph 5.3 above are all provided for.

**5.5** The situation that is now sought by RCL would also enable the activities listed above but would additionally allow educational activities and buildings associated with them. Buildings of up to 7 metres high would be provided for but new provisions would restrict them to a maximum total of 5000m<sup>2</sup> and architecture must integrate with the character of Jack's Point.

**5.6** Pursuant to the evidence of Mr Trevathan, I understand that noise issues will further restrict activities within the relevant area such that buildings are likely to be at the north-western corner of the proposed activity area. Therefore, in addition to the enabled activities listed in my paragraph 5.3, I understand that the layout of an educational facility that the RCL provisions would enable would be as per my Appendix 4 plan, or very similar. This plan shows what I understand to be a realistic educational facility outcome. An educational facility may be a school, a small specialist campus of a university or polytechnic, a sports

training facility, or similar. I consider that if an educational facility is to locate here, the most likely type of facility is a primary school. The conceptual layout shown on my Appendix 4 has been based on this.

- 5.7** Maori Jack Road, being the main north-south access road of Jacks Point continues south past the relevant location to the Homestead Bay area. Ultimately, the relevant area will act as a gap between residential areas that is used for recreational activities (or educational activities if RCL's submission is accepted). The actual layout of the Homestead Bay area is the subject of submissions to the PDP. In any event, the broader area of Jack's Point and Homestead Bay together will ultimately be a patchwork of residential neighbourhoods interspersed with open space that includes playgrounds, sports fields, walking tracks and golf activities. As described above, these open space areas can also include commercial recreational facilities. Within this context, I do not see that an educational facility per se is contrary to existing or anticipated landscape character. A school or small campus is an element that is complementary to the character of a pleasant residential neighbourhood. Inevitably, educational facilities of this sort include significant open space and often considerable tree planting for shade/shelter. Restraints associated with noise will mean that activities are very well set back from the highway and could easily be rendered not readily visible.
- 5.8** Notwithstanding the above general finding regarding landscape character, an educational facility in this location could potentially have adverse effects on the views and visual amenity of adjoining neighbours. With reference to my Appendix 4, it is relevant that the Soudley Court and Jack's Point Rise residential properties sit higher than the area within which educational facilities are envisaged. Again, Mr Trevathan's evidence dictates that educational activities will be confined to the area north and north-east of the existing tennis courts and sports oval. The Soudley Court properties have a bank to their immediate south that descends to Jack's Point Rise. This bank is covered in juvenile native beech. Once mature, these trees will very considerably screen any view to the south from the Soudley Court properties (as can be seen in Photograph C of Appendix 3). The residential properties on the south side of Jack's Point Rise are also elevated above the area that is envisaged for the educational facilities. A steep bank separates these properties from the relevant area. This bank is within the residential properties themselves and hence they control how it is vegetated. It currently supports a significant stand of mature matagouri. The views to the south from these Jack's Point Rise properties is unimpeded by any vegetation; they overlook the relevant area, as can be seen in Photograph D of Appendix 3) .
- 5.9** With reference to my Appendix 4, I consider that under the situation sought by RCL residents on the southern side of Jack's Point Rise would overlook educational activities in their southern view. Buildings, playing fields, playgrounds etc. would potentially be visible but, given landform, would not significantly block any views to the south. Long views down Collin's Creek Valley with some glimpses of the lake surface would continue to be the feature of these southern views.

5.10 Given that recreational (including commercial recreational) activities are provided for in the relevant area under both the operative and notified situations, I do not consider that the additional activities sought by the RCL submission will bring any adverse effects in relation to the visual amenity of Jack's Point Rise residents. An educational facility, particularly one that is architecturally accordant with the character of Jack's Point, is likely to be a pleasant and attractive element within the residential neighbourhoods of the greater Jack's Point environment. I consider that the activities sought by RCL will have no more effect than activities that are provided for by the operative and notified provisions.

## 6. CONCLUSIONS

5.11 I consider that;

- the notified extension to Activity Area R(HD)-B; and
- the amended Open Space, Education and Recreation Activity Area that is sought by RCL

are logical in terms of landscape planning and will not lead to any inappropriate effects on landscape character or visual amenity.

## ATTACHED APPENDICES

- 1 ESPIE LANDSCAPE EFFECTS ASSESSMENT REPORT REGARDING PLAN CHANGE 44 DATED JANUARY 2013.
- 2 ESPIE EVIDENCE REGARDING PLAN CHANGE 44 DATED 26 JUNE 2015.
- 3 PHOTOGRAPHS.
- 4 CONCEPTUAL LAYOUT OF A POTENTIAL EDUCATIONAL FACILITY.

**Ben Espie**

**vivian+espie**

**2<sup>nd</sup> February 2017**