

Before the Queenstown Lakes District Council Hearing Panel

Under the Resource Management Act 1991

In the matter of the renotification of two submissions on Stage 1 of the Queenstown Lakes Proposed District Plan concerning the zoning of land at Arthur's Point by Gertrude's Saddlery Limited and Larchmont Developments Limited

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**Statement of evidence of Benjamin Espie**

15 November 2022

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**anderson  
lloyd.**

## Introduction

- 1 My full 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.
- 2 The majority of my work involves advising clients regarding the management of landscapes and amenity that the Resource Management Act 1991 (**the Act**) provides and regarding the landscape provisions of various district and regional plans. I also produce landscape and visual effects assessment reports and evidence in relation to development that is proposed via plan changes and zoning or via resource consent applications. The primary objective of these assessments and evidence is to ascertain the effects of proposed development in relation to landscape character and visual amenity.
- 3 Much of my experience has involved providing landscape and visual amenity assessments in relation to resource consent applications and plan changes in the rural landscapes of this and other districts. Over the last 20 years I have prepared numerous assessment reports and briefs of evidence relating to the landscape and amenity related aspects of proposed regimes of District Plan provisions in the rural areas of a number of districts and in relation to the categorisation of landscapes in relation to Sections 6(b) and 7(c) of the Act. I have also provided assessment reports and briefs of evidence in relation to many resource consent applications for activities in the Wakatipu Basin.

## Scope of evidence

- 4 The purpose of this evidence is to assist the Independent Hearings Panel (**IHP**), within my area of expertise, in making decisions regarding submissions 494 and 527 on Stage 1 of the Proposed District Plan (**PDP**) and the associated further submissions. These two submissions have been pursued by Gertrude's Saddlery Ltd (**GSL**) and Larchmont Enterprises Limited (**LEL**) respectively. Each of those entities also provided further submissions to the original submissions, at the stage of the 2022

renotification, which further particularised relief sought for the rezoning of the Site.

- 5 I prepared and presented evidence (dated the 9<sup>th</sup> of June 2017) regarding these issues at the first IHP hearing of these submissions. I shall refer to that brief of evidence as **my 2017 evidence**.
- 6 In preparing this evidence, I have visited the Site (Lot 1 DP 518803 and Lot 2 DP 398656) and its surrounding vicinity many times, including a number of public viewpoints towards the Site. I have not visited private land other than the site itself.
- 7 I have reviewed the following reports and statements:
  - (a) Evidence of Helen Mellsop dated 18 October 2022.
  - (b) The further submissions received.
  - (c) Evidence of Jeff Brown dated 15 November 2022 including the attached recommended provisions to be inserted into the PDP.
- 8 I have read the Code of Conduct for expert witnesses contained in the Environment Court of New Zealand Practice Note 2014 and that I have complied with it when preparing my evidence. Other than when I state I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

### **Executive Summary**

- 9 The settlement of Arthur's Point sits between Queenstown and the Wakatipu Basin, adjacent to the Edith Cavell Bridge that spans the Shotover River. Arthur's Point consists of suburban and commercial land uses and is surrounded by rural (although not necessarily productive) land use.
- 10 The Shotover River and its gorge are an Outstanding Natural Feature (**ONF**). The site is adjacent to this ONF but is not part of it; nor is the site part of any Outstanding Natural Landscape (**ONL**). It is disconnected and separate from both the Central Whakatipu Basin Coronet ONL and the Western Whakatipu Basin ONL that are identified by the QLDC's notified variation relating to landscape Priority Areas and their scheduled values.
- 11 The relief sought by the GSL and LEL submissions is that Low Density Residential Zoning (**LDRZ**) is extended over part of the Site, and a bespoke Large Lot Residential B Zoning (**LLRBZ**) with a structure plan, is placed

over the balance, as is shown on Figure 2 of Appendix 1 of this evidence. This would enable structure planned low scale residential development over the rolling sloping land of the site and would set back development from the steep sided Shotover Gorge, i.e. the ONF.

- 12 The operative LDRZ boundary in relation to the Site is illogical in terms of landscape planning. I consider that the zone boundary that is proposed by GSL and LEL is appropriate in relation to landscape planning principles and will not bring about adverse effects on landscape character.
- 13 There will be some visual effects caused by development that would be enabled by the requested relief, however, these will be restricted to relatively small visual catchments.
- 14 The structure planned relief now being sought by GSL and LEL will better integrate development into this site than the outcome provided for under the Council's decision in 2018 which was to extend LDR zoning over the whole of the site. A structure planned approach to development of this site will ensure opportunities for significant revegetation are maintained in perpetuity by future owners, which will provide protected setback areas to the adjacent Shotover River ONF.

## Methodology

- 15 The methodology for my landscape assessment work has been guided by:
  - The Te Tangi A Te Manu, Aotearoa New Zealand Landscape Assessment Guidelines (**the NZILA Guidelines**)<sup>1</sup>.
  - The landscape-related provisions of the Operative District Plan (**ODP**) and the PDP.
- 16 When describing effects, I will use the hierarchy of adjectives given in the bottom row of the table below. The upper two rows show how the adjectives that I use can be related to specific wording within the RMA<sup>2</sup>.

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<sup>1</sup> 'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022.

<sup>2</sup> Ibid, paragraphs 6.38 to 6.42.



**My 2017 Evidence**

- 17 At the time of the preparation of my 2017 evidence, the relevant submissions sought to define landscape categorisation in the relevant area and sought LDRZ over the entirety of the site (but included some small Building Restriction Areas which represented incursions of the Shotover Gorge ONF into the Site).
- 18 To paraphrase and summarise, my 2017 evidence concluded that:
  - i. The land of the subject site that is south of the proposed LDRZ accommodates three dwellings, accessory buildings, associated curtilage and driveways. It is otherwise covered in self-seeded exotic trees. It is of rolling, sloping topography and, prior to tree infestation (which occurred in the late 1960s and early 1970s), was used as improved pasture.
  - ii. The Shotover Gorge wraps around the subject site to its south. The upper extent of the Shotover Gorge in the vicinity of the subject site is the line identified in my evidence appendices that is close to the outer boundary of the subject site [I note that Dr Read's evidence for the 2017 hearing agreed with my indicated ONF boundary, as does Ms Mellsop in this hearing].
  - iii. The operative zone boundaries<sup>3</sup> of the Arthur's Point LDRZ have been drawn in a way that does not accurately correspond with landform or other landscape patterns. I consider that zone boundaries should be drawn carefully and appropriately so as to, where possible, accord with landscape lines or other natural patterns. This will give more visual logic to the pattern of built form that ultimately emerges and therefore better protect landscape values into the future.
  - iv. I do not consider that an adverse landscape character effect that is more than negligible will result from the requested LDRZ. A logical and appropriate pattern of land uses and elements will be evident in which

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<sup>3</sup> In relation to the subject site, the notified PDP zoning and zone boundaries are identical to the operative situation. I shall refer to this zoning as the operative zoning.

the Shotover Gorge is preserved, the requested suburban area extension has a logical and appropriate boundary that relates to landform, and the broader mountainous ONL has its important qualities preserved.

- v. I consider that the requested LDRZ will have the following effects on views and visual amenity:
- a) A negligible effect on observers within the proposed LDRZ to the north of the subject site. Development that is already enabled by operative zoning will largely screen newly enabled development.
  - b) A moderate adverse effect on observers in the higher parts of old Arthur's Point (the McChesney Road area). The mid ground of these views will lose some naturalness and tranquillity. The overall composition of these views will continue to be dominated by the open and natural surrounding mountain slopes and by more distant peaks and skylines.
  - c) A substantial effect on observers in the Wattie's Track area. A prominent part of current views would become considerably less natural than under the operative LDRZ situation (although operative LDRZ, both developed and undeveloped, is visible from Wattie's Track). The river gorge would retain wild and natural scenic qualities. Wattie's Track is only used by its few residents.
  - d) A negligible to slight effect on Gorge Road users. Travellers on a relatively short stretch of Gorge Road will have plain visibility to development enabled by the requested LDRZ but a user of this stretch of road currently has the visual experience of being within a settled residential area with considerable development close to them.
  - e) A negligible effect on users of the Shotover River corridor. Visibility of newly enabled built form will be difficult and will be in conjunction with visibility of existing development.
- 19 Following the IHP hearing at which I presented my 2017 evidence, the IHP's Recommendation Report included the following:

*"We accept that there is little to distinguish most of the submission site from adjoining land already zoned LDR. Views of the site from within the LDRZ would be possible, but would read as part of the urban area. Views into the site would be significant from the Wattie's Track area, but again would appear as part of the wider settlement. From all other viewpoints, adverse*

*visual effects would be insignificant to minor. From everywhere, the most outstanding characteristics of the landscape, being the high peaks and the Shotover Gorge would remain predominant. A small portion of the site boundaries fall within Mr Espie's recommended ONL line, and these could be precluded from development by the use of a Building Restricted Area.*

...

*The proposed rezoning is consistent with the objectives and policies of the PDP, particularly in regard to landscape and urban growth. ... Overall, we have concluded that the Lower Density Suburban Residential Zone is more appropriate for the site than the existing Rural Zone, that the proposed location of the ONL at the edge of the Shotover Gorge is more appropriate than the existing boundary which includes the whole of Arthur's Point, and that the Urban Growth Boundary can appropriately be extended to include the submission site<sup>4</sup>.*

- 20 The IHP Recommendation Report was subsequently ratified and adopted by the Council.

### **The Requested Relief**

- 21 I understand that the Council's decision has since been suspended to allow for renotification of submissions which has resulted in further submissions being received. Consequently, GSL and LEL have amended the relief sought through a master-planning process for the Site. The amended relief is set out in detail in legal submissions and in the evidence of other witnesses. It is also set out graphically in Appendix 1 of this evidence. By way of summary:

- A structure plan approach is used to spatially locate an area of LDRZ and an area of LLRBZ. The Structure Plan also locates building platforms, a Building Restriction Area and Structural Planting Areas within the LLRBZ. The approach is to ensure that any adverse effect on the Shotover River Gorge is avoided through significant setbacks and the specific location of buildings and structural planting. The structural planting areas are to consist of indigenous vegetation that is to be implemented prior to any construction of buildings and thereafter is to be retained and

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<sup>4</sup> QLDC, Hearing of Submissions on Proposed District Plan – Report 17-4, Report and Recommendations of Independent Commissioners Regarding Mapping of Arthur's Point, paragraphs 66 and 72.

maintained on an ongoing basis through secured legal mechanisms.

- Some specific provisions in relation to the site are proposed to be inserted within the LLRBZ suite in order to ensure visually recessive built form that is well integrated into the landscape.

### **The Existing Landscape and Landscape Categorisation**

22 Appendix 3 to this evidence is a plan showing the site in its context. At a broad scale, the Arthur's Point settlement comprises:

- Arthur's Point West; the McChesney Road / Moonlight Track area on the western side of the Shotover Gorge including the now-vacant Arthur's Point Tavern site. This area began to be developed as crib sites (holiday houses) in the late 1970s and through the 1980s.
- Arthur's Point East; the area on Arthur's Point Road centred around The Gantley's Hotel site and the Swiss-Belresort Hotel. Some tourism development began here in the late 1980s, followed by more intense and expansive development since 2004.
- Central Arthur's Point, being the residential area that takes in the Atley Road / Mathias Terrace area on the eastern side of Arthur's Point Road and the Morningstar Terrace / Redfern Terrace area on the western side of Arthur's Point Road. This area has been developed since 2004.

23 The existing settlement patterns reflect the Operative District Plan (**ODP**) zoning that is shown on Appendix 4 to this evidence. The site sits at the southern end of Central Arthur's Point, which itself occupies an elevated peninsula or headland, bounded on the west, south and east by the Shotover River in its gorge.

#### The site

24 The site comprises Lot 1 DP 518803 and Lot 2 DP 398656. Lot 2 DP398656 is 7312m<sup>2</sup> in area and contains an existing dwelling (number 163 Atley Road), a number of accessory buildings and also an additional partly finished dwelling<sup>5</sup>. Lot 1 DP 518803 is 6.6 hectares and contains three dwellings (numbers 111, 113 and 115 Atley Road) as well as a number of accessory buildings, concrete water tanks and vehicle tracks.

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<sup>5</sup> Consented by RM980348 which provides for a large 8 metre high dwelling.



- 25 The operative LDRZ adjacent at Arthur's Point can be seen on Appendix 4 to this evidence. The southern boundary of the operative LDRZ as it crosses the site has been drawn in a way that does not accurately relate to landform or land use patterns. The southern zone boundary bisects an area of uniformly rolling landform in a way that places the dwellings of 113, 115 and 163 Atley Road within the Rural Zone (**RZ**), along with their accessory buildings, gardens, open lawn areas and driveways. Thus, the existing situation provides for suburban development inside the operative LDRZ area (shown on Appendix 4) and essentially the status quo (i.e. the existing 113, 115 and 163 Atley Road dwellings and accessory buildings, the large RM980348 dwelling, potentially along with rural activities) outside the LDRZ.
- 26 Essentially, the operative LDRZ of Central Arthur's Point has been configured so as to occupy the terraced and rolling topography on the headland that extends south between Big Beach and the Oxenbridge tunnel, except that it excludes most of the subject site, which has been left as a remnant area of RZ.
- 27 The operative LDRZ has been developed to near its capacity. Only the small area of LDRZ within the subject site has not been subdivided. Consequently, the area of existing LDRZ that can be seen on Appendix 4 has a suburban character, albeit that the southern lots of the zone are currently relatively large. The land of the subject site that is south of the operative LDRZ accommodates three sizable dwellings<sup>6</sup>, their associated accessory buildings, curtilage and driveways. Until recent months, it also accommodated a dense forest of Douglas fir and larch, which continues down to the waters' edge of the Shotover River, over the steep DOC land. This forest is self-seeded and has grown over the last 50 years.
- 28 Since the start of September 2022, the landowners of the site (I understand in conjunction with Delta/Aurora) have felled the Douglas fir and larch forest over the site itself. I understand that many trees were very mature and some were dangerous in relation to ongoing occupation and use of the site, in relation to proximity to power lines, wind throw as well as fire risk. Consequently, the site currently has the appearance of bare land as milling and timber removal work yet to be completed. Appendix 8 to this evidence consists of photographs showing the site as it was on the 26<sup>th</sup> of October 2022. Some additional tree clearance has been done since that date.

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<sup>6</sup> The dwellings of 113, 115 and 163 Atley Road.

- 29 The gently sloping parts of the DOC reserve land that are adjacent to the site have also been cleared of wilding trees. I understand from Mr Fairfax's evidence, that it is DOC's intention to complete felling of wilding trees over its land as funding becomes available.

### *The Shotover Gorge*

- 30 Immediately past the southern boundary of the subject site (more detail can be seen on Appendix 2), topography drops steeply to the Shotover River in the form of a gorge. This gorge that accommodates this stretch of the Shotover River is relatively complete and cohesive between the Edith Cavell Bridge and Tucker Beach (if we accept that the flats of Big Beach are within the gorge). Indeed, Section 4.6.1(v)(b) of the ODP states:

*Shotover Canyon is defined as that stretch between the Edith Cavell Bridge and Tucker Beach. In two sections, the river is deeply incised into spectacular, narrow, rock gorges separated by a more open river section.*

- 31 Presumably, the “*more open river section*” is Big Beach. The ODP also identifies the Shotover Gorge as an outstanding natural feature (**ONF**)<sup>7</sup>.

- 32 I have considered the question of what is the upper extent of the Shotover Gorge on the northern side of the river in this vicinity. The Oxford Dictionary defines gorge as “*a narrow valley between hills or mountains, typically with steep rocky walls and a stream running through it*”<sup>8</sup> and notes the origin of the noun as an Old French term for “throat”. On Appendix 2, I show a dashed line marking the upper extent of the extremely steep rocky walls that contain the Shotover in this vicinity. There is some merit in the argument that this line is the upper extent of the Shotover Gorge, since:

- in the truest sense, this is the extent of the steep rocky walls that contain the river;
- if this was to be the upper extent of the ONF then this would have some symmetry with the situation on the opposite (western) side of the river where Gorge Road sits at this level and marks the bottom edge of the LDRZ (as can be seen on Appendices 2, 3 and 4).

- 33 However, ultimately, I consider that this would be to take too narrow (no pun intended) or “zoomed-in” a view. If we are to consider the Shotover

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<sup>7</sup> ODP, Section 4.2.5, Objective 5(a).

<sup>8</sup> <https://en.oxforddictionaries.com/>

Gorge (or gorges) as running from the Edith Cavell Bridge to Tucker Beach, then it is relevant that:

- Except for the stretch between Edith Cavell Bridge and the southern end of McChesney Road, the river is not contained by short, almost vertical walls (as can be seen on Appendix 3). The valley that contains the river is somewhat broader, higher and of a larger scale, although still a cohesive, recognisable gorge.
- The slopes above the dashed line on Appendix 2 are still particularly steep and (despite wilding exotic tree cover) in some places, rocky. They are still part of a narrow valley.
- Between Edith Cavell Bridge and the southern end of McChesney Road, Gorge Road has been cut into a steep slope and the land above it zoned and used for residential development. Prior to the road and development appearing, what is legible as the gorge on the western side of the river may have continued significantly higher than currently.
- In the vicinity of Mathias Terrace, Larkins Way and the LDRZ in that area, the upper extent of the gorge is clearly at the LDRZ boundary (as can be seen on Appendices 2, 3 and 4). This is also the case as one moves north past Stables Place and on to the Arthur's Point East. Looking at landform over this broader area, the gorge is clearly a larger scale landform than the narrow section between Edith Cavell Bridge and the southern end of McChesney Road.

34 Appendix 5 of this evidence is a photograph of the Arthur's Point area taken from near the top of Sugar Loaf above Wattie's Track. I understand this photograph was taken in 1960. It shows the vicinity of the subject site to be improved farm paddocks, most likely used for wintering stock. While fences cannot be seen on the subject site, a clear edge to the improved paddocks is evident. As would be expected, this edge relates closely to landform, the terrace lands being used as pasture and the gorge being left unmanaged. The evidence of Mr Paul Faulkner includes a site plan prepared from a geotechnical perspective. It shows a line marking the edge of the bluffs or steep slopes that descend to the Shotover. This line corresponds with the edge of the improved paddocks that can be seen on the Appendix 5 photograph and also corresponds with a line of landform that can be seen in the contours of Appendix 2.

35 Overall, if we consider the area between Edith Cavell Bridge and Tucker Beach, I consider that the upper extent of the gorge as it passes through the subject site is the line shown on Appendix 2.

36 I note that Ms Mellsop agrees with this ONF boundary in her evidence at her paragraph 7.2, as did Dr Read (as landscape architect for the QLDC in the initial rezoning hearing).

*The notified Landscape Priority Area Schedules*

37 The Council has notified a variation to the PDP that proposes Landscape Schedules to be inserted into the PDP. The Landscape Schedules describe each of the identified Landscape Priority Areas and set out their landscape values and landscape capacity. At the time of writing, the variation regarding Landscape Schedules has been subject to submissions but not yet to further submissions or hearings. Notified Schedule 21.22.3 relates to the Shotover River ONF.

38 The maps of the scheduled Priority Areas that form part of the notified variation are attached to this evidence as Appendices 6 and 7. Relevant aspects of these maps are:

- The ONL landscape that extends away to the north of Arthur's Point, taking in the slopes of Coronet Peak and Mount Dewar is the Central Whakatipu Basin Coronet ONL Priority Area (Schedule 21.22.15).
- The ONL landscape that extends away to the south of Arthur's Point taking in The Gorge and its containing mountains is the West Whakatipu Basin ONL Priority Area (Schedule 21.22.12).
- The ONF of the Shotover River follows the river gorge on this roughly west to east path. This is the Shotover River ONF Priority Area (Schedule 21.22.3).

39 The Appendix 6 map appears to include the subject site (except for the operative LDRZ) within the Shotover River ONF Priority Area, despite the fact that the Council's decision referred to in my paragraphs 19 and 20 found that the subject site is not part of the Shotover Gorge ONF. However, my Appendix 7 is a version of the same map (that is part of the notified variation) with the "ONF and ONL Priority Areas" layer made visible. That layer excludes the subject site from the Shotover River ONF (and excludes it from any ONL).

40 I understand that the Council has since lodged a corporate submission to the notified variation to the effect that the extent of the Shotover Gorge ONF Priority Area should ultimately be drawn so as to reflect the final zoning in this vicinity, as determined in this rezoning hearing. I therefore also understand that no weight can be placed on the notified mapping of the Priority Area ONF over the Site.

- 41 Environment Court Interim Decision 2.5<sup>9</sup> confirmed the Priority Areas in relation to which Landscape Schedules were to be created via a variation to the PDP. One of the confirmed Priority Areas is The Shotover River ONF<sup>10</sup>. The Court's Interim Decision 2.5 confirmed the Priority Areas to be as per a QLDC memo to the Court. That QLDC memo describing what the Priority Areas were to be was the result of witness conferencing by the relevant landscape witnesses, including representatives for the Council. The Priority Areas that were agreed in that process are those that are now shown on the notified Priority Area Maps discussed in my paragraphs 38 and 39 above; and the GSL site is excluded from the Shotover River ONF since (as would be expected) the QLDC was consistent with its IHP recommendation and Council decision, as set out above.
- 42 All of the above confirms my opinion that the land of the site is not within the Shotover River ONF. At no time has any decision or any witness (including the Council's landscape witnesses) found that the site is part of the Shotover River ONF.
- 43 I have examined the notified Landscape Schedule for the Shotover River ONF (Schedule 21.22.3). Again, the description of the landscape attributes and values of the Shotover River ONF makes it clear (in my opinion) that the land of the subject site is not part of this ONF. In particular:
- Under the heading "*General Description of the Area*", it is noted that "*The mapped PA ONF includes the upper edges of the landforms framing the river corridor. This takes in the gravel beds and river floodplains to the west of Arthur's Point and at Big Beach (south of Arthur's Point), Tucker Beach and the Kawarau confluence*". By this description, the land of the site is obviously excluded; it is beyond the upper edge.
  - Under the heading "*Important landforms and land types*", these are described as "*steep escarpments, scarps, gorges/canyons, bluffs and river cliffs, where glacial and alluvial processes have eroded underlying schist. Alluvial floodplains and terraces, dynamic river braids and gravel shoals at bends in the course of the river to the west of Arthur's Point and at Big Beach, Tucker Beach and the confluence with the Kawarau River. The overall transition along the course of the river from a predominantly narrow and steeply incised corridor (interspersed with alluvial flats and gravel beds at river bends) upriver (north) of Tucker*

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<sup>9</sup> Environment Court Decision [2020] NZEnvC 158, direction A and paragraphs 2 to 8.

<sup>10</sup> Ibid, paragraphs 65(b) and 83(a).

*Beach to a more consistently broad and open riverbed and valley at the confluence with the Kawarau.” Again, this description makes it clear that land beyond the steeply incised river corridor, such as the site, is excluded from the ONF.*

- 44 Parts of the Shotover Gorge ONF are currently degraded due to wilding pine infestation and consequent loss of biodiversity values. I consider that the Schedule would benefit amendment to recognise opportunities to enhance these currently degraded values through eradication and enhancement opportunities.
- 45 Overall, I consider that Schedule 21.22.3 makes it clear that land beyond the top of the Gorge in the relevant location (i.e. the site) is not part of the ONF or the Priority Area. I agree with this conclusion and it also accords with all expert landscape evidence that has been presented on the issue and with all relevant decisions.

#### Outstanding Natural Landscape

- 46 Irrespective of the ONF of the Gorge, the ODP categorises all of the RGZ land between Littles Road and Queenstown as outstanding natural landscape (**ONL**). This landscape categorisation is the result of Environment Court decisions that considered evidence on the landscape categorisation of the Wakatipu Basin and the district at a broad scale<sup>11</sup>. These Court decisions regarding landscape categorisation were made with the operative zoning already in place; the rationale for the decided landscape categorisation being that Arthur’s Point is essentially an island of development zoning (LDRZ, High Density Residential Zone (**HDRZ**) and Medium Density Residential Zone (**MDRZ**)) surrounded by a mountainous landscape that has a high degree of natural character when considered as a whole<sup>12</sup>.
- 47 While I consider that this categorisation is appropriate at a broad scale, the Court (and the evidence that it heard) did not examine the question of whether the Arthur’s Point zone boundaries are in the most appropriate locations. In fact, the C3/2002 decision implies that in some places they

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<sup>11</sup> Environment Court decisions C180/1999, *Wakatipu Environmental Society vs. Q.L.D.C.* and C3/2002 *Wakatipu Environmental Society vs. Q.L.D.C.*

<sup>12</sup> In the Environment Court decision C180/1999, Appendix II of that decision shows all land between Littles Road and Queenstown as being within an Outstanding Natural Landscape. However, when discussing landscape categorisation, the decision (at paragraph 108) excludes “all land zoned residential, industrial or commercial in Queenstown, Arthur’s Point and Arrowtown”, thus leaving Arthur’s Point as an island of development zoning within an ONL.

perhaps are not<sup>13</sup>. With reference to Appendix 3, it is clear that some of the zone boundaries have been drawn arbitrarily in a way that does not relate to landform but to cadastral boundaries; particularly the northern edge of the ODP LDRZ (and PDP MDRZ) north of Arthur's Point Road where the zoned areas spread up the lower mountain slopes to a horizontal cadastral boundary line; the eastern and southern edges of the ODP LDRZ (and PDP MDRZ) which in part abut the Shotover Gorge; and, in my opinion, the southern edge of the LDRZ as it crosses the subject site.

- 48 Therefore, while I agree with the landscape-scale categorisation of the ODP; that the land outside the development zones (and outside the Urban Growth Boundary) should be categorised as ONL, I consider that the zone boundaries should be drawn appropriately and carefully so as to, where possible, accord with landform lines or other natural patterns. This will give more visual logic to the pattern of built development that ultimately emerges, will avoid built development sprawling onto steep, prominent or otherwise sensitive areas and will protect the genuinely outstanding and natural areas of landscape, and the values that contribute to them being outstanding.
- 49 The Landscape Schedules relating to ONLs that form part of the QLDC's notified variation have been prepared in accordance with PDP Strategic Policies 3.3.36 to 3.3.38. With reference to Appendix 6, Schedule 21.22.15 describes the Central Whakatipu Basin Coronet ONL Priority Area. In summary, this landscape comprises the mountain slopes that form the northern backdrop to the Wakatipu Basin. The subject site, being a terrace area at the southern end of Arthur's Point township, clearly does not accord with the landscape description in Schedule 21.22.15, the site is well separated from the Central Whakatipu Basin Coronet ONL.
- 50 Schedule 21.22.12 describes the West Whakatipu Basin ONL Priority Area. In summary, this landscape comprises the mountain slopes of Ben Lomond, Bowen Peak and Queenstown Hill. Again, the subject site is clearly not part of that landscape and does not accord with the landscape description in Schedule 21.22.12.
- 51 In short, the subject site is not part of any identified ONL. I give further comments on this issue below in response to issues raised by Ms Mellsop.

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<sup>13</sup> Environment Court decision C3/2002 Wakatipu Environmental Society vs. Q.L.D.C, paragraphs 40 to 42 and Figure 4. The Court noted (particularly via its Figure 4 to the decision) that the zone boundary at the eastern end of Arthur's Point does not coincide with the ONL boundary.

Landscape categorisation overall

52 Therefore, in summary, I consider that the existing landscape character of the relevant vicinity (taking into account what is provided for by operative zoning) consists of a pattern made up of the following elements:

- The Shotover Gorge between Edith Cavell Bridge and Tucker Beach. This is a wild, rugged, natural and scenic gorge and its upper extent in the vicinity of the subject site is marked by the line shown on Appendix 2. It is appropriately categorised as an ONF, as agreed by Ms Mellsop and Dr Read.
- The suburban / commercial settlement of Arthur's Point extending generally to the edges of the existing LDRZ and RVZ and also including land on the edges of the operative zoning that is outside of any ONF or ONL and is logically suitable for expansion.
- The mountainous, natural landscape that surrounds Arthur's Point. To the north this takes the form of the slopes of Mount Dewar and Coronet Peak. To the south, this takes the form of The Gorge and its surrounding mountain slopes.

53 In relation to the interaction of these elements, I consider that the zone boundaries that define Arthur's Point settlement (LDRZ and Medium/High Density Residential) should, in some places, be drawn more carefully and appropriately so as to accord with landform lines and other natural patterns and to provide visual logic to the pattern of built development that ultimately emerges. In particular, regarding the southward-extending headland that accommodates central Arthur's Point, I see no logic in zoning most of it as LDRZ but leaving the subject site as an isolated remnant of RZ.

54 I consider that the above conclusion is reinforced by an examination of landscape attributes (physical, associative and perceptual) and associated landscape values. With reference to the Priority Area maps of my Appendices 6 and 7:

- As is set out in notified Schedule 21.22.3, and described in paragraphs 32 to 36 above, the Shotover Gorge is defined by steep, incised escarpments containing the river and its floodplains. The gorge contains minimal human modification and displays the dramatic, memorable and wild aesthetic values of a high-volume, fast-moving river within its natural containing walls.
- As is set out in notified Schedule 21.22.12, the Western Whakatipu Basin ONL landscape is defined by dramatic and sublime steeply



sloping mountainous landscape with strong recreational and historic associations, providing a dramatic, mountainous, seemingly undeveloped, visual backdrop to Queenstown and Arthur's Point.

- 55 The part of the subject site that is not operative LDRZ does not fit into either the Shotover River ONF nor the Western Whakatipu Basin ONL nor the Central Whakatipu Basin Coronet ONL. It is a remnant part of the rolling headland that accommodates the developed suburban area and associated zoning of Central Arthur's Point.

### **The Effects of the Requested Relief in relation to Landscape Character and Values**

- 56 *"A landscape effect is an outcome for a landscape value.*

*While effects are consequences of changes to the physical environment, they are the outcomes for a landscape's values that are derived from each of its physical, associative, and perceptual dimensions.*

*Change itself is not an effect: landscapes change constantly. It is the implications of change for a landscape's values that is the effect. To assess effects it is therefore necessary to first identify the landscape's values—and the physical characteristics that embody those values*

*Landscape values are the various reasons a landscape is valued—the aspects that are important or special or meaningful."<sup>14</sup>.*

- 57 Landscape attributes, character and values are discussed in the previous section of this evidence. In summary, it is my evidence that the site is not part of the Shotover River Gorge ONF, nor part of any ONL. It is of rolling, rounded topography and is part of the elevated headland that accommodates the zoning and development of Central Arthur's Point. The site comprises 7.3ha and contains four existing dwellings, a number of accessory buildings, an additional partly finished dwelling (consented to be 8m high and in a prominent location), a number of private access tracks, and has recently been cleared of wilding larch and Douglas fir forest. It is sandwiched between the Shotover Gorge ONF and the operative LDRZ of Central Arthur's Point.

- 58 The requested relief would extend development zoning to the south so as to take in most of the subject site; mostly LLRBZ with a site-specific structure plan, but also an extension to the LDRZ. I note that Ms Mellsop's

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<sup>14</sup> Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022, paragraphs 5.06 and 6.01 to 6.04.

evidence in Chief supports an extension of LDRZ over the Site, almost identical to that which is proposed in the requested Structure Plan (Figure 2 of Appendix 1 to this evidence). The RZ (i.e. outside the subject site) would then take in all of the steep land that falls towards the river, i.e. all of the land that is within the Shotover Gorge ONF<sup>15</sup>. A Structure Plan and associated provisions will bring about a tightly controlled development result, with larger, more vegetated lots situated around the periphery of the site. Public access connections are provided to the DOC land that wraps round the subject site to the south, east and west and discussions with DOC and the Queenstown Trails Trust indicate that an outcome that involves useful and pleasant public access along the river corridor can be arrived at.

- 59 Without labouring the points made in the previous section of this evidence, I consider that the operative LDRZ boundary as it crosses the subject site (as can be seen on Appendices 2 and 3) lacks logic in relation to landscape patterns. The land between the operative zone boundary and the proposed zone boundary is not outstanding or natural in itself and is not part of some broader ONL or ONF.
- 60 Existing dwellings on lots to the west of the site (Numbers 102, 104, 106 and 119 Atley Road – shown on Appendices 2 and 4) are at a relatively low altitude (approximately 405masl as per Appendix 2) these dwellings practically sit on the lip of the Shotover Gorge. As DOC continues clearance of wilding exotics on this land, these properties will become considerably more exposed. The line marking the upper extent of the gorge that I show on Appendix 2 is not a line of altitude, it is a line of landform. It marks a gradient change where the rolling topography changes to a falling escarpment landform. Consequently, the outside boundary of the requested LLRBZ, as it crosses the subject site, ranges between 405masl (close to the boundary of 119 Atley Road) and 440masl (close to the boundary of 163 Atley Road), with enabled future dwellings set well back by a Structural Planting buffer area.
- 61 Due to all of the above and the discussion in the previous section of this evidence, I consider that if the requested relief proceeds, a logical and appropriate pattern of land uses and elements will be evident in which the Shotover Gorge is preserved, the suburban area has a logical and appropriate boundary that relates to landform, and the broader mountainous ONL has its important qualities preserved. I consider that while the requested relief will bring about a degree of landscape change in

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<sup>15</sup> Two small areas of the Shotover Gorge ONF extend into the subject site. These areas are proposed to be Building Restriction Areas and within the Structural Planting Area pursuant to the proposed Structure Plan.

the vicinity of Central Arthur's Point, the values of the relevant landscapes, including the Shotover Gorge ONF, the Western Whakatipu Basin ONL and the Central Whakatipu Coronet ONL (as those values are set out in the notified schedules), will be maintained and protected.

### **The Effects of the Requested Relief in relation to Views and Visual Amenity**

62 *“Visual effects are effects on landscape values as experienced in views. ... A proposal that is in keeping with the landscape values may have no adverse visual effects even if it is a large change to the view. Conversely, a proposal that is completely out of place with landscape values may have adverse effects even if only occupying a portion of the view”<sup>16</sup>.*

63 Observers that have the potential to have their views or visual amenity affected by the proposed relief can be categorised as follows:

- Observers in the operative LDRZ to the north of the subject site.
- Observers in Arthur's Point west (the McChesney Road / Moonlight Track area).
- Observers on or adjacent to Wattie's Track.
- Observers on Gorge Road.
- Observers on the Shotover River or adjacent public land.

64 I will discuss each of these groups in turn, examining existing views and visual amenity and the effects of the relief sought compared to the operative zoning. Figures 7 to 24 of Appendix 1 to this evidence include photographs, digital model views and photo-simulations taken from a number of viewpoints. Reference to those is important to the understanding of my discussion below.

65 The evidence of Ms Yvonne Pfluger gives detail on the methods of preparation in relation to my Appendix 1 document. I note that the photographs used in my Appendix 1 were taken on the 13<sup>th</sup> of October and tree felling has continued since then.

#### *Observers in the operative LDRZ*

66 With reference to the Proposed Zoning Plan and Structure Plan (Figure 2 of Appendix 1), the central northern part of the subject site that is adjacent

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<sup>16</sup> Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines'. Tuia Pita Ora New Zealand Institute of Landscape Architects, July 2022, paragraph 6.25.

to existing lots within the LDRZ (i.e. adjacent to the southern lots of Larchmont Close) is also already contained within the operative LDRZ. Thus, new development within the additional area of LDRZ that is sought (1.09ha) will be located adjacent to land that is already owned by the submitters; no other neighbours would be immediately affected.

- 67 Viewpoints 1 and 2 and the associated images my Appendix 1 (Figures 7 to 9) illustrate views from the currently developed part of the operative LDRZ (i.e. the Mathias Terrace area). For observers in this area, immediate foreground elements such as buildings and trees often screen views to the subject site. These observers are within a developed suburban area. The main views that are available from the properties of the existing LDRZ are generally oriented to the west (to Bowen Peak), the north and northeast (to Mount Dewar and Coronet Peak) and to the east (over Big Beach and towards Malaghans Ridge), rather than to the south.
- 68 From particular locations such as viewpoints 1 and 2, the northernmost part of the subject site appears as a rolling hill of topography that has, until recently, appeared covered in wilding conifer forest. The conifer forest had the effect of making the hill appear higher than it actually is and this created something of a local backdrop effect in relation to the Mathias Terrace area.
- 69 Looking at the photographs and digital model images from Viewpoints 1 and 2 (Figures 7 to 9), we can see that the intention of the operative zoning, has always been that suburban land use would extend onto the north-facing parts of this local hill.
- 70 The eastern part of the subject site comprises number 163 Atley Road (Lot 2 DP398656), which takes the form of an elevated terrace. This property contains an existing dwelling, a number of accessory buildings and also an additional partly finished dwelling. The design of the partly finished dwelling (RM980348) provides for an 8m height. The requested relief provides for three building platforms, all well setback from the escarpment edge to the north. Given its elevated position, existing (and consented but unfinished) built form within this property is visible from much of the Atley Road residential area and would be considerably more visible if the RM980348 dwelling was completed; this building would be particularly prominent. The buildings would be seen in a locally elevated position to the south of the existing residential area. The requested relief would enable a total of three dwellings, each of up to 7m high, within this property, set back from the escarpment edge. The relief also includes comprehensive native revegetation of the north-facing escarpment.

- 71 Taking into account the removal of conifers, the development enabled by the operative zoning and built and consented development on 163 Atley Road, the existing situation (i.e. operative zoning) would mean that this local hill would accommodate suburban development that is readily seen from a number of viewpoints throughout the Central Arthur's Point area. This would amount to a visual continuation of the current suburban pattern.
- 72 The requested relief would enable some development that is also visible from these viewpoints, over and above the existing situation, as can be seen in Figures 7 to 9 of my Appendix 1. However, this additional built development is particularly peripheral in relation to the development that is already enabled. Additionally, the requested relief will include extensive native planting to assist in incorporating built form into the site and will revegetate the steep, north-facing escarpment in natives, creating a small instance of visual relief.
- 73 In my opinion, the operative situation and the requested relief will bring about similar results in relation to views from the developed part of the LDRZ. In either situation, visible suburban development will extend south from its current edge. This suburban pattern will read as sitting on the rolling headland landform, with the mountains forming the dramatic, natural backdrop. I consider that any adverse visual effects of the requested relief in comparison to the existing situation will be of a very low degree<sup>17</sup>.

*Observers in the McChesney / Moonlight Track area of road part of Arthur's Point West*

- 74 The older part of Arthur's Point sits on the lower slopes of a bluff of Bowen Peak between Domestic Creek and McChesney Creek. This residential neighbourhood consists of rows of dwellings stepping down the slope, generally accessed via McChesney and McMillan Roads. These elevated sites often gain long views to the northeast, over the Central Arthur's Point area, to the Malaghans Road valley and Coronet Peak. These sites are often higher in elevation than the subject site and hence gain something of a bird's-eye-view. Visibility of the subject site from individual dwellings in this area vary considerably due to topography and the frequent presence of large trees and foreground buildings that can block views, however, a number of buildings within this neighbourhood gain long views as described that take in the subject site at distances in the order of 350 to 500 metres. An indication of these views can be gained by looking at the images from

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<sup>17</sup> With reference to the NZILA Guidelines table included in my paragraph 16, this equates to a less than minor effect.

Viewpoints 4 and 12 of my Appendix 1 (Figures 11, 19 and 20). These viewpoints are on public roads within the relevant area.

- 75 Until recently, the subject site largely appeared as a broad area of rolling wilding forest. Since the tree felling over the site, piled timber and ongoing clearance dominate the site and its existing dwellings, accessory buildings and vehicle tracks can be seen (as is shown on Appendix 8 of this evidence). From these parts of Arthur's Point West, the subject site appears as a relatively prominent mid-ground element (depending upon the individual viewpoint of the observer) and it is visually backed by the slopes of Sugar Loaf / Queenstown Hill and by Malaghans Ridge. More distant mountain slopes form the distant backdrop. Existing dwellings of the properties to the northwest of the subject site can be seen in these views (100 to 108 and 119 Atley Road – shown on Appendix 2). Existing trees partially screen these properties but I understand that many of these screening trees are conifers on DOC land that are to be felled in the near future. These properties are within the operative LDRZ and the relevant provisions allow for increased residential density over these properties. Some areas of built LDRZ development in Central Arthur's Point (the Mathias Terrace area) can be seen but again, trees sometimes partially screen this area.
- 76 In these views, the operative but undeveloped area of LDRZ within the subject site can be seen. The development of this area would see a suburban pattern, including dwellings, extend further to the right, up to the local highpoint. The existing buildings and activity on the subject site that are outside of the operative LDRZ can be seen further to the right again. Existing and consented built form of 163 Atley Road (the northeastern part of the subject site) can also be seen (with some difficulty). When we consider the operative zoning and continued tree removal on the DOC land, the mid-ground area in these views from the upper parts of Arthur's Point West, which includes the subject site, will appear more modified and occupied than it has over recent years. With the trees gone, existing and enabled development is legible. The remnant RZ part of the site, that currently appears unkempt due to recent tree felling, could perhaps be expected to develop some hobby-farming appearance (although I understand that this would not be economically worthwhile) or perhaps a non-wilding-prone treed appearance, if it is actively managed in that way. In the absence of suitable management, I understand that it would revert to wilding tree cover.
- 77 If we consider development that would be enabled by the requested relief from these viewpoints, then this would represent more human modification again. With reference to Figures 11, 19 and 20 of Appendix 1, the rounded

mid-ground landform that can be seen in the photographs of Figures 11 and 19 would accommodate built development over much of its visible extent. Built form within the proposed LLRBZ would be well spaced apart with broad areas of native revegetation and greenspace around it. Future lot owners are likely to do additional tree planting for shelter, privacy and amenity. The result would be a relatively soft development (in a visual sense) sitting on this mid-ground landform.

- 78 Despite its soft appearance, careful design and revegetation elements, the requested relief will result in an extension of development in these views compared to the operative situation. For observers in the McChesney Road / Moonlight Track area that have vantagepoints that allow views over the subject site, I consider that this would affect views and visual amenity. Part of the midground of their northern views will become less green and open than it would under the operative situation and the influence of built form in these views will be increased (although the site currently looks unkempt and could revert to wildings again in the future). The overall composition of these views will still be dominated by the open and natural surrounding mountain slopes and by the more distant background slopes and peaks but the views will lose some further naturalness and tranquillity compared with the operative situation. This adverse effect is mitigated by the design of the requested relief, by the fact that the very steep slopes of the gorge itself will remain natural and by the fact that under the operative situation the views will become less natural in any event. For observers in this part of Arthur's Point that gain views such as those of Figures 19 and 20, I consider the requested relief will bring adverse effects on visual amenity that range up to being of a moderate degree for some viewers. For other viewers in this area that have less direct or easy views to the subject site, due to frequent intervening foreground vegetation or buildings, effects will be of a lesser degree.

*Observers on or adjacent to Wattie's track*

- 79 Wattie's Track is a short (1 kilometre) dead-end road off Gorge Road that accesses four rural dwellings, as can be seen on Appendix 3 and Figure 6 of Appendix 1. In practical terms, the owners and occupiers of these dwellings are the only users of Wattie's Track. Views from Wattie's Track and from the associated dwellings are both up (east) and down (north) the Shotover River and to the mountain slopes and skylines of Bowen and Coronet Peaks.
- 80 Figures 17, 18, 21 and 22 of Appendix 1 relate to views that can be gained from the Wattie's Track area. As can be seen from these images, the subject site is directly across the river from Wattie's Track, at a similar

elevation. Existing built form within the McChesney Road / Moonlight Track area of Arthur's Point can be seen on the left. As is the case from many surrounding viewpoints, the mature wilding conifers that covered the subject site for many years made the hill landform appear higher than it actually is. The conifers have now been removed from the site and from the immediately adjacent area of the DOC land. As mentioned, DOC's intention is that the wilding trees on the remainder their land (i.e. further down the slope into the gorge) are also removed.

- 81 With reference to Figures 17, 18 and 21 of Appendix 1, under the operative situation, if we envisage expected tree clearance and development of operative zoning, the site's existing dwellings, accessory buildings and vehicle tracks would be seen in these views. If the RM980348 building was completed, it would sit prominently at the top of the hill landform. Also, a small amount of new residential built form would appear near the top of the hill. As can be seen in the Viewpoint 8 and 10 images (figure 17), the operative LDRZ provides for a building (shown in blue) at the very top of the hill landform, visibly breaking its ridgeline. In general terms, the site would appear as an occupied, large, rural living property in these Wattie's Track views, with some dwellings and buildings at its crest (quite prominent because of their hilltop location) and a skirt of open space (possibly paddock, possibly treed, possibly reinfested with wildings) around its lower part, below the existing access road.
- 82 Again with reference to Figures 17, 18, 21 and 22 of Appendix 1, under the requested relief, the site would have the appearance of a large-lot residential area, with staggered and relatively well-spaced dwellings extending across it, interspersed with sweeps of varied native vegetation. The proposed provisions relating to building design and external appearance, would ensure homogeneity and a visually recessive appearance of buildings. Outdoor living spaces and curtilage (likely to be oriented to the north / northwest) would also be visible. Given the size of the LLRBZ lots, the site will likely appear as a high-value, low scale, considerably-vegetated group of dwellings in visually-recessive finishes and materials.
- 83 In these views, the neighbourhood that will develop under the requested relief will sit as a roughly horizontal, staggered band across the slope of the site, with the river gorge below it. Some areas of residential development in Arthur's Point West (in the left of the view) and Arthur's Point East (in the right of the view) can often also be seen. The slopes of Bowen Peak and Mount Dewar generally form the visual backdrop.



84 Comparing the requested relief situation to the operative situation, the requested relief will mean that the prominent foreground in these views is more developed and less natural and rural. The lower parts of the landform in these Wattie's Track views would not be affected by the relief; i.e. the DOC land that forms the river gorge, but a prominent part of current views would become less natural and more obviously occupied than under the operative situation. Under the requested relief, the wild and scenic visual character of the river gorge (which itself would remain unchanged) would contrast with the large-lot residential pattern on the terraces of the subject site. The river gorge and the open, natural mountain slopes to the left and right in these views would mean that the scenic rural setting that an observer experiences would not be lost but the close and visible residential development would become a prominent part of the composition of these views in a way that competes with natural character; more so than under the operative situation in which the site will appear as an occupied but more rural property. The buildings enabled by the operative situation at the top of the hill are important to consider, as is the extensive revegetation that is part of the requested relief. Overall, I consider that for the particular observers that experience these views from the Wattie's Track area, the requested relief will have an adverse effect on views and visual amenity that can best be described as ranging up to a moderate-high degree from some viewpoints, depending upon the particular location of an observer. Again, I note that Wattie's Track is a road that is not frequently used by the public.

#### Observers on Gorge Road

85 The parts of Gorge Road from which the subject site is potentially visible are shown on Appendix 3. From the parts of Gorge Road that are south of Wattie's Track, the visibility of the subject site that is available takes the form of glimpses. The land of the site is not prominent and is often screened by foreground elements. The site is a small and distant part of a complex visual scene. While a line of sight is intermittently available to some upper parts of the site that would accommodate development under the requested relief from these parts of Gorge Road, I consider that the changes to the site that the relief will bring will be relatively difficult to notice for most observers and will not materially alter the visual experience of landscape that is currently had. The visual amenity of a user of this part of Gorge Road will be affected to a very low degree at most.

86 Between Wattie's Track and the McChesney Creek Bridge, a Gorge Road user again experiences intermittent glimpses to the uppermost parts of the subject site but the glimpses are at shorter distances (between 500 and 300 metres). For the second half of this short stretch of Gorge Road, existing

development in the McChesney Road area is evident and hence a road user is aware that they are entering a settlement. As trees continue to be cleared, the area of operative LDRZ to the northwest of the subject site (94 to 108 and 119 Atley Road) will become more openly visible. This area can potentially accommodate significantly increased density under this operative zoning. Glimpses of development on the subject site enabled by the requested relief will heighten this awareness of being within a settled and occupied area but will not fundamentally alter the quality of views or the type of visual experience that a road user has, in my opinion. Visual amenity will not be degraded in any material way.

- 87 Between the McChesney Creek Bridge and the McChesney Road intersection, a Gorge Road user experiences plain visibility to the subject site as is shown in Figures 14 and 15 of Appendix 1. These views are similar to those from the McChesney Road neighbourhood described above, although the viewer is at a lower elevation. Up until recently, the site has appeared as part of a forested hill landform. The clearance of trees has meant that the existing buildings and vehicle tracks within the subject site are more visually obvious, as is the LDRZ area of 94 to 108 and 119 Atley Road, which may accommodate increased density under the operative zoning.
- 88 A viewer on this stretch of road is immediately adjacent to the McChesney Road area of Arthur's Point and development on that side of Gorge Road is plainly visible. The currently vacant site of the Arthur's Point Tavern (461 Gorge Road) is within the LDRZ (Visitor Accommodation Sub Zone) and is immediately adjacent to Gorge Road as well as being at the same level. A user of this stretch of road is fully aware that they are within a settled residential area.
- 89 The requested relief would add LLRBZ development (as can be seen in Figures 12 to 16 of Appendix 1) to the scene described above. This development would extend to the right of the visible 94 to 108 and 119 Atley Road area. As described in relation to Wattie's Track, this development would appear as high-value, low-density, considerably-vegetated residential land use that extends to the left of existing and enabled LDRZ development in this view. Given the existing development and operative zoning that can be seen to the immediate left of the subject site in this view, I consider that, while the requested relief would change the view to the northeast from this stretch of road and adjacent areas, this would not alter a particularly high-quality or memorable view and would not introduce built residential development to a visual amenity experience that currently excludes it. I do not consider that the landscape and visual amenity experience of a user of this stretch or Gorge Road would be

significantly reduced in quality; adverse effects would be of a low-moderate degree at most.

- 90 As a Gorge Road user crosses the Edith Cavell Bridge, views down the Shotover are available. These are illustrated by Figure 10 of Appendix 1. Existing dwellings of the 94 to 108 Atley Road area are plainly evident and are likely to become more so as tree clearance continues (and potentially as density increases pursuant to the operative LDRZ in this area). With reference to Figure 9, the requested relief will add visibility of one or two future dwellings to this scene. These will be visually softened by vegetation and will be of visually recessive materials. In my opinion, this change will not be significant in terms of the composition of views; visual amenity as experienced from the Edith Cavell Bridge area will not be adversely affected.

#### Observers on the Shotover River

- 91 I have not visited the relevant stretch of the Shotover River for the purpose of viewing the subject site. The relevant stretch of the river is used exclusively by Shotover Jet Ltd. I have walked the proposed zone boundary line on site and have considered the potential height of buildings enabled by the requested relief in relation to views from the river. The view from the Edith Cavell Bridge (Figure 10 of Appendix 1) is from the alignment of the river but is elevated 48m above the river surface.
- 92 With reference to my Appendix 2 and Figures 1 and 2 of Appendix 1 (the proposed relief and my plan showing the edge of the Shotover Gorge), future dwellings enabled by the requested relief are set back from the edge of the gorge.
- 93 Again with reference to Appendix 2 and Figures 1 and 2 of Appendix 1, the existing dwellings on 102, 104, 106, 108 and 119 Atley Road are very close to the lip of the gorge. In my understanding, these buildings are partially visible from a northwest to southeast stretch of the Shotover River that runs adjacent to the Oxenbridge Tunnel, upstream of the Edith Cavell Bridge (Figure 9 is of some guidance). From this stretch of river, many buildings can be seen including the Shotover Jet base facilities. It appears that no buildings enabled by the requested relief would be visible from this part of the Shotover. At the most, any visibility would be extremely slight; much less than the visibility of existing buildings.
- 94 As a river user travels downstream from Edith Cavell Bridge, I consider that there will be no visibility of development enabled by the requested relief until a river user is east of the subject site near Big Beach. From the northern or eastern part of the Big Beach area, there is some visibility to

the northeastern part of the subject site, including the existing buildings on Lot 2 DP398656 and enabled development within the operative LDRZ within the site. The requested relief would add some future dwellings to the visible part of the site (proposed Lots 37 to 41 of the masterplan). In these views, the site is a small part of a particularly broad landscape scene. Existing buildings within the Larkins Bay and Amber Close area of Arthur's Point are easily visible. Once a river user reaches the eastern end of Big Beach and beyond, visibility of the site is lost.

- 95 In summary, the proposed situation will add some slight visibility of built form to a river user's experience, but only when that river user is at viewpoints from which buildings and development enabled by the operative zoning can already be seen. The additional visibility will be particularly slight; certainly of a lesser degree than existing visibility of buildings. I consider that a river user's visual experience will be adversely affected to a very low degree at most.

Summary regarding visual effects

Observer Group	Under Operative Situation	Under Requested Relief	Effect on Views and Visual Amenity
<b>The developed LDRZ to the north of the site</b>	The visible local hill would accommodate suburban development that is readily seen, amounting to a visual continuation of the current suburban pattern.	As per the operative situation but with some particularly peripheral additional built form as well as areas of native revegetation.	Any adverse effects will be of a very low degree.
<b>Arthur's Point West</b>	In some views, the site appears as a relatively prominent mid-ground element that accommodates the development of 100 to 108 and 119 Atley Road. Operative zoning provides for development extending up to the local highpoint.	In addition to development enabled by the operative situation, LLRBZ development would extend across much of the rounded landform that is visible. Layout and vegetation will soften the visual impact of this development but the influence of built form in these views will increase.	Adverse effects on visual amenity will range up to being of a moderate degree for some observers.
<b>Wattie's Track Area</b>	The site's existing dwellings, accessory buildings and vehicle tracks can be seen, as can existing development in Arthur's Point West. Operative zoning would allow some additional visible dwellings, along with open space over much of the visible site (perhaps paddock or trees).	A prominent foreground area would appear as a large-lot residential neighbourhood with a staggered, horizontal pattern of dwellings integrated into sizable revegetated spaces. The area would be visually more occupied and less natural/rural.	Adverse effects on visual amenity will range up to being of a moderate-high degree from some viewpoints.

<b>Gorge Road</b>	Between McChesney Creek Bridge and McChesney Road intersection, the site is plainly seen including its dwellings and vehicle tracks, along with existing development (and potentially more) in the 94 to 108 and 119 Atley Road area. These observers are within an existing settlement.	Large-lot residential development would be seen extending the existing pattern. The mid-ground hill landform would be more developed and less natural/rural but the current visual experience is one in which residential settlement is a prominent part.	Adverse effects on visual amenity will range up to being of a low-moderate degree.
<b>Shotover River</b>	From the northern or eastern part of the Big Beach area, the northeastern part of the site makes up a small part of the overall landscape scene. Built parts of Arthur's Point and plainly seen. Existing buildings and operative zoning within the site are discernible.	A small amount of additional visible built form would be added to the view but less prominent than existing built development.	Any adverse effects on visual amenity will be of a very low degree at most.

### Issues raised by further submissions

96 I have read the further submissions received that relate to landscape issues. A number of further submissions oppose the requested relief for reasons that, at least in part, relate to landscape or visual amenity. Many of these submissions are practically identical. Obviously, these further submissions relate to the relief that was originally sought by the relevant submissions (i.e. LDRZ over the entire site), not to the currently requested relief.

97 The landscape-related issues raised by these opposing further submissions can be summarised as

- The site is within an ONL and the requested relief will adversely affect the values of that ONL.
- The site is partly within or immediately beside an ONF and the requested relief will adversely affect the values of that ONF.
- The site is highly visible and visually prominent.
- The land around Arthur's Point is subject to a number of subdivisions/developments and the requested relief will combine with these to create an adverse cumulative effect.

98 I have examined and commented on these issues in the course of this evidence. In summary:

- The site is not part of the Shotover River ONF (as identified by this evidence, Ms Pfluger's and Ms Mellsop's); nor is it part of the Central Whakatipu Basin Coronet ONL nor the Western Whakatipu Basin ONL that are identified by the QLDC's notified variation to the PDP; nor is it part of any other ONL. It is an approximately 7ha area of remnant land that is separated from the broad rural landscapes that surround Arthur's Point. While the site adjoins the ONF of the Shotover River Gorge (as do other existing LDRZ parts of Arthur's Point), it is detached and distinct from the ONF and the identified values of that ONF (notified Schedule 21.22.3) will remain entirely intact.
- The visual catchment from which development enabled by the proposed relief will be visible is relatively small. For some particular views within this catchment, the relief will bring some additional adverse effects of varying degrees as I have described in the table above.

99 Regarding cumulative effects of development, the APONLS further submission (Further Submission 48) and many other identical submissions set out a number of existing or proposed developments in or around Arthur's Point and set out that these developments have degraded the ONL(s) and the ONF to the point that any additional development will compromise the values of the ONLs and/or ONF.

100 On this point, I would again stress that the subject site is not part of the Shotover River ONF nor any wider ONL. Notwithstanding that, cumulative effects need to be considered.

101 In a broad sense, all of the effects of the requested relief that I have identified in this evidence are cumulative effects. In the views that I have discussed, existing development is visible and development enabled by the requested relief will add to that existing development to bring about the effects that I have set out. In relation to landscape character and patterns, the requested relief will add to the existing settlement of Arthur's Point to deal with the remnant area that is the site.

102 Looking specifically at the existing or proposed developments set out in the APONLS submission (and other submissions) I make the following comments:

- The Treespace development (RM181638) has resource consent and is in the process of being implemented. It involves 30 dwellings and a lodge on the lower slopes of Mount Dewar, within the Central Whakatipu Basin Coronet ONL and also involves extensive wilding

tree eradication and native revegetation. This site is to the north of Arthur's Point East, at least 1.3km from the GSL site. Development enabled by RM181638 will ultimately appear as scattered built form within the tree-covered lower mountain slopes that form a northern backdrop to Arthur's Point East. The requested relief will ultimately form part of the settlement of Central Arthur's Point, at its southern end. The two developments are significantly different in terms of the scale and nature of development that they will bring about. They are also well separated in terms of distance and elevation. I do not see that they will combine (visually or otherwise) to create a cumulative effect.

- The RM210227 development has resource consent and consists of an apartment complex on the northern side of Arthur's Point East, within the PDP Medium Density Residential Zone (**MDRZ**); essentially a part of the Bullendale area of Arthur's Point East. Again, this is significantly different and separated from the GSL site and is enabled by zoning that is not subject to any appeal. I do not consider that the requested relief will create a cumulative effect in combination with this development.
- The Zong development (RM201080) has resource consent and involves a dwelling partially inside and partially outside a consented building platform (RM090978) on a RZ site to the southeast of Arthur's Point East, approximately 1.5km from the GSL site, within the Shotover River ONF. This consented dwelling is very well separated from the GSL site and they will not be experienced in a combined way.
- RM210768 seeks to create 55 lots within the PDP MDRZ on the northern side of Arthur's Point East. The application was lodged in August 2021 and is currently being processed by the QLDC. I understand that a resource consent application that has not been granted cannot be considered to be part of the environment, therefore, a cumulative effect of the GSL relief in combination with the activity that has been applied for by RM210768 should not be considered. I acknowledge that the relevant area of MDRZ (beyond challenge) will, however, likely be developed to some extent in the future but this is not in the same visual catchment as the subject site in relation to considering cumulative visual effects.
- RM210220 seeks to create 35 visitor accommodation units within the RZ and the Shotover River ONF on the southern side of Arthur's Point East. The application was lodged in early 2021 and is currently

being processed by the QLDC. As above, I understand that the activities sought by this application do not form part of the environment.

103 Overall, in relation to cumulative effects, I have discussed the visual and landscape effects of the requested relief in the body of this evidence and often these are (at least in part) cumulative effects. Existing development adjacent to the GSL site is relevant in this regard but development enabled or sought that is removed from the vicinity of the GSL site is generally not.

### **Issues raised by the evidence of Helen Mellsop**

#### *Evaluation and categorisation of the existing landscape*

104 In sections 5, 6 and 7 of her evidence, Ms Mellsop describes the landscape context of the GSL site, sets out her assessment of landscape attributes and values and gives her opinion regarding landscape categorisation.

105 She states that her approach is “*based on my 2019 landscape assessment of the ODP RVZ*” [Rural Visitor Zone]<sup>18</sup>. Within that 2019 report, Ms Mellsop describes the landscape context of the Arthur’s Point area in the same way that she describes it in her evidence; she terms it the “*Arthur’s Point Basin*” and sets out its attributes (physical, associative and perceptual) and values. In her evidence, she ultimately concludes that her Arthur’s Point Basin is an ONL and that most of the GSL site is part of that ONL.

106 I take issue with this approach because:

- Ms Mellsop’s 2019 report did not have the purpose of analysing landscape at a broad scale and assessing where individual landscapes start and finish and how they should be categorised. It was an analysis of individual areas of Rural Visitor Zone.
- Since 2019, expert assessment and witness input has been given to broad scale landscape analysis and categorisation. Expert landscape witness conferencing led to the identification of the ONL and ONF Priority Areas, as confirmed by the Environment Court<sup>19</sup> and as notified as part of the QLDC’s variation. These are shown on my Appendix 6 and take the form of the Central Whakatipu Basin Coronet ONL; West Whakatipu Basin ONL; and the Shotover River

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<sup>18</sup> Helen Mellsop, “QLDC Rural Visitor Zone Review, Landscape Assessment”, prepared for QLDC, May 2019.

<sup>19</sup> Environment Court Decision [2020] NZEnvC 158, direction A and paragraphs 2 to 8.



ONF. Ms Mellsop's identification of an "Arthur's Point Basin ONL" is entirely at odds with this and would appear to require alteration and re-notification of the QLDC's variation.

- In any event, Ms Mellsop's Arthur's Point Basin landscape is not a coherent landscape in its own right. Looking at Ms Mellsop's Figure 3; Malaghan's Valley to the northeast, the Shotover Gorge to the east, The Gorge to the south and the Shotover Gorge to the north, all are large, low-cut valleys that diverge from the Arthur's Point area, such that it does not read as a basin in any physical or even perceived sense. Additionally, the areas of mountain slopes that Ms Mellsop includes in her Arthur's Point Basin landscape (the east face of Bowen Peak, the southernmost slopes of Mount Dewar, the westernmost slopes of Queenstown Hill), are better conceptualised as being parts of the more coherent broad mountain landscapes (the Central Whakatipu Basin Coronet ONL and the West Whakatipu Basin ONL), rather than as being separated from the broader mountains and instead forming the walls of a new "Arthur's Point Basin" landscape.
- Even if we accept for a moment that there is an Arthur's Point Basin ONL, I cannot see why the GSL site would be included as part of it. It is not part of the mountain slopes, nor part of the river gorge. Again, looking at Ms Mellsop's Figure 3, the site is an area of rolling topography that has been improved pasture and wilding tree forest that is separated from the surrounding mountainous landscape but adjoined to the suburban area. Ms Mellsop's categorisation would make the site a small, isolated instance of ONL on the northern side of the Shotover, connected to Central Arthur's Point residential area. Even by Ms Mellsop's schedule of attributes and values (her paragraph 6.3), the GSL site does not fit comfortably with her description of her Arthur's Point Basin ONL; it does not meaningfully contribute to the identified values.

107 I therefore stand by my landscape analysis and categorisation as set out in this evidence.

#### Effects of the requested relief

108 Ms Mellsop's evidence assesses the effects of the relief as it was sought by the original submissions; i.e. LDRZ over the entire GSL site with no bespoke provisions. The requested relief is obviously now quite different, with LLRBZ proposed over the majority of the site, along with a structure plan including building platform locations and a considerable area of the

site being in structural planting. It is the effects of this amended relief that now need to be considered.

- 109 Regarding the original relief, Ms Mellsop discusses effects as experienced from the north in her paragraphs 8.6 to 8.9 and 10.5 to 10.7. She notes that:

*“From viewpoints to the north on Atley Terrace, development enabled by the proposed LDRZ development would be largely screened by the rising topography, and by future development within the 1.6ha area of 111-115 Atley Road already zoned LDRZ. More of the urban spread would be seen from the elevated vantage points on Arthur’s Point Road.*

...

*It appears that many further submitters may not have realised that existing LDRZ already extends up the escarpment above Larchmont Close onto the northern slopes of the knoll and, if developed, would largely screen any additional LDR development on the Gertrude’s Saddlery property at 111 Atley Road.*

...

*The naturalness, legibility and memorability of the knoll would be adversely affected in these views but given the existing and anticipated LDR development on the landform, I consider that adverse effects on the character and values of the landscape would be low-moderate in extent”.*

- 110 Regarding the amended relief, I agree that development within the operative LDRZ will largely screen development enabled by the requested zoning, as can be seen on the Figures 8, 23 and 24 of Appendix 1. This operative zoning means that the knoll area that Ms Mellsop refers to will certainly not continue to read as some open space southern end to the suburban area. Also (as set out in my paragraph 70), existing and consented built development on Lot 2 DP398656 will be plainly visible, irrespective of the requested relief. The requested relief also includes significant native planting areas that will rehabilitate the north-facing slopes that overlook the Central Arthur’s Point area.

- 111 An observer in the Larkin’s Way location that Ms Mellsop refers to is immediately adjacent to LDRZ suburban development. Seeing an additional two dwellings would not amount to any relevant change to views and visual amenity. The same is true of the more distant northern viewpoints such as Ms Mellsop’s Viewpoints 3, 6 or 7; a small number of additional houses immediately adjacent to the developed suburban area will not materially alter the composition or amenity of these views.

- 112 Overall, I consider that the operative situation and the requested relief will bring about similar results as experienced from the north, as I have described in my paragraphs 66 to 73.
- 113 Ms Mellsop discusses effects as experienced from southern and western locations (Wattie's Track and parts of Gorge Road) in her paragraphs 8.10 to 8.12. She finds that the original relief would detract from the Shotover River ONF to a moderate-high degree.
- 114 Again, the requested relief has now changed in that significantly less residential density would be enabled. I have discussed effects as experienced from the south and west in my paragraphs 74 to 90.
- 115 Ms Mellsop's overall finding that the values of the ONL will not be protected is contingent upon the original relief and upon the site being part of her "Arthur's Point Basin ONL". As set out in this evidence, the relief has been significantly reduced (yield reduced by over 75%, Structure Plan, design controls and revegetation areas now proposed) and, in my assessment, the site is not part of any ONL.

## **Conclusions**

- 116 My key conclusions are:
- The existing settlement patterns in the Arthur's Point area reflect the ODP zoning. The site sits at the southern end of Central Arthur's Point, which itself occupies an elevated peninsula or headland, bounded on the west, south and east by the Shotover River in its gorge.
  - The site is a remnant area of rural zoning that contains a number of dwellings and accessory buildings as well and a network of vehicle tracks and until recently was covered in a forest of self-seeded Douglas fir and larch.
  - The site is not part of the Shotover River ONF (as identified by this evidence and that of other landscape witnesses before this hearing); nor is it part of the Central Whakatipu Basin Coronet ONL nor the Western Whakatipu Basin ONL that are identified by the QLDC's notified variation to the PDP; nor is it part of any other ONL.
  - In relation to effects on views and visual amenity, the development enabled by the requested relief will be visible from a relatively confined visual catchment. Within this confined visual catchment, some adverse visual effects will be caused by development that

would be enabled by the requested relief. In relation to viewing locations such as the Shotover River and the developed LDRZ to the north of the site, effects will be of a very low degree. From parts of Gorge Road, Arthur's Point West and the Wattie's Track area, visual amenity will be adversely affected in that views will be more influenced by development and occupation and therefore less natural and rural. These effects will range up to being of a moderate-high degree for some particular viewpoints.

- In terms of landscape attributes, character and values, the requested relief will bring about a logical and appropriate pattern of land uses and elements. The Shotover Gorge will be preserved; the suburban area will have a logical and appropriate boundary that relates to landform; and the broader mountainous ONL will have its important qualities preserved.

117 The key landscape-related Objectives and Policies under which any zoning must appropriately sit are:

- Strategic Objectives 3.2.2.1 (particularly (a), (b) and (e)); 3.2.5.1 to 3.2.5.6.
- Strategic Policies 3.3.28 to 3.3.31.
- Policies 4.2.1.4 (e) and (f); 4.2.1.5, 4.2.1.6.
- Objective 4.2.2 B and Policies 4.2.2.2 (a) and (b) and 4.2.2.13.

118 Following the conclusions of my assessment summarised above, I consider that the zoning of the requested relief sits relatively comfortably in relation to these Objectives and Policies in that the resultant residential development will:

- be compact and integrated with existing suburban development in a way that builds on historical patterns.
- not be sporadic or sprawl into a rural landscape in an unplanned, inappropriate or illogical manner.
- protect the values of the identified ONF and ONLs, as those values are set out in notified Schedules 21.22.3, 21.22.12 and 21.22.15.
- follow an UGB that is logical and appropriate in relation to topography and landscape patterns.

**Benjamin Espie**

**15 November 2022**

**Attached Appendices**

1. Graphic attachment (prepared by Boffa Miskell).
2. Aurum Survey Consultants contour and site plan.
3. Plan of the site in its context.
4. Plan of Operative District Plan zoning.
5. 1960 photograph of the site.
6. Notified priority area plan with the “ONF and ONL Priority Areas” layer off.
7. Notified priority area plan with the “ONF and ONL Priority Areas” layer on.
8. Drone photographs of the subject site.

# ATLEY ROAD REZONING

ZONING OF LAND AT ARTHUR'S POINT BY GERTRUDE'S  
SADDLERY LIMITED AND LARCHMONT ENTERPRISES LIMITED

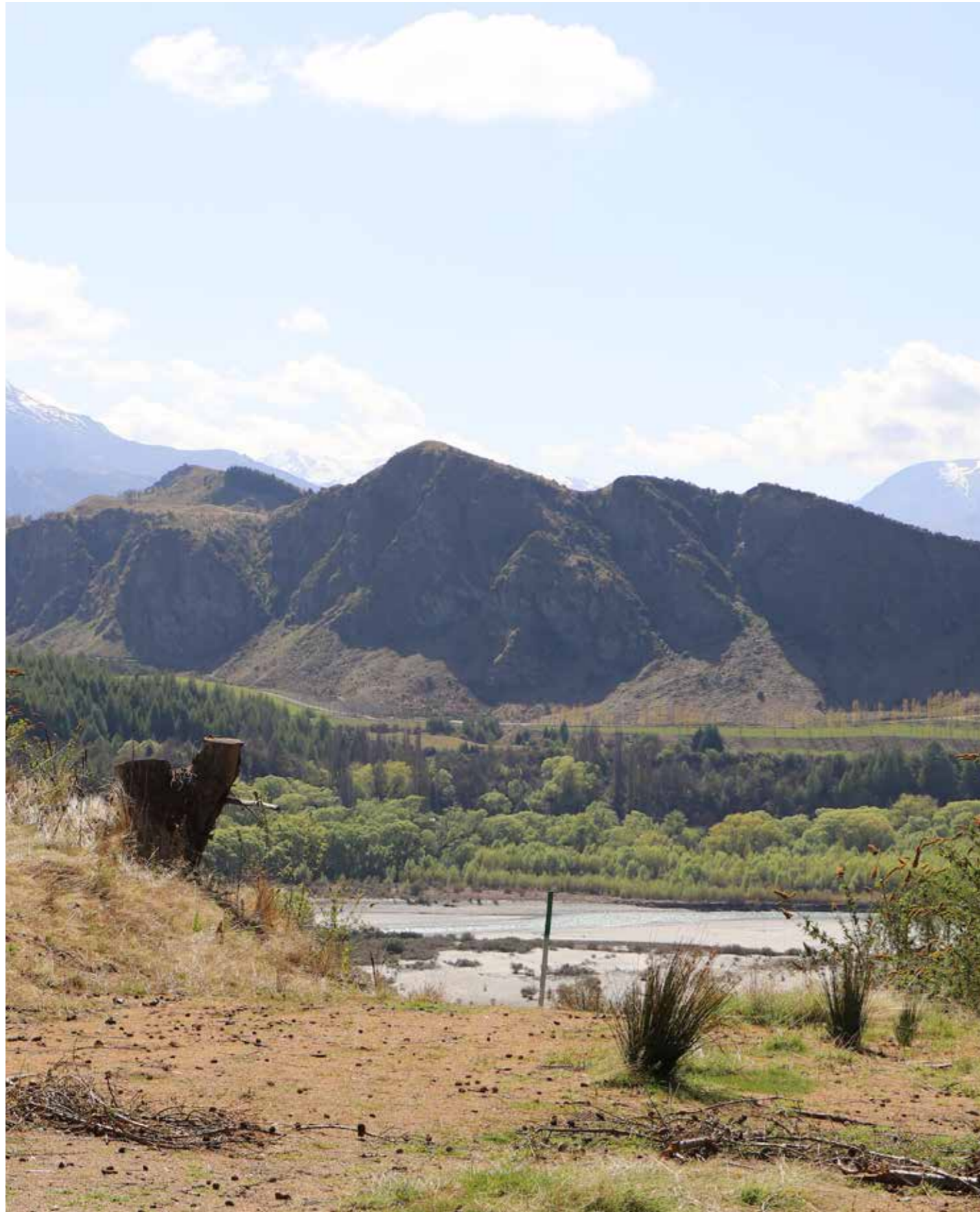
15 NOVEMBER 2022



**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD -  
ESPIE EVIDENCE - APPENDIX 1:  
GRAPHIC ATTACHMENT PREPARED BY BOFFA MISKELL LTD**

# Contents

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## PLANS / MAPS






- FIGURE 1: Concept Masterplan
- FIGURE 2: Arthurs Point LLR B Structure Plan
- FIGURE 3: Zoning Plan
- FIGURE 4: Pole Location Plan
- FIGURE 5: Structural Planting Palette
- FIGURE 6: Viewpoint Map

## VIEWPOINTS, MODELS & VISUAL SIMULATIONS

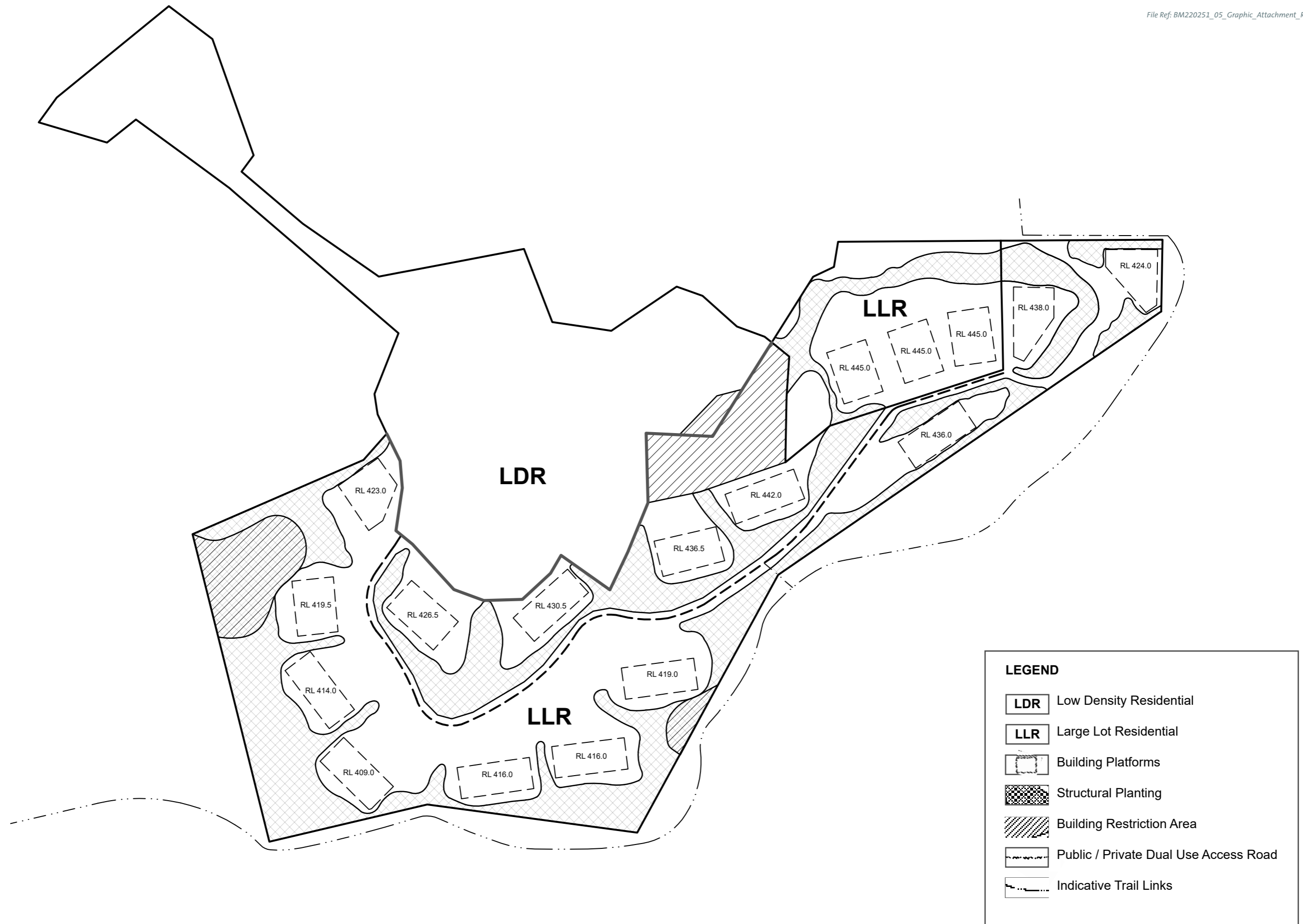
- FIGURE 7: Viewpoint 1 - Larchmont Close - Existing View & Model View
- FIGURE 8: Viewpoint 2 - Mathias Terrace - Existing View & Model View
- FIGURE 9: Viewpoint 2 - Mathias Terrace - Visual Simulation
- FIGURE 10: Viewpoint 3 - Edith Cavell Bridge - Existing View & Model View
- FIGURE 11: Viewpoint 4 - McMillan Rd - Existing View & Model View
- FIGURE 12: Viewpoint 5 - Gorge Road - Existing View & Model View
- FIGURE 13: Viewpoint 6 - Gorge Road - Existing View & Model View
- FIGURE 14: Viewpoint 7 - Gorge Road Bus Stop - Existing View & Model View
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- FIGURE 17: Viewpoint 8 - Lot 1 DP 15778 & Viewpoint 10 - Lot 2 DP 27686 Model Views (private properties)
- FIGURE 18: Viewpoint 11 - Lot 1 DP 26548 Model View (private property)
- FIGURE 19: Viewpoint 12 - McChesney Rd - Existing View & Model View
- FIGURE 20: Viewpoint 12 - McChesney Rd - Visual Simulation
- FIGURE 21: Viewpoint 13 - Watties Track - Existing View & Model View
- FIGURE 22: Viewpoint 13 - Watties Track - Visual Simulation
- FIGURE 23: Viewpoint 14 - Powder Terrace - Existing View & Model View
- FIGURE 24: Viewpoint 15 - Arthurs Point Road - Existing View & Model View

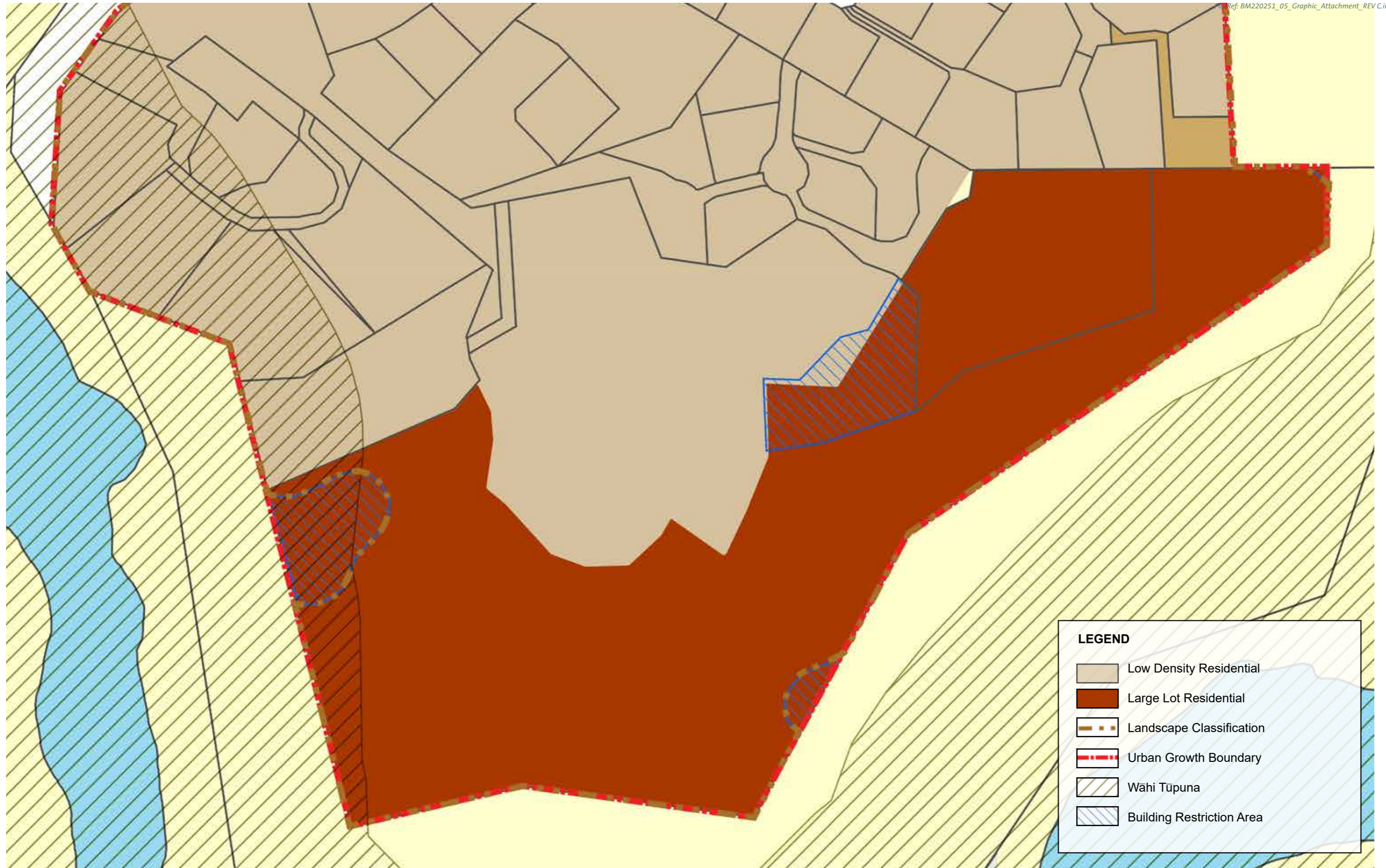


**MASTERPLAN LEGEND**







-  Proposed LLR Zone Building Platforms
-  Existing LDR Boundary
-  Structural Planting
-  Proposed Walking Trail
-  Potential Open Space / Reserve





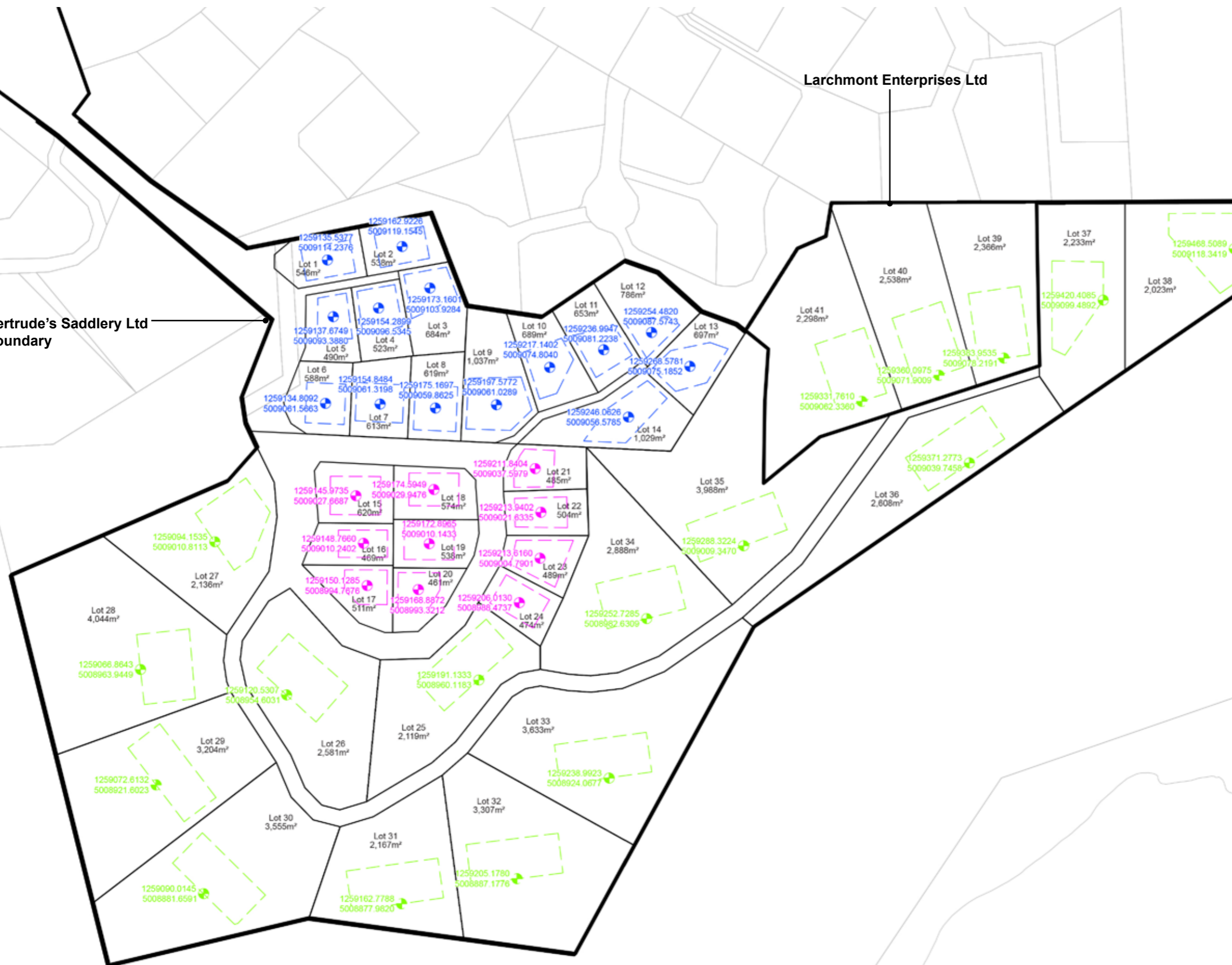


**LEGEND**

-  Low Density Residential
-  Large Lot Residential
-  Landscape Classification
-  Urban Growth Boundary
-  Wahi Tūpuna
-  Building Restriction Area

Gertrude's Saddlery Ltd Boundary

Larchmont Enterprises Ltd



Gertrude Saddlery Ltd			
Lot #	Zoning	RL	Top of Pole (7m)
Lot 1	Existing LDR	426	433
Lot 2	Existing LDR	426	433
Lot 3	Existing LDR	427	434
Lot 4	Existing LDR	426	433
Lot 5	Existing LDR	426	433
Lot 6	Existing LDR	428	435
Lot 7	Existing LDR	430	437
Lot 8	Existing LDR	430	437
Lot 9	Existing LDR	431.5	438.5
Lot 10	Existing LDR	435	442
Lot 11	Existing LDR	438	445
Lot 12	Existing LDR	438	445
Lot 13	Existing LDR	444	451
Lot 14	Existing LDR	446	453
Lot 15	Proposed LDR	428	435
Lot 16	Proposed LDR	433	440
Lot 17	Proposed LDR	432.5	439.5
Lot 18	Proposed LDR	435	442
Lot 19	Proposed LDR	434	441
Lot 20	Proposed LDR	433	440
Lot 21	Proposed LDR	437	444
Lot 22	Proposed LDR	436.5	443.5
Lot 23	Proposed LDR	435	442
Lot 24	Proposed LDR	432	439
Lot 25	Proposed LLR	430.5	437.5
Lot 26	Proposed LLR	426.5	433.5
Lot 27	Proposed LLR	423	430
Lot 28	Proposed LLR	419.5	426.5
Lot 29	Proposed LLR	414	421
Lot 30	Proposed LLR	409	416
Lot 31	Proposed LLR	416	423
Lot 32	Proposed LLR	416	423
Lot 33	Proposed LLR	419	426
Lot 34	Proposed LLR	436.5	443.5
Lot 35	Proposed LLR	442	449
Lot 36	Proposed LLR	436	443
Lot 37	Proposed LLR	438	445
Lot 38	Proposed LLR	424	431

Larchmont Enterprises Ltd			
Lot #	Zoning	RL	Top of Pole (7m)
Lot 39	Proposed LLR	445	452
Lot 40	Proposed LLR	445	452
Lot 41	Proposed LLR	445	452

## LOW TIER



**Snow tussock**  
*Chionochloa rigida*



**Red tussock**  
*Chionochloa rubra*



**Koromiko**  
*Hebe salicifolia* 'Snowdrift'



**Wharariki - Mountain Flax**  
*Phormium cookianum*



**Ornamental Kowhai**  
*Sophora molloyii* 'Dragons Gold'



**NZ Olearia**  
*Olearia x oleifolia*

## MID TIER



**Kōhūhū - Black Matipo**  
*Pittosporum tenuifolium*



**Mingimingi**  
*Coprosma propinqua*



**Harakeke - NZ Flax**  
*Phormium tenax*



**South Island Toetoe**  
*Austroderia richardii*



**Mikimiki**  
*Coprosma virescens*



**Akiraho - Golden Ake Ake**  
*Olearia paniculata*

## TALL TIER



**Mānuka**  
*Leptospermum scoparium*



**Tawhai Rauriki - Mountain beech**  
*Fuscospora cliffortioides*



**Kōwhai**  
*Sophora microphylla*



**Tī Kōuka - Cabbage tree**  
*Cordyline australis*



**Houhi Puruhi - Narrow-leaved Lacebark**  
*Hoheria angustifolia*

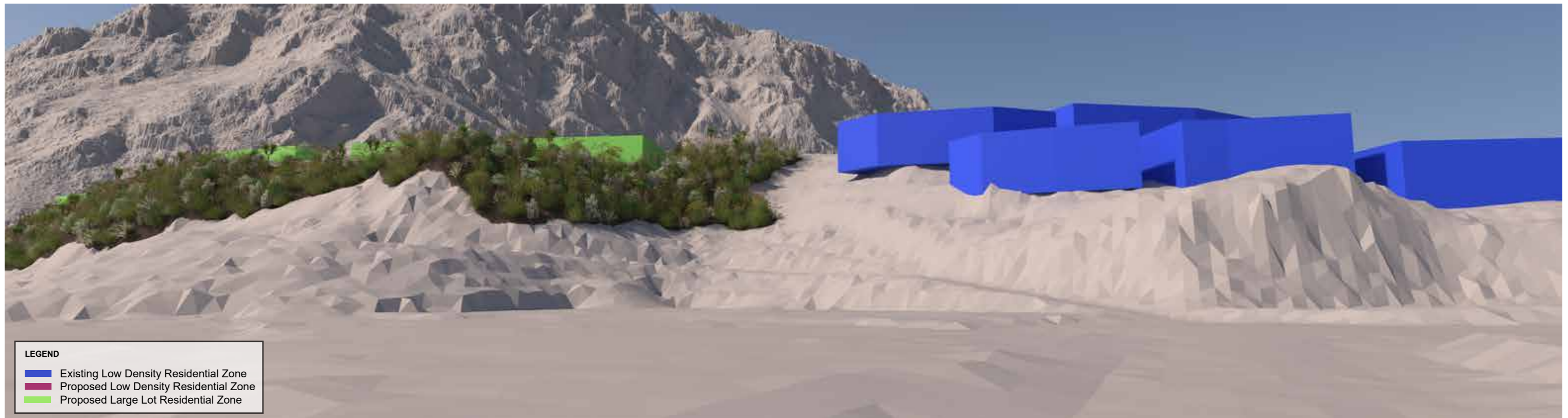


**Tarata - Lemonwood**  
*Pittosporum eugenoides*





Viewpoint 1: Existing View



**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

Viewpoint 1: Model View

Visual Simulation Extent (Figure 8)



Viewpoint 2: Existing View



**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

Viewpoint 2: Model View

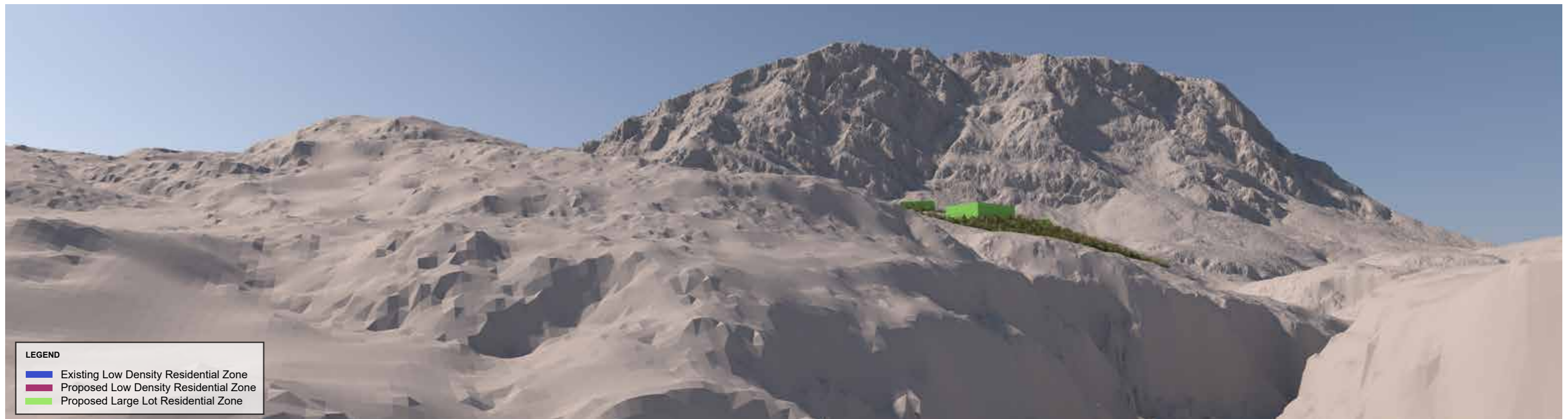


Viewpoint 2: Visual Simulation





Viewpoint 3: Existing View



**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

Viewpoint 3: Model View



Viewpoint 4: Existing View



**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

Viewpoint 4: Model View



Viewpoint 5: Existing View



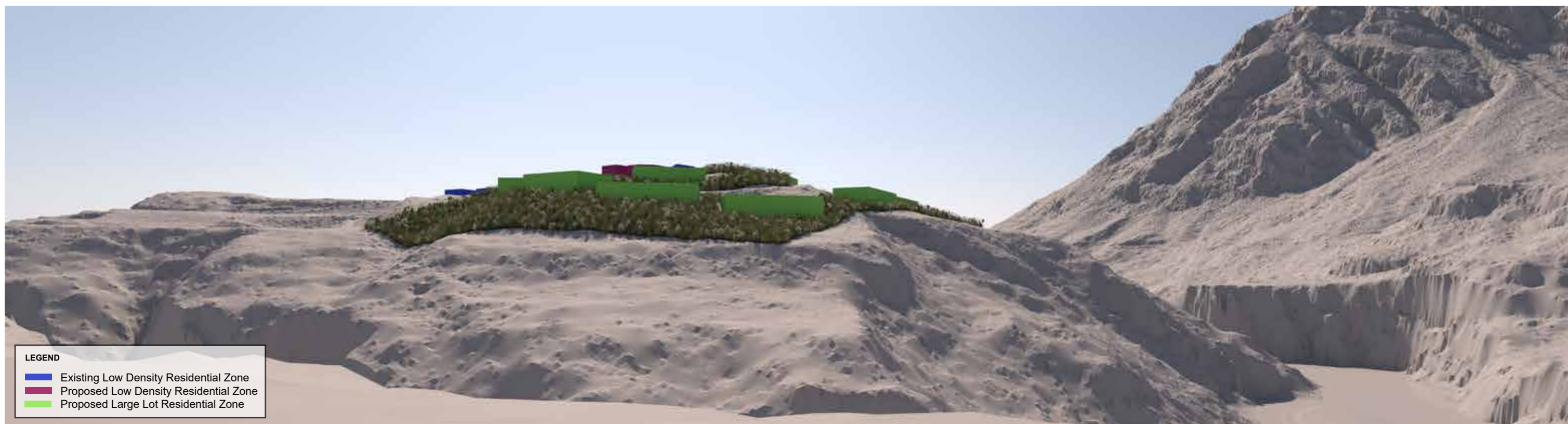
**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

Viewpoint 5: Model View



Viewpoint 6: Existing View



**LEGEND**  
■ Existing Low Density Residential Zone  
■ Proposed Low Density Residential Zone  
■ Proposed Large Lot Residential Zone

Viewpoint 6: Model View



Viewpoint 7: Existing View



Viewpoint 7: Model View



Viewpoint 7: Visual Simulation



Viewpoint 9: Existing View



**LEGEND**  
■ Existing Low Density Residential Zone  
■ Proposed Low Density Residential Zone  
■ Proposed Large Lot Residential Zone

Viewpoint 9: Model View



Viewpoint 8 - Model View



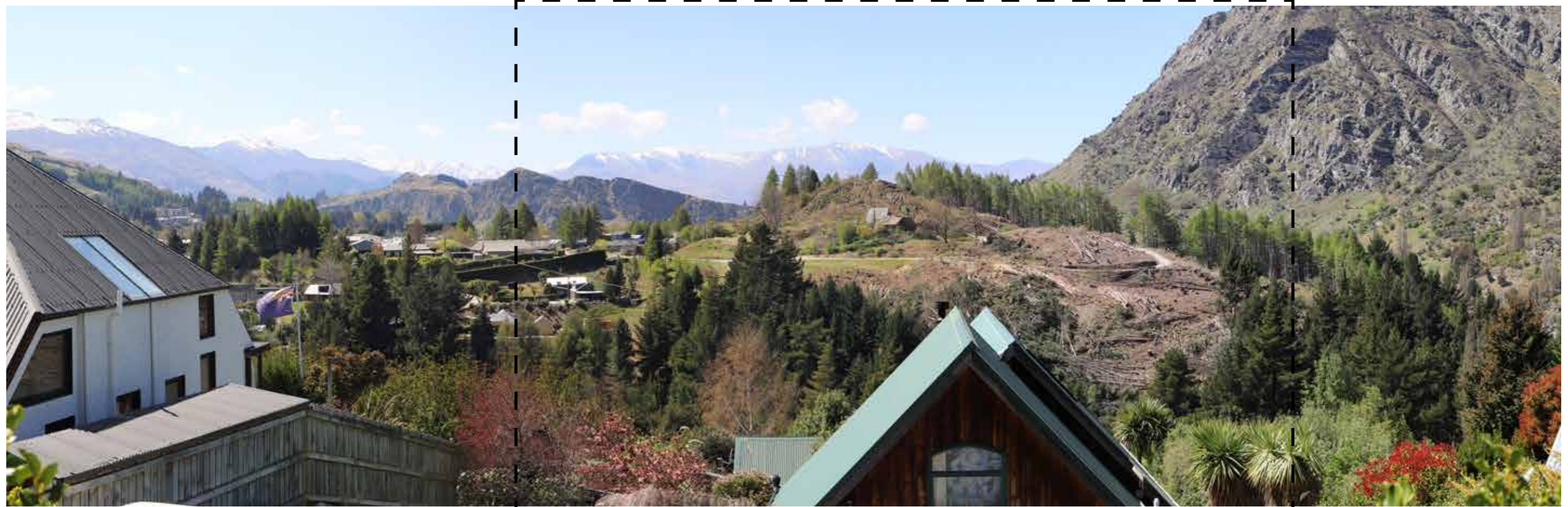
Viewpoint 10 - Model View



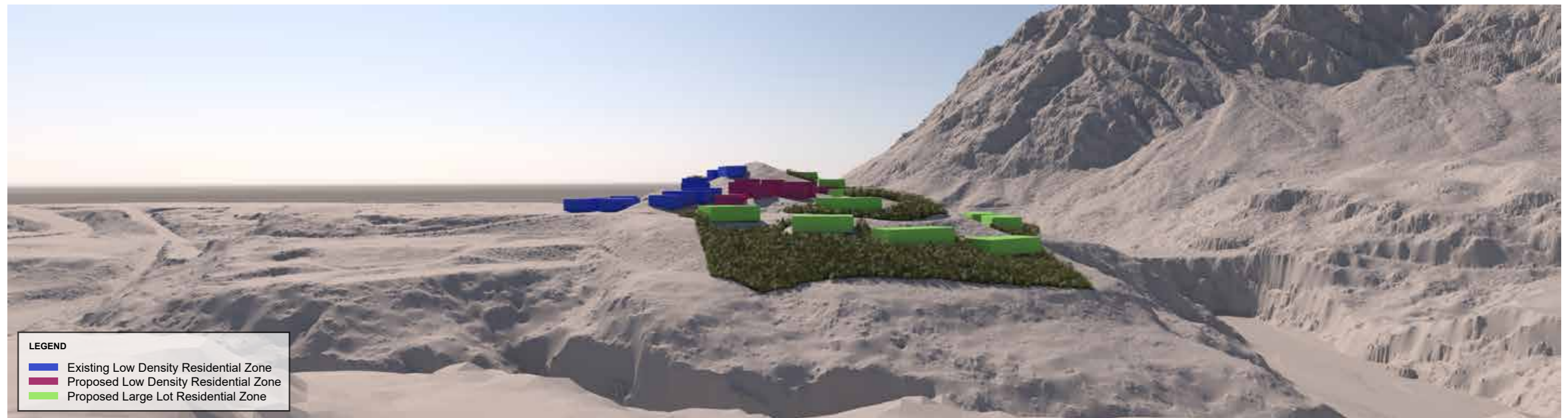


LEGEND	
<span style="color: blue;">■</span>	Existing Low Density Residential Zone
<span style="color: magenta;">■</span>	Proposed Low Density Residential Zone
<span style="color: lime;">■</span>	Proposed Large Lot Residential Zone

Viewpoint 11: Model View



Viewpoint 12: Existing View



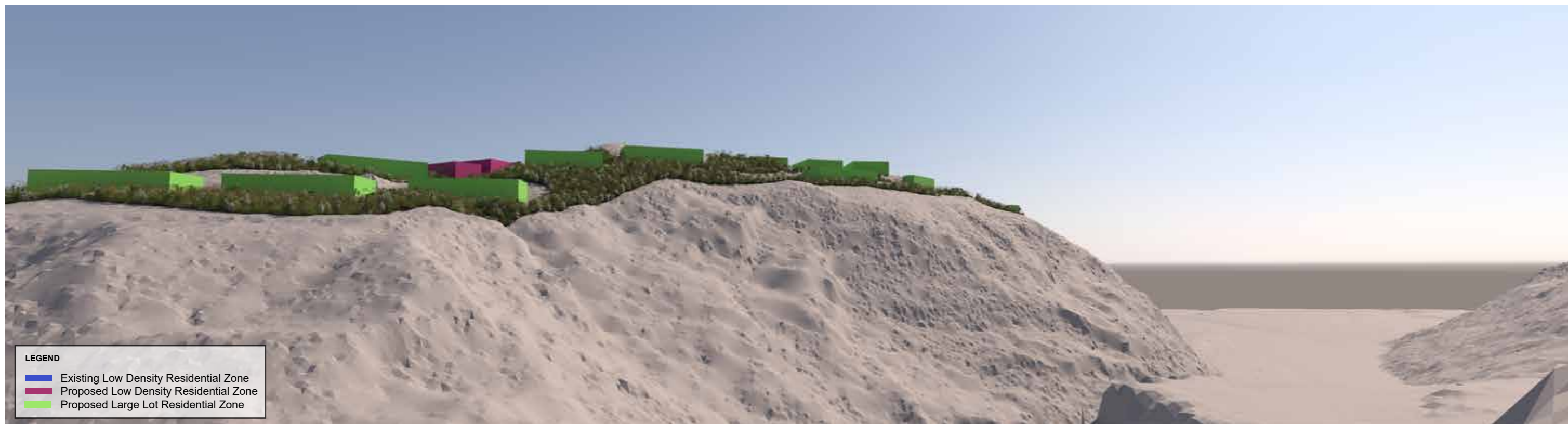
Viewpoint 12: Model View



Viewpoint 12: Visual Simulation



Viewpoint 13: Existing View



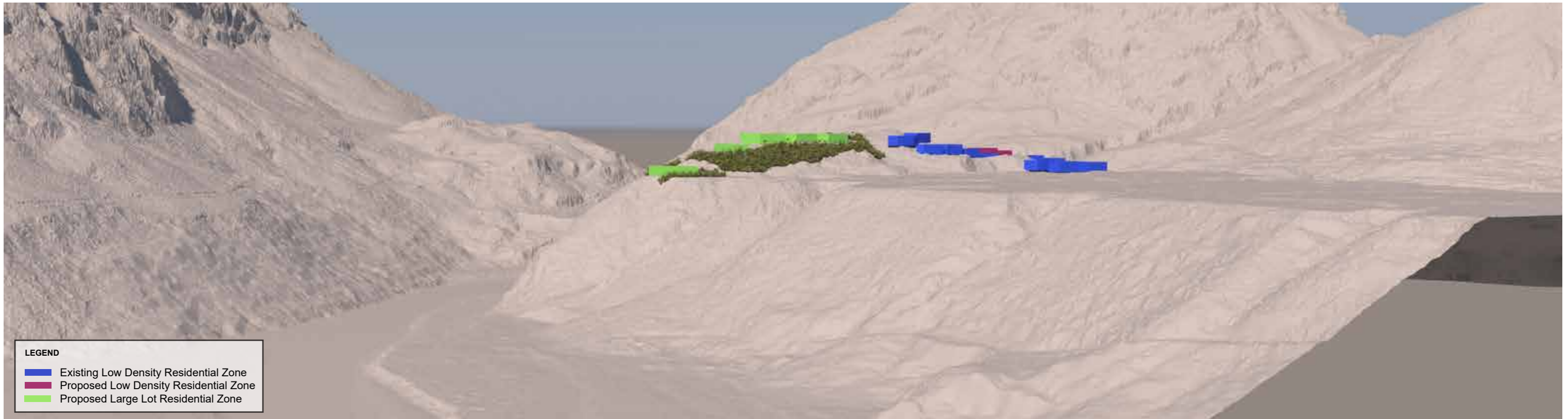
Viewpoint 13: Model View



*Viewpoint 13: Visual Simulation*



Viewpoint 14: Existing View from Powder Terrace, Arthurs Point



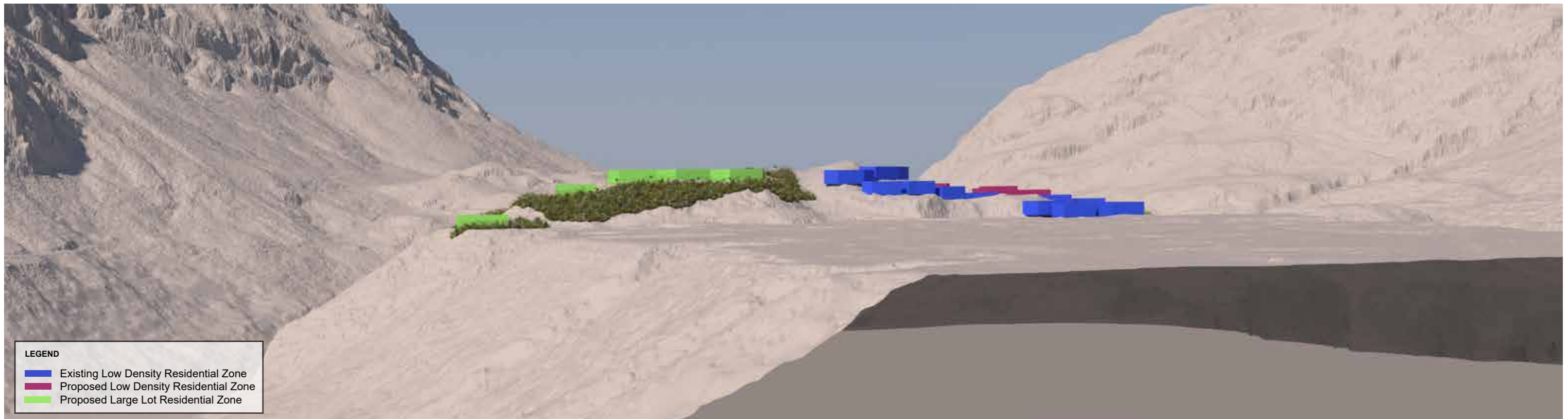
**LEGEND**

- Existing Low Density Residential Zone
- Proposed Low Density Residential Zone
- Proposed Large Lot Residential Zone

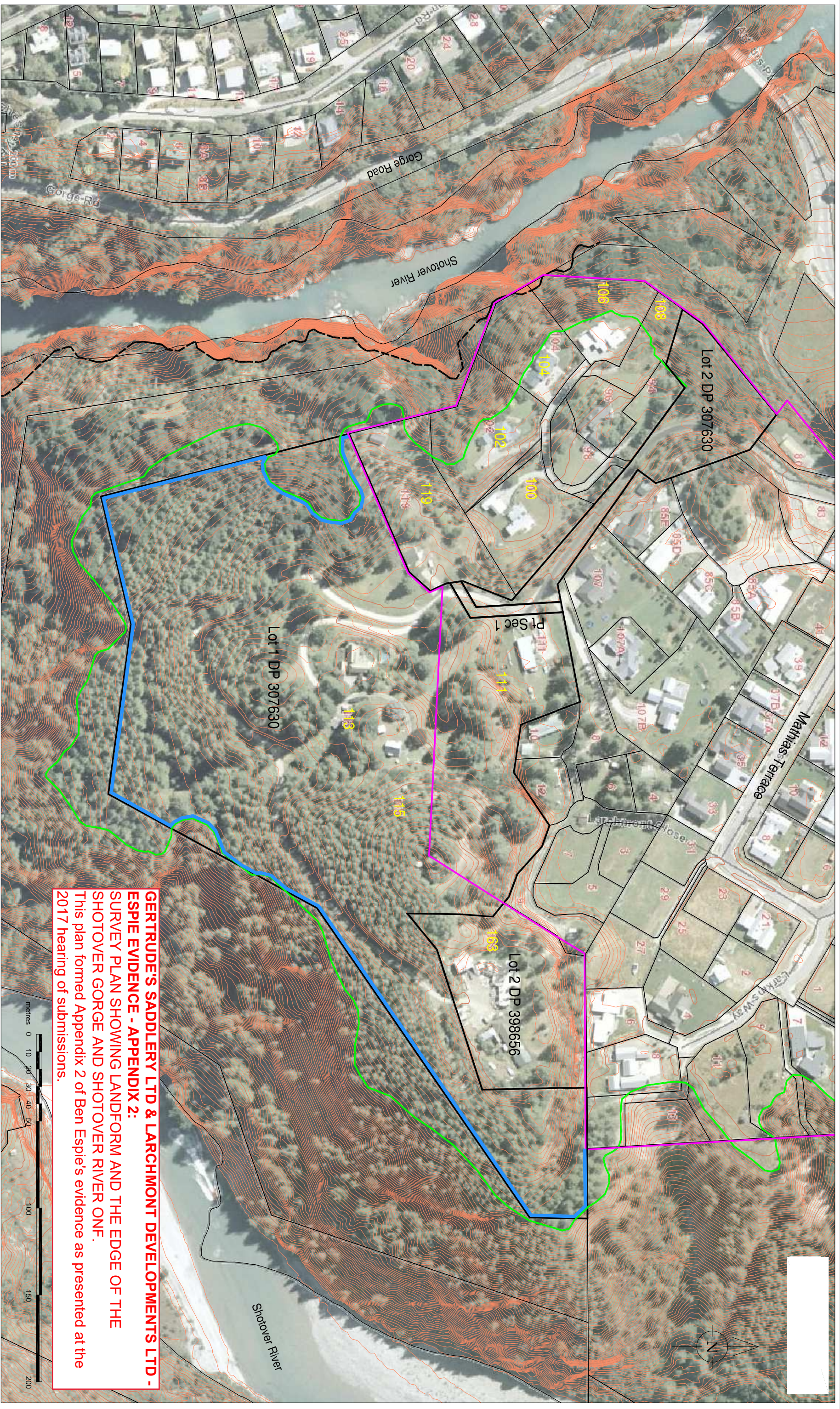
Viewpoint 14: Model View



Viewpoint 15: Existing View from Arthurs Point Road



Viewpoint 15: Model View



**Legend**

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

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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

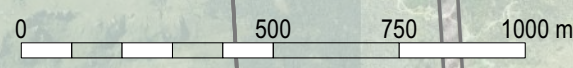
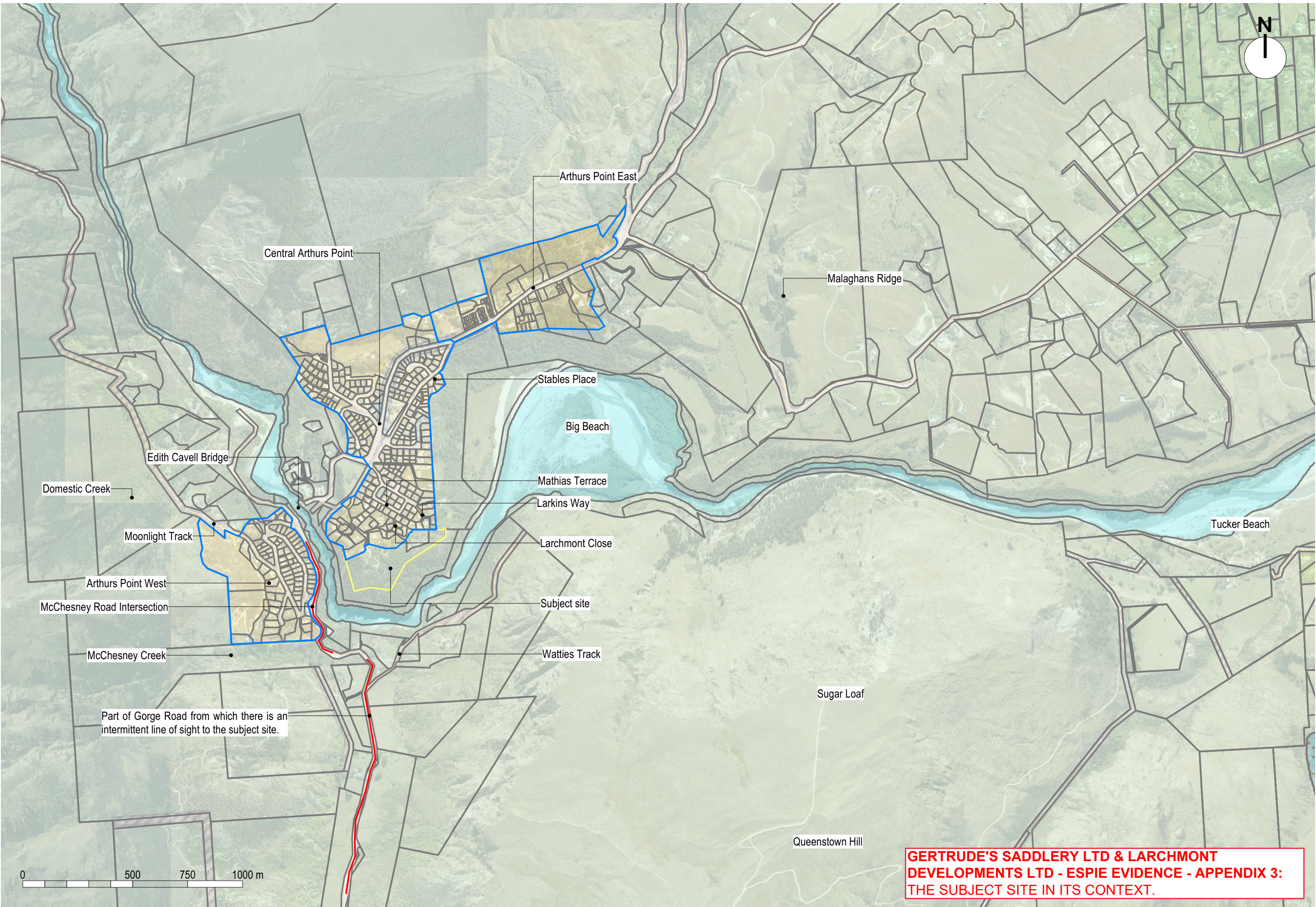
**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD -  
ESPIE EVIDENCE - APPENDIX 2:  
SURVEY PLAN SHOWING LANDFORM AND THE EDGE OF THE  
SHOTOVER GORGE AND SHOTOVER RIVER ONF.  
This plan formed Appendix 2 of Ben Espie's evidence as presented at the  
2017 hearing of submissions.**



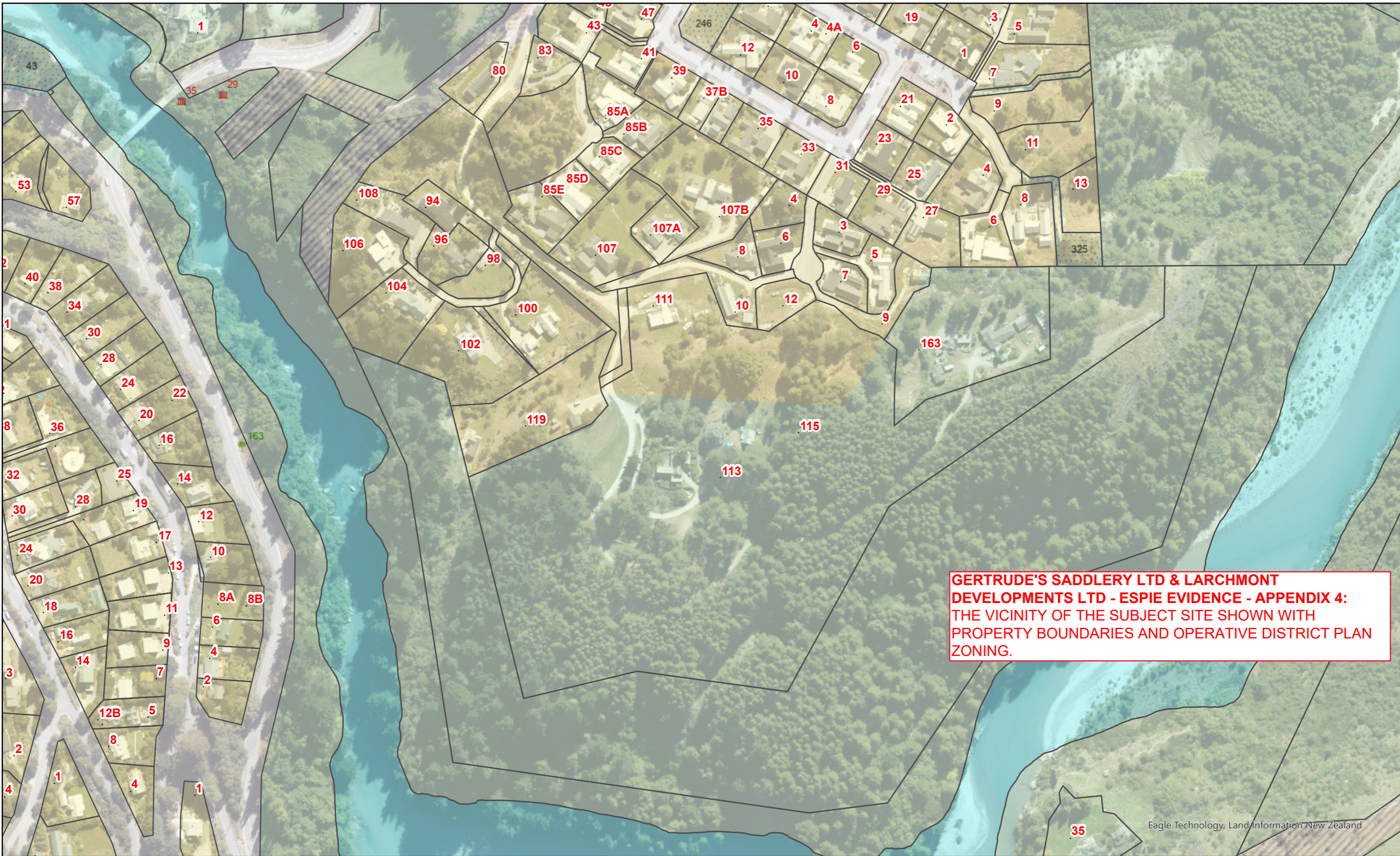
**PROPOSED ZONE CHANGE**  
**Lots 1 & 2 DP 307630 & Pt Sec 1 SO 24074**  
**ARTHURS POINT**  
**FOR GERTRUDE'S SADDLERY LTD**

DATE: 8 June 2017	Scale <b>1:2000</b>	DRAWING & ISSUE No. <b>4462-3R-2A</b>
BY: B McLeod	Original Plan A3	
		
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**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 3: THE SUBJECT SITE IN ITS CONTEXT.**



**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 4:**  
THE VICINITY OF THE SUBJECT SITE SHOWN WITH PROPERTY BOUNDARIES AND OPERATIVE DISTRICT PLAN ZONING.

Eagle Technology, Land Information New Zealand



An aerial, black and white photograph showing a wide river valley. A winding road is visible on the left side of the valley. In the distance, a bridge crosses the river. The terrain is hilly and appears to be covered in vegetation. The photograph has a grainy, halftone texture.

Arthur's Point + Shofover River from Riv. G.H.D. Series. 49.

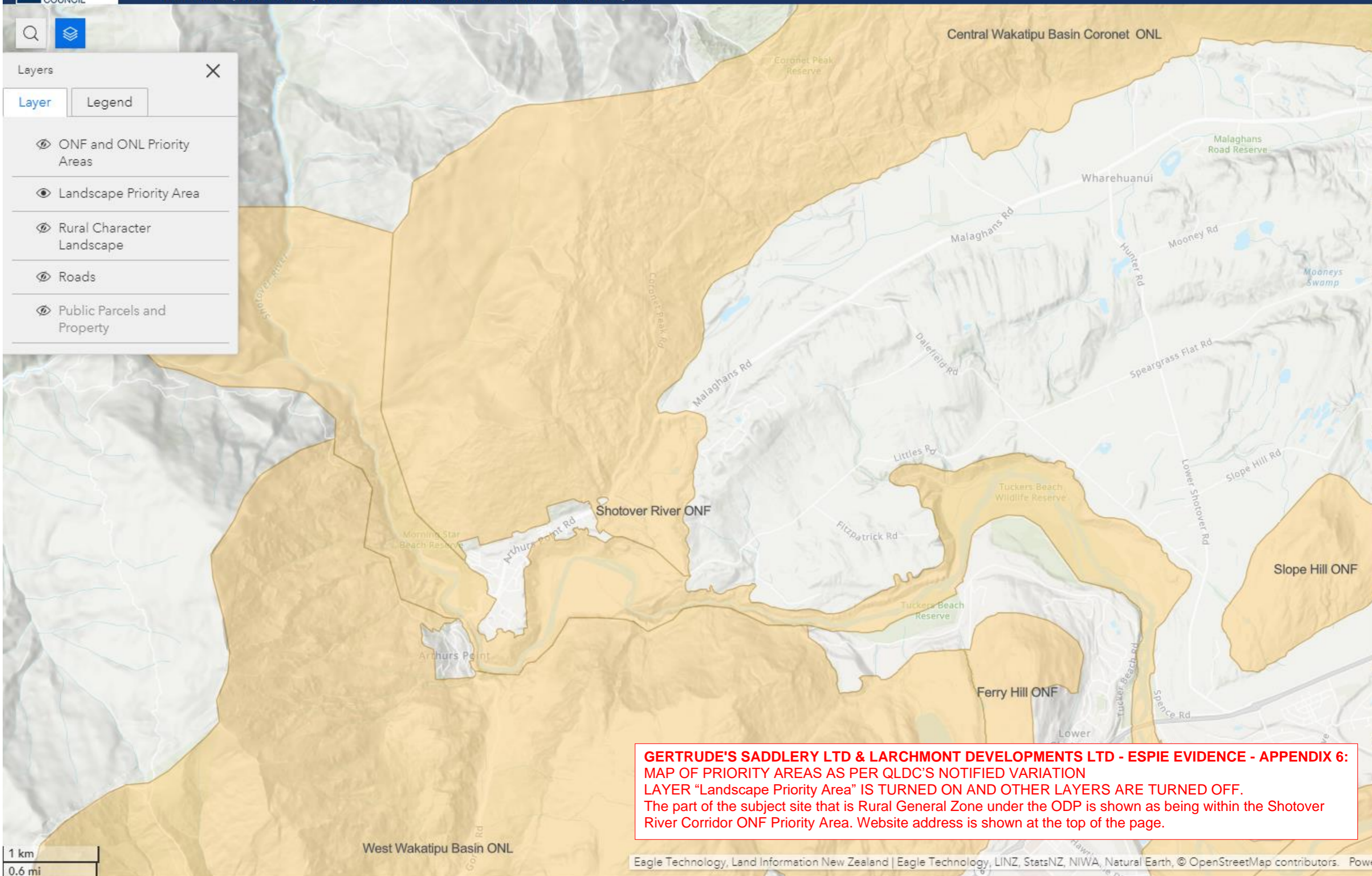
**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 5:**

PHOTOGRAPH OF THE SITE TAKEN FROM SUGARLOAF ABOVE WATTIE'S TRACK. Photograph understood to be taken in 1960.

Layers ✕

Layer Legend

- ONF and ONL Priority Areas
- Landscape Priority Area
- Rural Character Landscape
- Roads
- Public Parcels and Property



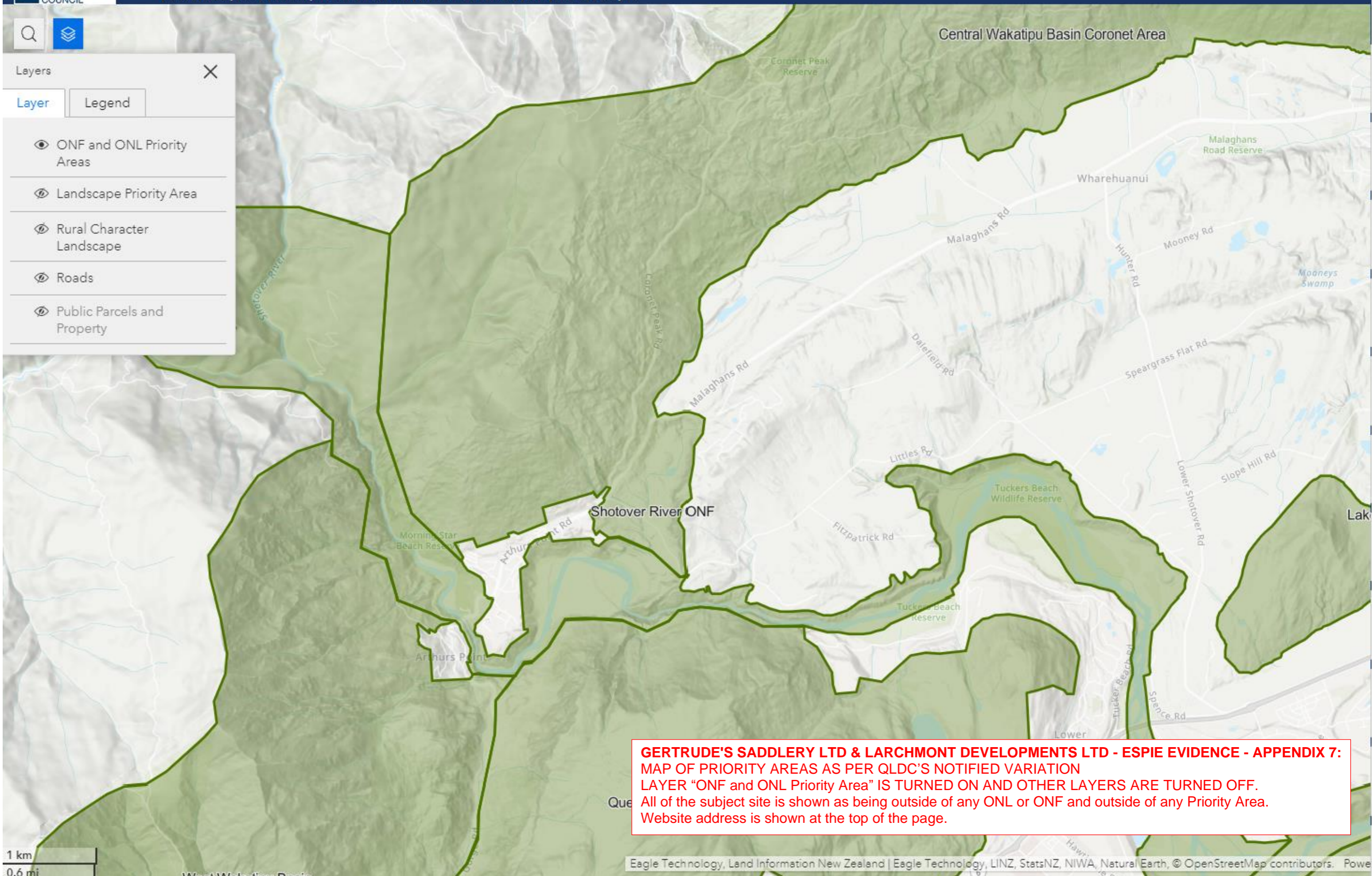
**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 6:**  
 MAP OF PRIORITY AREAS AS PER QLDC'S NOTIFIED VARIATION  
 LAYER "Landscape Priority Area" IS TURNED ON AND OTHER LAYERS ARE TURNED OFF.  
 The part of the subject site that is Rural General Zone under the ODP is shown as being within the Shotover River Corridor ONF Priority Area. Website address is shown at the top of the page.

1 km  
0.6 mi

Layers ✕

Layer Legend

- ONF and ONL Priority Areas
- Landscape Priority Area
- Rural Character Landscape
- Roads
- Public Parcels and Property



**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 7:**  
 MAP OF PRIORITY AREAS AS PER QLDC'S NOTIFIED VARIATION  
 LAYER "ONF and ONL Priority Area" IS TURNED ON AND OTHER LAYERS ARE TURNED OFF.  
 All of the subject site is shown as being outside of any ONL or ONF and outside of any Priority Area.  
 Website address is shown at the top of the page.



**Drone photograph A:** From above the site's southeastern corner, looking towards the northwest.

**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 8:**  
**DRONE PHOTOGRAPHS OF THE SUBJECT SITE SHOWING TREE CLEARANCE.**  
Photographs were taken on the 26<sup>th</sup> of October 2022. Some additional clearance has been done since that date.



**Drone photograph B:** From above the site's western boundary, looking towards the east.

**GERTRUDE'S SADDLERY LTD & LARCHMONT DEVELOPMENTS LTD - ESPIE EVIDENCE - APPENDIX 8:**  
DRONE PHOTOGRAPHS OF THE SUBJECT SITE SHOWING TREE CLEARANCE.  
Photographs were taken on the 26<sup>th</sup> of October 2022. Some additional clearance has been done since that date.