

**BEFORE THE QUEENSTOWN-LAKES DISTRICT COUNCIL**

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

**ON BEHALF OF** **DARRYL SAMPSON AND LOUISE COOPER (#495)**  
Submitter

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

**9<sup>th</sup> JUNE 2017**

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## 1. INTRODUCTION

- 1.1 My name is Benjamin Espie. I reside in Queenstown. I hold the qualifications of Bachelor of Landscape Architecture (with honours) from Lincoln University and Bachelor of Arts from Canterbury University. I am a member of the Southern Branch of the New Zealand Institute of Landscape Architects and was the Chairman of that branch between 2007 and 2016. Since November 2004 I have been a director of Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown. Between March 2001 and November 2004 I was employed as Principal of Landscape Architecture by Civic Corporation Limited, a resource management consultancy company contracted to the Queenstown Lakes District Council (**QLDC**).
- 1.2 The majority of my work involves advising clients regarding the protection of landscapes and amenity that the Resource Management Act 1991 provides and regarding the landscape provisions of various district and regional plans. I also produce assessment reports and evidence in relation to proposed development. The primary objective of these assessments and evidence is to ascertain the effects of proposed development in relation to landscape character and visual amenity.
- 1.3 Much of my experience has involved providing landscape and amenity assessments relating to resource consent applications and plan changes both on behalf of District Councils and private clients. I have compiled many assessment reports and briefs of Environment Court evidence relating to the landscape and amenity related aspects of proposed regimes of District Plan provisions in the rural areas of a number of districts. I have provided Environment Court evidence in relation to the landscape categorisation of various parts of the Wakatipu Basin including the Littles Road and Arthur's Point area. I have provided evidence at QLDC hearing level and Environment Court level in relation to many resource consent applications in the relevant part of the Wakatipu Basin.
- 1.4 I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note of November 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on information I have been given by another

person. I confirm that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed herein.

- 1.5 In preparing this evidence I have reviewed a statement of evidence prepared by Dr Marion Read dated 24 May 2017 (**Dr Read's evidence**).

## 2. SCOPE OF EVIDENCE

- 2.1 The purpose of this evidence is to assist the Hearings Panel on matters within my expertise of landscape architecture and landscape planning in relation to Submission 495. In relation to this submission, I have been asked by Darryl Sampson and Louise Cooper to prepare evidence in relation to the landscape and visual effects of the proposed extension to the Rural Visitor Zone (**RVZ**) at Arthur's Point.

## 3. EXECUTIVE SUMMARY

- 3.1 It is agreed by Dr Read and myself that rezoning all of the subject site except the steep escarpment is appropriate in relation to landscape character and visual effects.
- 3.2 The Submitter has amended the relief that is sought such that rezoning is no longer proposed over the escarpment part of the subject site.

## 4. AMENDED RELIEF

- 4.1 The relief sought has been amended since the time of the lodgement of the relevant submission as is detailed in the evidence of other witnesses. It is now sought that the operative RVZ is extended to cover all of the Submitters' landholding (Lot 2 DP24233, **the site**) except the steep escarpment part of the site that falls towards the Shotover River.
- 4.2 The amended relief (herein referred to as the requested RVZ) is shown on Appendix 1 of this evidence. In general terms, the RVZ provides for dense visitor accommodation / residential / commercial development with building heights of:

- 12 metres for visitor accommodation buildings;
- 8 metres for commercial, recreation and residential activities; and
- 7 metres for all other buildings.

## 5. LANDSCAPE CHARACTER

### EXISTING LANDSCAPE CHARACTER

- 5.1 The operative RVZ adjacent to Arthur's Point Road can be seen on Appendix 1 to this evidence. The southern and eastern boundaries of this zone (and perhaps other boundaries as well) have been drawn in a way that does not accurately relate to landform or land use patterns. The dashed line on Appendix 1 shows the line of the lip of the steep escarpment that runs down to the Shotover River.
- 5.2 The escarpment faces that contain the Shotover River are steep and covered in relatively dense vegetation. The vegetation is generally self-seeded exotic species. Despite the exotic vegetation, the escarpment faces are readily legible as the incised walls of the Shotover River canyon. When seen as a whole, the river canyon (i.e. the river, its bed and its containing escarpments) are seen as a cohesive landscape unit or feature.
- 5.3 Section 4.6.1(v)(b) of the Operative District Plan (**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.*
- 5.4 The ODP also identifies the Shotover Gorges as an outstanding natural feature (**ONF**)<sup>1</sup> and includes the Rural General Zoned (**RGZ**) land in the vicinity of Arthur's Point as being within an outstanding natural landscape (**ONL**)<sup>2</sup>. Clearly, the relevant section of the Shotover River and the escarpments that contain it are valued and appreciated as a landscape feature that has scenic and wild characteristics.

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<sup>1</sup> ODP, Section 4.2.5, Objective 5(a).

<sup>2</sup> ODP, Appendix 8A Map 1.

- 5.5** A qualification to the first sentence of my paragraph 5.4 is that Appendix 8A – Map 1 of the ODP identifies a short landscape categorisation line immediately east of the Arthur’s Point RVZ, indicating that a small part of the RGZ east of the RVZ is not within the ONL. This line categorises the western two thirds of the subject site, and the RGZ lots to the north of the subject site, as being outside of the ONL. Dr Read discussed this landscape categorisation line in her landscape categorisation report to the QLDC that informed the formulation of the Proposed District Plan (PDP)<sup>3</sup>. Dr Read opined that this landscape categorisation line was problematic and unnecessary and that all the RGZ land in the vicinity should be categorised as ONL. I agree but also find that the eastern edge of the RVZ should be redrawn, as I will discuss.
- 5.6** The Operative RVZ covers the area shown on Appendix 1 and provides for relatively intense development. Looking at the area of RVZ on the south side of Arthur’s Point Road, and moving west to east, the RVZ provides for development over the flat terrace landform that is roughly on the same topographical level as Arthur’s Point Road. This part of the RVZ contains considerable existing development such as the Nugget Point Hotel and the Onsen hot pool operation. The eastern part of the zone is less developed but still contains a number of dwellings and commercial operations (The Hangar office building, Gantley’s restaurant).
- 5.7** The configuration of the operative RVZ also provides for development on the upper part of the escarpment face that descends towards the Shotover River, as can be seen on Appendix 1. Moving from west to east:
- Number 146 Arthur’s Point Road accommodates the Nugget Point Hotel, which is situated approximately on the lip of the escarpment;
  - Number 154 Arthur’s Point Road is currently being developed in accordance with resource consent RM170045, which provides for three building platforms close to the southern edge of the RVZ; i.e. on the escarpment face;
  - Number 162 Arthur’s Point Road accommodates the Onsen Hot Pools building, which is on the upper part of the escarpment face;

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<sup>3</sup> Marion Read, “Report to QLDC on appropriate landscape classification boundaries within the district, with particular reference to outstanding natural landscapes and features”, dated 1<sup>st</sup> of April 2014, Section 4.5.

- Number 164 Arthur's Point Road contains a sizable area that is on the escarpment face. Resource consent RM950214 provided for a number of visitor accommodation buildings on the escarpment face but this consent has lapsed. However, the RVZ provides for activities (including buildings) on this escarpment face area as controlled activities.

**5.8** Therefore in summary, the existing pattern of activities that exist or are provided for is a somewhat unusual mix; the wild and undeveloped Shotover River Gorge feature, dense visitor/commercial/residential development on the RVZ area of the flat terrace landform (and also spilling over onto the upper escarpment face as set out above), and rural pasture land extending out to the east to meet Littles Road and beyond.

**5.9** The north-western part of the subject site is within the RVZ. The part of the subject site that is within the RGZ takes the form of relatively flat rolling lawn/paddock interspersed with park-like tree planting, including a band of shelter planting along the site's north-eastern boundary. The Submitters' existing dwelling sits at the southern corner of the site close to the lip of the escarpment. The part of the site that is to the immediate west of the dwelling is a part of the steep escarpment face. This part of the site is approximately 3650m<sup>2</sup> in area and is covered in self-seeded vegetation.

## **EFFECTS ON LANDSCAPE CHARACTER**

**5.10** Landscape effects are the effects that an activity may have on the landscape as a resource in its own right; effects on the patterns and processes that make up the landscape, rather than effects relating to views or visibility.

**5.11** The proposal will allow the south-eastern corner of the RVZ to extend in order to take in the flatter part of the subject site. The escarpment part of the subject site will remain within the RGZ. In terms of spatial patterns, the proposed situation would provide for, in the fullness of time, visitor/commercial/residential development covering the existing RVZ area and also the subject site, except for the steep escarpment part of the site that would remain undeveloped.

**5.12** In relation to the landscape character effects of the situation described above, the existing eastern boundary of the RVZ has little logic. In general terms, I consider it to be entirely appropriate for the zone to be extended to the east so as to take in the smaller lots and built

development that can be seen on the aerial photograph of Appendix 1. In order to arrive at a logical and appropriate eastern edge for the RVZ, it must be borne in mind that the open basin-like landform around Littles Road is an open, legible, ice-sculpted bowl that is part of a broader ONL<sup>4</sup>. I consider that a logical and appropriate eastern edge to the RVZ would be one that maintains all the land that is legible as being part of the Littles Road basin as Rural Zone (**RZ**) while the flatter land that does not slope to the west (and therefore is not openly displayed to Littles Road) should be within the RVZ. My initial view is that the curling driveway that accesses number 200 Arthur's Point Road would make a suitable zone boundary line although I stress that my brief does not extend to examining land other than the Submitter's property or to establishing a particular zone boundary.

- 5.13** Following on from the findings above that the existing eastern boundary of the RVZ is inappropriate and the zone could suitably be extended further east, I generally find that RVZ activities over the subject site would not lead to a degradation of existing landscape character. The constituent components of the landscape will essentially remain as they are; the wild and rugged river gorge of the Shotover, the farmed open basin bisected by Littles Road and the developed relatively flat terrace lands adjacent to Arthur's Point Road. I consider that the character of this part of the Wakatipu Basin will be preserved and that this represents an appropriate landscape planning outcome.
- 5.14** Additionally, I support maintaining the escarpment part of the site as RZ. I cannot see any landscape planning logic to the situation that exists to the west of the site; that the RVZ spills over the escarpment lip. In my opinion, landscape character would better be preserved and managed if the river gorge landform was entirely within the RZ.
- 5.15** Overall, I consider that the proposed situation will not adversely affect landscape character. It will bring about an appropriate and logical pattern of land uses.

## **6. VIEWS AND VISUAL AMENITY**

- 6.1** Observers that have the potential to have their views or visual amenity affected by the proposed situation can be categorised as follows:

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<sup>4</sup> ODP, Appendix 8A – Map 1 and Environment Court decision C3/2002, Wakatipu Environmental Society vs. Q.L.D.C. particularly paragraphs 10 and 37.

- Observers on Arthur's Point Road or within the Arthur's Point RVZ;
- Observers on Littles Road;
- Observers on Skippers / Coronet Peak Road or within Coronet Peak Ski Area;
- Observers on or adjacent to Watties Track;
- Observers in the Atley Road part of Arthur's Point;
- Observers in the McChesney Road part of Arthur's Point;
- Observers on the Shotover River or Big Beach area;
- Observers on Queenstown Hill Station.

**6.2** I will discuss each of these groups in turn, examining existing views and visual amenity and the effects of the relief sought.

### **ARTHUR'S POINT ROAD AND THE EXISTING RVZ**

**6.3** From Arthur's Point Road as it passes through the RVZ there is no visibility to the subject site due to topography and existing built development close to the road. In time this stretch of Arthur's Point Road is likely to accommodate relatively dense development on both sides as the RVZ is developed.

**6.4** From the parts of the RVZ that abut the lip of the escarpment (that can be seen on Appendix 1), there is visibility to the subject site; ie from viewpoints such as parts of the Nugget Point Hotel, Onsen Hot Pools, etc. The view is similar (although at a shorter distance) than the view shown on Photograph 2 of Appendix 3. With reference to Appendix 2, the existing part of the RVZ that is on the subject site provides for considerable development. In these views this development would take the form of a horizontal strip of built form extending to the right along the flat terrace landform to almost meet the existing dwelling on site (which is also visible). Development enabled by the proposed situation would take the form of a slight extension to this horizontal strip such that built development could extend in a horizontal line right the way to the existing dwelling. In the context of what is provided for by the existing RVZ, I consider that the proposed situation would have a particularly slight degree of visual effect. The composition of views will change in a very minor way and the overall quality of views will not be degraded.

## **OBSERVERS ON LITTLES ROAD**

- 6.5** Littles Road lies to the west of the subject site. From an approximately 1 kilometre long stretch of Littles Road that runs between the Malagahans Road intersection and the hairpin bend east of Big Beach, there is good intermittent visibility to the house on Number 200 Arthur's Point Road (as is indicated on Photograph 1 of Appendix 3). This house is immediately northeast of the subject site. The boundary of the subject site in this location takes the form of a line of shelter trees that can be seen behind the Number 200 house. Also visible in these views is a scattering of built form to the north of the subject site and (from more southerly viewpoints along the relevant stretch of Littles Road) built development within the RVZ and LDRZ or Arthur's Point (and future development provided for within these zones). The foreground of these views consists of open paddocks, the midground contains the scattering of built form that has been described and the backdrop consists of the mountain slopes of Bowen Peak.
- 6.6** Due to the existing development that is visible in the midground of these views, I consider that further visible development, as proposed, can be appropriately absorbed. Notwithstanding that, I consider that it would be appropriate for the eastern edge of the requested RVZ to be treated so as to achieve an attractive and visually soft interface between this zone and the surrounding rural land. Future subdivision and development within the requested RVZ will require at least controlled activity resource consent with landscape treatment being one of the matters of control. Given the position of the subject site in these views from Littles Road (i.e. a relatively minor part of a mid-ground that already accommodated built development), I consider that the QLDC will be able to use its controls to bring about an appropriate result.
- 6.7** Overall in relation to these views from the relevant stretch of Littles Road, I do not consider that the proposed situation will bring about visual effects that are more than slight.

## **OBSERVERS ON SKIPPERS / CORONET PEAK ROAD OR WITHIN CORONET PEAK SKI AREA**

- 6.8** Skippers / Coronet Peak Road is a winding road that ascends the lower slopes of Coronet Peak. Approximately the lower half of the road to Coronet Peak is significantly treed on both sides. These trees in combination with foreground topography restrict views towards the relevant part of Arthur's Point such that it is very difficult to see.

- 6.9** From some points on the upper part of the road to Coronet Peak and the ski area itself, there is a line of sight to the relevant part of Arthur's Point and, potentially, the subject site. These views are at distances of 5 to 8 kilometres. The details of any individual site are difficult to discern. I consider that the visual difference between the existing situation and the proposed situation would be unnoticeable to the vast majority of observers. Visual effects will be negligible.

#### **OBSERVERS ON OR ADJACENT TO WATTIES TRACK**

- 6.10** Watties Track is a short (1 kilometre) dead-end road off Gorge Road that accesses four rural dwellings. The owners and users of these dwellings are practically the only users of Watties Track. Views from Watties Track and 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.
- 6.11** From some parts of Watties Track, particularly north-eastern parts, views towards Coronet Peak include the existing RVZ and the subject site. In a way that is similar to Photograph 2 of Appendix 3, in these views the existing RVZ is seen as a horizontal band on a flat terrace in the mid-ground of the view. The proposed situation would slightly extend this horizontal band to the right so as to visually link already-enabled RVZ development to the existing dwelling on the site. Given the development that is enabled by the existing RVZ, I do not consider that the extension enabled by the proposed situation will significantly change the views or visual amenity that is experienced. The difference will be negligible.

#### **OBSERVERS IN THE ATLEY ROAD PART OF ARTHUR'S POINT**

- 6.12** The part of Arthur's Point residential area that sits east of Arthur's Point Road takes the form of a residential neighbourhood on a flat terrace. The principal views from this neighbourhood are to the northwest, north and northeast, to the mountain slopes and skylines. The eastern edge of this neighbourhood is the lip of the escarpment that descends to the Shotover River. Residences that are on, or close to, this eastern edge gain views out over the Big Beach part of the Shotover River. These views also include some visibility of the existing RVZ and the subject site, as can be seen in Photograph 2 of Appendix 3. As has been discussed previously, from this viewing angle the existing RVZ enables a horizontal band of built form that almost links existing visible RVZ development (such as Nugget Point Hotel) to the existing dwelling on the subject site. The proposed situation will complete this visual link. As outlined previously in relation to similar views, I consider that the effect of the additional development enabled by the proposed situation will

only slightly affect these views. Even under the existing situation, considerable development enabled by the existing RVZ will be seen in these views. The proposed situation will bring about a minor extension to this in the mid-ground of views.

### **OBSERVERS IN THE MCCHESENEY ROAD PART OF ARTHUR'S POINT**

- 6.13** 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 Atley Road area, to the Malaghans Road valley and Coronet Peak. These sites are often higher in elevation than the Atley Road area and the existing RVZ and hence gain something of a bird's-eye-view. Views from individual dwellings vary considerably due to topography and the frequent presence of large trees and nearby buildings, 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 1.8 kilometres. An indication can be gained by looking at Photograph 3 of Appendix 3.
- 6.14** When visible in these views, the subject site is seen in a broad visual context that includes the Atley Road area and the existing RVZ. Even under the existing situation, considerable built development will cover these mid-ground areas, however this built development will not predominate over the mountain slopes and skylines in terms of the composition of these views. In this visual context, I consider that the proposed situation will have very little effect on views and visual amenity. For many observers, the difference between the existing and proposed situations will be difficult to notice.

### **OBSERVERS ON THE SHOTOVER RIVER OR BIG BEACH AREA**

- 6.15** Big Beach is a large, alluvially deposited beach within a glacially-formed basin-like landform on the Shotover River. The river corridor itself, including the beach is public land, however, it is separated from the road and trail networks and is only accessible by boat. The relevant stretch of the Shotover River is used by the Shotover Jet commercial jetboating operation and I understand that the licences held by Shotover Jet prevent general public use of this stretch of river.

- 6.16** From the relevant stretch of river and the beach, there is some visibility of existing development within the existing RVZ (the Nugget Point Hotel and the Onsen Hot Pools). There is also some relatively minor visibility of the existing dwelling within the subject site.
- 6.17** As has been described, the existing RVZ provides for built development on the upper parts of the escarpment face that are displayed to the Big Beach area, particularly on sites to the west of the subject site. The proposed situation involves the escarpment face within the subject site remaining free of development. This will mean that built development resulting from the proposed situation will be much less visually prominent from the Big Beach area than development enabled by the existing RVZ.
- 6.18** In the context of development enabled by the existing zoning, I consider that the additional development enabled by the proposed situation will have very little visual effect on users of the Shotover River or Big Beach area.

#### **OBSERVERS ON QUEENSTOWN HILL STATION**

- 6.19** Queenstown Hill Station is a large private farming property that takes in the slopes of Sugarloaf and Queenstown Hill to the south of Big Beach. The dwellings and utility buildings associated with the station are located some kilometres east of Arthur's Point at Tucker Beach. The part of the station that allows views to the requested RVZ and the subject site are steep grazed slopes that are free of any buildings. Observers on these parts of the station are likely to be particularly infrequent and would be involved in farm work of some sort. The entirety of Arthur's Point is visually displayed to this part of the station. I do not consider that the visual amenity of an observer in this part of the station will be adversely affected by the proposed situation.

## **7. DR READ'S EVIDENCE**

- 7.1** Dr Read discusses Submission 495 at paragraphs 9.15 and 9.16 of her evidence. She finds that development on the escarpment face that would have been enabled by the relief sought by the original submission would have led to adverse effects on the ONF of the Shotover River corridor. I agree and the relief has been amended such that the escarpment will remain outside of the requested RVZ.

7.2 In relation to the flatter parts of the subject site, Dr Read finds that:

*“... development on the more level parts of the site, however, would not have these adverse effects as they would be restricted to the more modified and more level terrace surface where they would simply read as a continuation of the existing development. Consequentially I consider that the relief sought could be granted over the portion of the site identified in the aerial below.”<sup>5</sup>*

7.3 Dr Read’s aerial (her Figure 12) shows her “area considered acceptable for rezoning to RVZ”. This is the area that is now sought to be rezoned as per the amended relief.

7.4 I therefore agree with Dr Read’s findings in relation to Submission 495.

## **8. CONCLUSIONS**

8.1 The existing landscape character of the vicinity of the Arthur’s Point RVZ is made up of the wild, undeveloped and steep-sided Shotover Gorge; dense visitor/commercial/residential development on the RVZ area of the flat terrace landform (and also spilling over onto the upper escarpment face as set out above); and rural pasture land extending out to the east to meet Littles Road and beyond. The southern and eastern boundaries of the operative RVZ have been drawn in a way that does not accurately relate to landform or land use patterns.

8.2 **RVZ** activities over the subject site would not lead to a degradation of existing landscape character. Additionally, I support maintaining the escarpment part of the site as RZ. This is a part of the site that is sensitive in terms of landscape character; it is part of a valued ONF.

8.3 A number of observer groups will have the ability to see activities enabled by the proposed situation. In all instances these activities would appear as a particularly minor and visually logical extension to activities that are already enabled by the operative situation. I consider that visual effects will be slight at worst.

8.4 I agree with the findings of Dr Read and the relief sought has also been amended to accord with Dr Read’s recommendations.

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<sup>5</sup> Statement of evidence of Dr Marion Read on behalf of Q.L.D.C, dated 24<sup>th</sup> may 2017, paragraph 9.16.

## ATTACHED APPENDICES




- 1 A PLAN OF THE PROPOSED SITUATION AND ITS CONTEXT.
- 2 AN OVERVIEW PLAN SHOWING THE OPERATIVE ZONES AND PHOTOGRAPH LOCATIONS.
- 3 PHOTOGRAPHS.

**Ben Espie**

**vivian+espie**

**9<sup>th</sup> June 2017**

**LEGEND**

-  The proposed Rural Visitor Zone within the Arthurs Point area (as publicly notified).
-  The proposed Low Density Residential Zone within the Arthurs Point area (as publicly notified).
-  The proposed extension to the Rural Visitor Zone as sought by submission.

All areas outside of the Rural Visitor Zone and Low Density Residential Zone shown on the plan are zoned Rural General.



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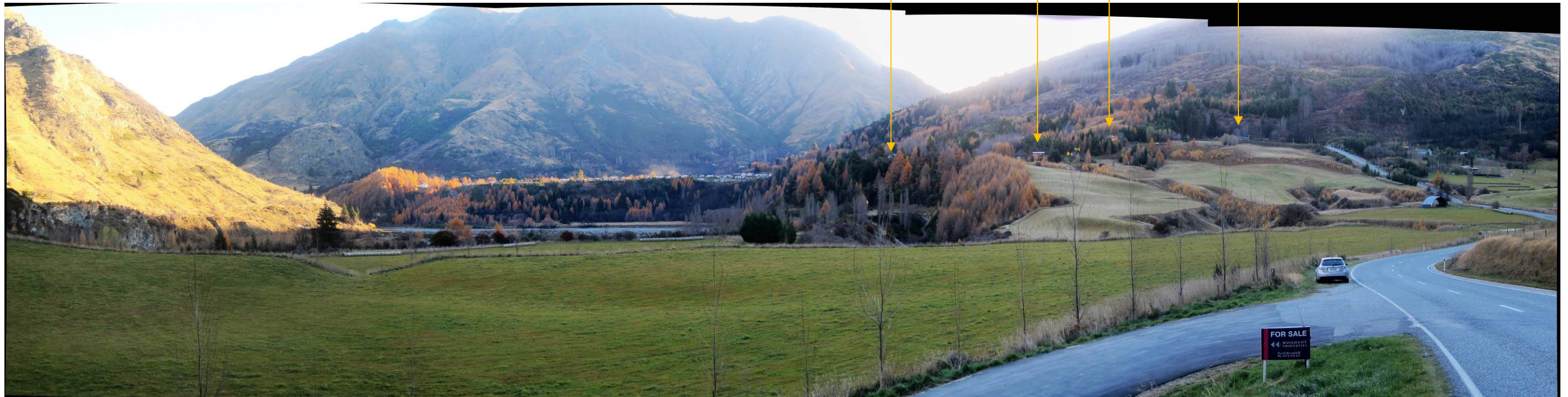
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**ESPIE APPENDIX 2 – OPERATIVE/PROPOSED ZONING WITHIN THE ARTHUR'S POINT AREA AND PHOTOGRAPH LOCATIONS**

- Locations from which photographs have been taken are indicated by a black number.
- The subject site is outlined by a blue dashed line.

Existing dwelling on site 200 146 201



Photograph 1: from Littles Road. Numbers refer to addresses on Arthurs Point Road.

Nugget Point Hotel Existing dwelling on site



Photograph 2: from Atley Road near intersection with Sewhoy Lane.

Nugget Point Hotel

Existing dwelling on site



**Photograph 3:** from the part of Moonlight Track that is formed as a road.