

Before the Hearings Panel

For the Proposed Queenstown Lakes District Plan

Under the

Resource Management Act 1991

In the matter

of a variation to Chapter 21 Rural Zone of the Proposed Queenstown Lakes District Plan, to introduce Priority Area Landscape Schedules 21.22 and 21.23

**EVIDENCE OF BRIDGET MARY GILBERT ON BEHALF OF QUEENSTOWN LAKES
DISTRICT COUNCIL**

11 August 2023

**SIMPSON
GRIERSON**

Mike Wakefield / Katherine Viskovic
T: +64-4-499 4599
mike.wakefield@simpsongrierson.com
katherine.viskovic@simpsongrierson.com
PO Box 2402 Wellington

CONTENTS

1. INTRODUCTION	1
2. EXECUTIVE SUMMARY	9
3. BACKGROUND TO THE PA SCHEDULES PROJECT	10
4. PA SCHEDULE: METHODOLOGY	18
5. THEME 1: PA MAPPING AND REZONING	20
6. THEME 2: PA SCHEDULES METHODOLOGY	24
7. THEME 3: PA SCHEDULES PREAMBLES.....	32
8. THEME 4: PA SCHEDULES TEXT CHANGES	38
9. THEME 5: PA SCHEDULES LANDSCAPE CAPACITY	48
10. REVIEW OF LANDSCAPE RELATED SUBMISSIONS FOR EACH PRIORITY AREA.....	66
11. RECOMMENDED CHANGES TO THE PA SCHEDULES	67

1. INTRODUCTION

1.1 My full name is Bridget Mary Gilbert. I am a Landscape Architect and Director of Bridget Gilbert Landscape Architecture Ltd, Auckland. I have held this position since 2005.

Qualifications and Experience

1.2 I hold the qualifications of Bachelor of Horticulture from Massey University and a postgraduate Diploma in Landscape Architecture from Lincoln College. I am an associate of the Landscape Institute (UK) and a registered member of the New Zealand Institute of Landscape Architects. I am currently a panel member of the Auckland Urban Design Panel (chair endorsement) and an Independent Hearing Commissioner for Auckland Council.

1.3 I have practised as a Landscape Architect for thirty years in both New Zealand and England. Upon my return to New Zealand, I worked with Boffa Miskell Ltd in its Auckland office for seven years. I have been operating my own practice for the last eighteen years based in Auckland.

1.4 During the course of my career I have been involved in a wide range of work in expert landscape evaluation, assessment and advice throughout New Zealand including:

- (a) landscape assessment in relation to regional and district plan policy;
- (b) preparation of structure plans for rural and coastal developments;
- (c) conceptual design and landscape assessment of infrastructure, rural, coastal, and urban development; and
- (d) detailed design and implementation supervision of infrastructure, rural, coastal, and urban projects.

- 1.5** I was appointed as one of three peer reviewers¹ of the Landscape (including natural character) Assessment Guidelines project under the direction of Tuia Pita Ora (the New Zealand Institute of Landscape Architects). That work has culminated in *Te Tangi a te Manu* (Aotearoa New Zealand Landscape Assessment Guidelines) which was unanimously adopted by Tuia Pita Ora in May 2020.
- 1.6** I have been engaged by Queenstown Lakes District Council (**QLDC** or **Council**) to provide landscape advice and evidence on various matters / topics associated with the Council level hearings, and Environment Court appeals, on the Queenstown-Lakes Proposed District Plan (**PDP**). This includes:
- (a) Environment Court appeals: Topic 2 – Rural Landscapes, Topic 22 – Jacks Point, Topic 23 – various Queenstown and Upper Clutha Rezoning (including Ski Area Subzones and rezoning of land adjacent or within ONF/Ls and within RCL), Topics 30 and 31 – Wakatipu Basin (text and various rezonings, including resort zones); and
 - (b) Council hearings: Stage 2 Wakatipu Basin and Stage 3B – Rural Visitor Zone.
- 1.7** I have assisted the Council with landscape peer review advice in relation to several resource consent and (Council) plan change and variation applications. This work includes development within Outstanding Natural Landscapes (**ONLs**), Outstanding Natural Features (**ONFs**) and Rural Character Landscapes (**RCLs**).
- 1.8** I co-authored the Wakatipu Basin Land Use Planning Study (2017)² and provided landscape advice to Council in relation to the Urban Growth Boundary at Hāwea (2019).

¹ With Ms Di Lucas and Mr Stephen Brown.

² With planners: Messrs Barry Kaye and Kelvin Norgrove.

- 1.9** This background has given me a good knowledge of how the District Plan operates, the development pressures across the District and the scale and character of development that is typically considered to be appropriate within the ONF/L and RCL areas of the district.

Site Visits

- 1.10** With respect to site visits, I have conducted site visits specifically in relation to the Priority Area (**PA**) Landscape Schedules ‘evidence in chief preparation’ work, totalling six days of field work. This included driving the public road network and walking public tracks. I also undertook a similar number of site visits with Ms Helen Mellsop (and, on some occasions, Mr Brad Coombs) as part of the PA Landscape Schedules project prior to notification of the proposed Variation (which I explain in more detail shortly in [1.14] and **Section 3** below).
- 1.11** My involvement in a wide range of other work in the district (as outlined above), has also involved numerous site visits which have informed my knowledge of the PAs.
- 1.12** For completeness, I have not visited private properties specifically in relation to the PA Landscape Schedules (**PA Schedules**). This is considered appropriate given that the PA Schedules relate to a geographically defined ‘priority area’ rather than a ‘site’ and the extent of the PA mapping has been confirmed by the Environment Court. I describe the background to the PA mapping in more detail in **Section 3** of my evidence.

Code of Conduct

- 1.13** Although this is a Council Hearing, I confirm that I have prepared this evidence in accordance with the Code of Conduct for Expert Witnesses, contained in Part 7 of the Environment Court Practice Note 2023. The issues addressed in this statement of evidence are within my area of expertise, except where I state that I am relying on the evidence or advice

of another person. The data, information, facts and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

Structuring of landscape evidence and collaboration with Mr Jeremy Head

- 1.14** Ms Mellsop and I co-authored the twenty-nine notified PA Schedules (and Methodology Report), with Mr Brad Coombs undertaking a peer review role.³ Since the PA Schedules were notified, Ms Mellsop has semi-retired. This has meant that she no longer has capacity to provide Council with landscape expert advice in relation to the PA Schedules Variation (**Variation**).
- 1.15** Mr Jeremy Head has been engaged to address the landscape related submissions for the fourteen PAs that Ms Mellsop authored. My evidence addresses the remaining fifteen PAs, as well as more general landscape related submissions, including submissions in relation to the methodology that underpins the PA Schedules work.
- 1.16** Care has been taken throughout the review of submissions and drafting of evidence to ensure that Mr Head and I are taking a consistent approach. This has involved:
- (a) thorough briefing of Mr Head;
 - (b) extensive time spent in the field together, to discuss landscape matters ‘on the ground’;
 - (c) regular meetings to share observations and discuss our responses to submission points;
 - (d) ongoing review of each other’s work;

³ The qualifications of Ms Mellsop and Mr Coombs are appended to the PA Methodology Report, attached to the s32 Report.

- (e) the compilation of a Capacity Summary Table that allows for a clear comparison of the capacity ratings for each landuse type across the twenty-nine PAs – refer **Appendix 1**.

Scope of Evidence

1.17 My evidence is structured to:

- (a) provide a short summary of the background to the development of the PA Schedules (**PA Schedules project**) (including the mapping of the PAs);
- (b) briefly summarise the methodology applied in the preparation of the PA Schedules;
- (c) discuss repeated landscape related themes identified in the submissions (ordered by theme topic); and
- (d) review landscape related submissions for the PA Schedules that I authored (by submission point) and make recommendations with respect to amendments to the notified PA Schedules.

1.18 The 15 PA Schedules that my evidence addresses are as follows:

- 21.22.1 Peninsula Hill PA ONF
- 21.22.2 Ferry Hill PA ONF
- 21.22.3 Kimiākau (Shotover River) PA ONF
- 21.22.5 Waiwhakaata (Lake Hayes) PA ONF
- 21.22.6 Slope Hill PA ONF
- 21.22.8 Haehaenui (Arrow River) PA ONF
- 21.22.12 Western Whakatipu Basin PA ONL
- 21.22.13 Queenstown Bay and Environs PA ONL
- 21.22.14 Northern Remarkables PA ONL
- 21.22.15 Central Whakatipu Basin PA ONL
- 21.22.16 Eastern Whakatipu Basin PA ONL
- 21.22.21 West Wānaka PA ONL
- 21.22.23 Hāwea South North Grandview PA ONL
- 21.23.3 West of Hāwea River PA RCL
- 21.23.4 Church Road – Shortcut Road PA RCL

1.19 I attach the following appendices to my evidence:

- (a) Appendix 1: Response to Submissions Version of the PA Schedules, Landscape Capacity Summary Table.
- (b) Appendix 2: 'PA Specific Submissions Summary, Landscape Comments Table' and 'Response to Submissions Version of the PA Schedule' (ordered by PA).
- (c) Appendix 3: Notified PA Mapping.
- (d) Appendix 4: October 2020 VIF and PA ONFL JWS.
- (e) Appendix 5: October 2020 Upper Clutha PA Mapping JWS.
- (f) Appendix 6: Topic 2 JWS January 2019.

Interrelationship between my landscape evidence and Ms Evans' planning evidence

1.20 The preparation of the PA Schedules and review of submissions on the PA Schedules involves a combination of technical landscape and planning expertise. Technical landscape expertise focuses on:

- (a) the identification and evaluation of the important landscape attributes and values that contribute to the outstandingness of the PA ONF/Ls and the landscape character and visual amenity values of the PA RCLs; and
- (b) the evaluation of landscape capacity within each PA for a range of landuses, noting that this is informed by planning input as to the relevant zones and provisions.

1.21 The technical planning expertise is explained in the s42A Report prepared by Ms Ruth Evans.

1.22 My expert input has focussed on the following:

- (a) Review of the landscape related submission points that are relevant to the PAs set out in [1.18] above (refer **Appendix 2**);
- (b) Providing expert landscape advice with respect to recommended changes to the (relevant) Response to Submissions Version of the PA Schedules attached to the s42A Report. Where appropriate, I have sought other expert advice to inform my recommendations (for example, the advice of Mr Simon Beale on ecological focussed submissions in relation to 21.22.23 Hāwea South North Grandview PA ONL);
- (c) Review of the submission points relevant to the landscape assessment methodology and more general landscape matters (in my statement of evidence); and
- (d) Providing expert landscape advice with respect to recommended changes to the Response to Submissions Version of the Schedule 21.22 and Schedule 21.23 Preambles attached to the s42A Report.

Documents relied on

1.23 The key documents that I have used or referred to in forming my view while preparing my evidence are:

- (a) Landscape Schedules Section 32 Report;
- (b) The PDP,⁴ and in particular: Chapter 1 Introduction (dated December 2022), Chapter 2 Definitions (dated March 2023), Chapter 3 Strategic Directions (dated November 2021), Chapter 6 Landscapes (dated April 2022), Chapter 21 Rural (dated March

⁴ <https://www.qldc.govt.nz/your-council/district-plan/proposed-district-plan>

2023), Chapter 23 Gibbston Character Zone (dated March 2023), and Chapter 30 Energy and Utilities (dated April 2022), as updated by Environment Court decisions and consent orders;

- (c) Relevant parts of the Partially Operative Otago Regional Policy Statement (**POORPS**) and the Proposed Otago Regional Policy Statement (**PORPS**);
- (d) Joint statement arising from expert conferencing for Topic 2 – Rural Landscapes; titled “Landscape methodology and subtopics 2, 3, 5, 6, 7, 8 and 11”, dated 29 January 2019;
- (e) Joint statement arising from expert planner and landscape conferencing for Topic 2 – Rural Landscapes; which related to “Strategic policies and priority area expert conferencing”, dated 29 October 2020;
- (f) Memorandum of Counsel on behalf of Queenstown Lakes District Council Addressing List of Proposed Priority Areas and Related Directions, Topic 2: Rural Landscapes 10 July 2020;
- (g) The following Environment Court Consent order:
 - i. Topic 1 subtopic 4 (RSI), Topic 2 subtopic 11 (RSI & Landscapes) and Topic 17 (Energy and Utilities) Consent Order (April 2023).
- (h) The following Environment Court Decisions:
 - i. Interim decision Topic 2: Rural Landscapes, Decision 2.2 - Sub-topics 2 - 11 Decision No. [2019] NZEnvC 205;
 - ii. Interim decision Topic 2: Rural Landscapes, Decision 2.3 - Sub-topic 1 remaining appeals Decision No. [2019] NZEnvC 206;
 - iii. Interim decision Topic 2: Rural Landscapes – Priority Areas Decision 2.5 Decision No. [2020] NZEnvC 158;

- iv. Interim decision Topic 2: Rural Landscapes Chapters 3 and 6 Decision 2.7 Decision No. [2021] NZEnvC 60;
- v. Interim decision Topic 2: Rural Landscapes Sub-topic 1: mapping and s293 directions Decision 2.8 Decision No. [2021] NZEnvC 61;
- vi. Interim decision Topic 2: Rural Landscapes Provisions for Chapters 3 and 6 and s293 directions Decision 2.9 Decision No. [2021] NZEnvC 124; .
- vii. Interim decision Topic 2: Rural Landscapes, Chapters 3 and 6, Decision 2.12 Decision No. [2021] NZEnvC 155;
- viii. Interim decision Topic 2: Rural Landscapes, Section 293 determination on the Clutha River/Mata Au ONF corridor, Decision 2.14 Decision No. [2021] NZEnvC 198;

(i) The statement of landscape evidence prepared by Mr Jeremy Head on behalf of Council.

(j) The s42A Report prepared by Ms Ruth Evans on behalf of Council.

1.24 The fact that I do not specifically refer to or address an aspect of a submission does not mean that I have not considered it, or the subject matter of that submission, in forming my opinion regarding the landscape appropriateness of the amendment(s) sought.

2. EXECUTIVE SUMMARY

2.1 My evidence explains the background to the preparation and notification of the PA Schedules Variation, including the PA Mapping and the landscape assessment methodology underpinning the PA Schedules.

2.2 My evidence responds to submissions seeking PA mapping changes. The only amendment that I support is a change to the 21.23.3 Kimiākau (Shotover River) PA, so that the reference changes from 'PA ONF' to 'PA ONF/L' in the PA mapping and PA Schedule 21.23.3.

- 2.3** My evidence addresses submissions that question the PA Schedule Methodology. I do not consider changes are necessary or appropriate, other than amendments to the Schedule 21.22 and Schedule 21.23 Preambles to clarify the relationship between attributes and values in the PA Schedules. I also recommend a number of amendments to the Schedule 21.22 and Schedule 21.23 Preambles to assist plan users.
- 2.4** With respect to submissions seeking amendments to the PA Schedule text, in relation to landscape attributes and values and landscape capacity, I have recommended a number of changes to the PA Schedules. These are annotated in the **Response to Submissions Version of the PA Schedules** in **Appendix 2**.
- 2.5** Where I do not agree with a submission point (relevant to landscape matters), I have recorded my reasons in the **PA Specific Submissions Summary Landscape Comments tables** in **Appendix 2**.
- 2.6** Many of the PA Schedule submissions raise a number of repeated or common themes, and so I have structured the main body of my evidence to address these more general matters. As noted above, my more specific response to submissions (including on the content of the PA Schedules) is provided in **Appendix 2**.

3. BACKGROUND TO THE PA SCHEDULES PROJECT

- 3.1** As outlined earlier, I (along with Ms Mellsoy) assisted Council with landscape expert advice in relation to the Topic 2 appeals (for Stage 1 of the PDP). This was initially in a peer review role (with Ms Mellsoy providing the primary evidence), although towards the end of the appeal hearing I provided supplementary evidence in response to questions from the Environment Court.

3.2 Part F of the Topic 2.2 Decision directed named planning and landscape experts (including myself) to undertake expert conferencing to address a number of matters, including the PA mapping and (relevant) PDP Chapter 3 provisions.

3.3 I set out the background to this work below.

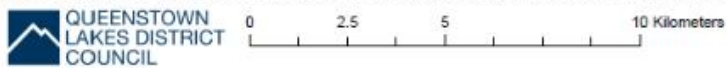
PA Mapping

3.4 The notified PA mapping is reproduced in **Figure 1** and **Figure 2** below. (NB A3 scale versions of these graphics are attached in **Appendix 3.**)

Wakatipu Landscape Schedules



The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.



Map Date:
24/03/2022



Figure 1: Notified mapping of the Whakatipu Basin PA ONF/Ls

Upper Clutha Landscape Schedules

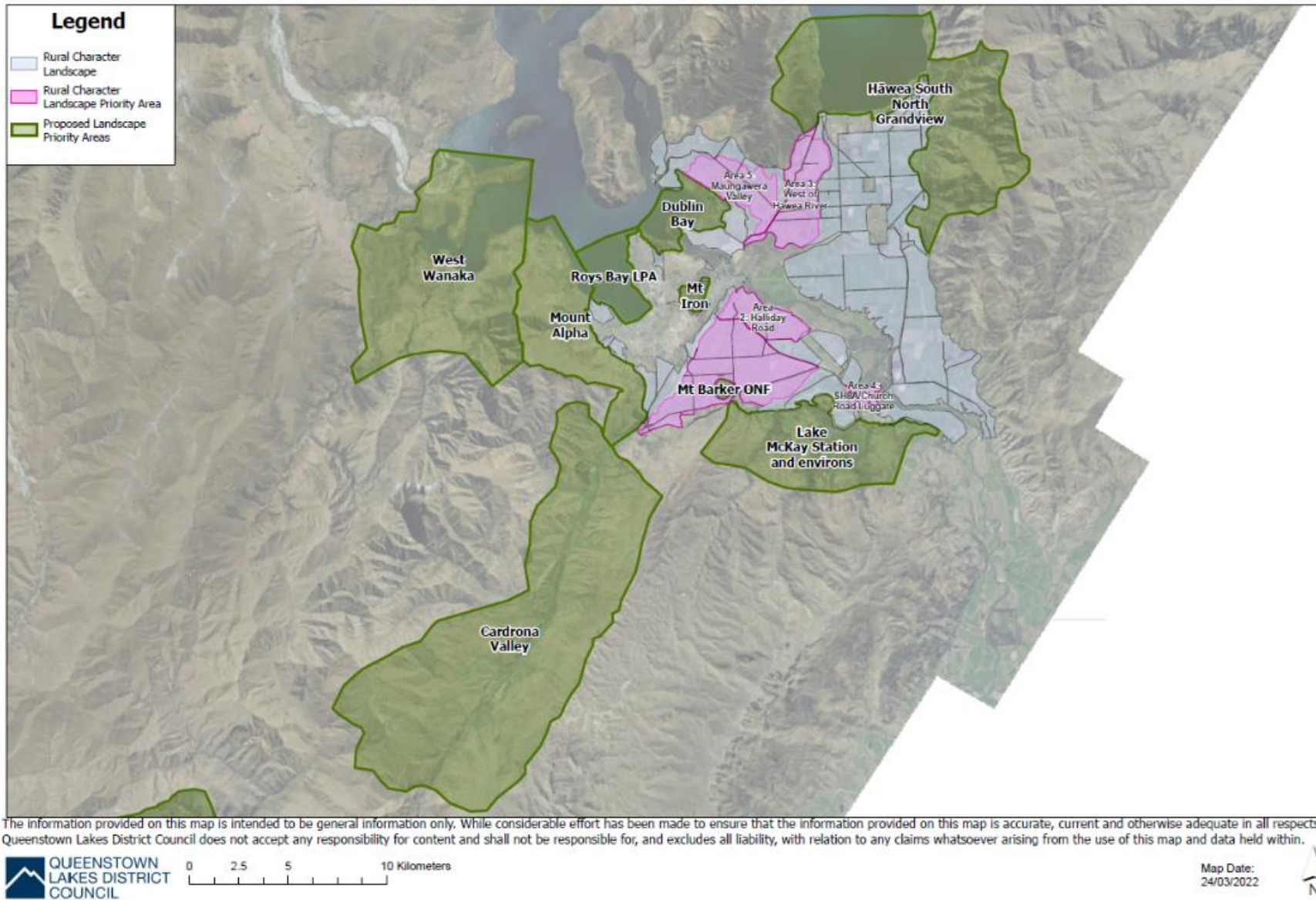


Figure 2: Notified mapping of the Upper Clutha PA ONF/Ls and PA RCLs

3.5 The development of the PA mapping (and PA Schedules of Landscape Values) was directed by the Environment Court in the Topic 2.2 Decision (dated 19 December 2019)⁵.

3.6 The Court considered that the ONF/L and Upper Clutha RCL Values Identification Frameworks (**VIF**) should be targeted to PAs, and that the PAs should be specified in Chapter 3.

3.7 The Court made the following direction at [525]:

(b) Messrs Barr and Ferguson (together with Messrs Gilbert, Mellsoy and Pfluger) are directed to undertake further facilitated expert witness conferencing so as to produce, by joint witness statement ('Supplementary JWS'):

(i) recommended drafting of SPs to provide for our findings on how Ch 3 should give direction concerning our so-termed Values' Identification Frameworks (i.e. for ONF/L Priority Areas and Upper Clutha RCL Priority Areas);

(ii) associated maps, suitable for inclusion in the DV, depicting the geographic extent, at proper landscape scale of Priority Areas to which those SPs for ONF/Ls and for the Upper Clutha RCL will apply to;

(iii) recommended drafting of SPs to provide for our findings as to how Ch 3 should give direction concerning landscape assessment methodologies;

(iv) recommended drafting of SPs to give effect to our findings on how Ch 3 should give direction on monitoring;

(Emphasis added.)

3.8 The Court also directed that parties to the appeal be invited to comment on the PA mapping.

⁵ [2019] NZEnvC 205 [162] and [164].

3.9 The notified PA mapping was developed as follows:

a) Preliminary Development Pressure Area Mapping (February 2020)

Preliminary mapping of the development pressure areas⁶ within the ONF/L and RCL areas of the district was developed by Council policy and resource consent planners in February 2020 (I have described this as the “**Draft Development Pressure Area mapping**”).

b) Preparation of Draft PA Mapping (March 2020)

The Draft Development Pressure Area mapping was reviewed by Ms Helen Mellsoy in March 2020, which resulted in the production of the ‘Final Draft PA Mapping’ (my terminology). I am aware that this mapping review exercise involved checking the Preliminary Development Pressure Area mapping to ensure that it corresponded to a proper geographic landscape scale and boundaries (as directed by the Court at [175] of the Topic 2.2 decision). In many cases this led to an ‘expansion’ of the (Preliminary Development Pressure Area) mapping to ensure the edges of the mapping corresponded to landform / catchment boundaries to the extent this was possible.

c) Topic 2.5 Decision (September 2020)

The mapping was then provided to the Court, with the Topic 2.5 Decision confirming the ‘Final Draft PA Mapping’ as being fit for purpose to allow the expert conferencing to proceed.⁷

d) Expert Conferencing (October 2020)

The ‘Final Draft PA Mapping’ prepared by Ms Mellsoy was reviewed at the planner and landscape expert conferencing (directed in the Topic 2.2 Decision), conducted during September

⁶ The terminology ‘development pressure area’ derives from the Topic 2.2 Decision and in particular: [85], [131], [134], [135], [14](a), [149], [167] and [366]. I understand this term to refer to the specific areas in the ONF/L and RCL areas of the district where the most significant development pressures are anticipated during the life of the ODP (see Topic 2.2 [167]).

⁷ Decision No. [2020] NZEnvC 158: [67] and [83].

and October 2020. I was a participant at this conferencing. Two Joint Witness Statements were produced from the conferencing: the **October 2020 VIF and PA ONF/L JWS** and the **October 2020 Upper Clutha PA Mapping JWS**, attached as **Appendix 4** and **Appendix 5** respectively.

Section E of the October 2020 VIF and PA ONF/L JWS discusses the PA ONF/Ls generally,⁸ describes the mapped extent of each PA ONF/L agreed by the landscape experts during the conferencing (including any agreed mapping amendments)⁹ and incorporates a hyperlink to the agreed PA ONF/L mapping.¹⁰ The October 2020 Upper Clutha PA Mapping JWS confirms agreement of the landscape experts to the mapping appended to the JWS¹¹.

e) Notified PA Mapping (30 June 2022)

The PA mapping from the October 2020 VIF and PA ONF/L JWS and the October 2020 Upper Clutha PA Mapping JWS was confirmed by the Environment Court in the Topic 2.5 Decision (May 2021).¹² This mapping formed the notified PA mapping (subject to minor refinement by the Council GIS team to align the PA mapping with the ONF/L boundaries that had been settled through the PDP process).

PA Schedules Policy Context

3.10 The PDP policy context for the PA Schedules was addressed in the **October 2020 VIF and PA ONF/L JWS** (refer **Appendix 4**). The final provisions were confirmed by the Environment Court in the Topic 2.7¹³ and Topic 2.9¹⁴ Decisions.

⁸ October 2020 JWS: [27] to [30].

⁹ Ibid: [31] to [54].

¹⁰ Ibid: [55].

¹¹ It should be noted that the landscape experts commented on an additional RCL area that is not identified in the list of PA RCL areas in PDP 3.3.39 (ie Hāwea Flats). Council have recently invited public feedback with respect to the landscape values of these RCL areas, as part of the Upper Clutha Non Priority Area RCL Schedules workstream.

¹² See 2021 NZEnvC 60 at [17] and [26].

¹³ 2021 NZEnvC 60.

¹⁴ 2021 NZEnvC 124.

PA Schedules 'Structure'

3.11 The structure of the PA Schedules derives from PDP 3.3.37, 3.3.38, 3.3.40, and 3.3.41 (a) to (f).¹⁵ The PA Schedules are organised to include:

- (a) A description of the landscape attributes and values that play an important role in shaping landscape values, and (with the exception of the reference to pest plants and animals that are discussed shortly), contribute to the outstandingness of PA ONF/L and the landscape character and visual amenity values of PA RCL. (This part of the PA Schedule is referred to as the 'main body' of the schedule in my evidence.)
- (b) A summary and rating of landscape values.
- (c) A high-level evaluation of landscape capacity against a range of land use activities.

3.12 The link between the District Plan policy context and the PA Schedules is discussed in more detail shortly, under **Theme 3** (section 8).

Landuses for PA Schedules Capacity Evaluation

3.13 The range of land use activities identified for the PA Schedules capacity evaluation derives from the lists in PDP 3.3.38(c) and 3.3.41(g). A small number of additional land uses have been added in PAs where there is existing development of that type, or known pressure for such development in a particular PA.¹⁶

¹⁵ As directed in 2021 NZEnvC 2.9 Annexure 1.

¹⁶ Noting that the wording 'but not limited to' at the end of PDP 3.3.38(c) and 3.3.41(g) signals additions may be appropriate. Examples include reference to such uses as: 'rural industrial activities' (21.23.4 Church Road Shortcut Road PA RCL), 'passenger lift systems' (referred to as 'gondolas' in the notified PA Schedules) (21.22.14 Northern Remarkables PA ONL) and 'jetties and boatsheds' (21.22.13 Queenstown Bay).

4. PA SCHEDULE: METHODOLOGY

4.1 The landscape assessment methodology that underpins the PA Schedules is set out in the ONF, ONL and RCL Priority Area Landscape Schedules Methodology Statement (dated May 2022), attached to the s32 Report (Appendices c1 and c2). This includes:

- (a) An outline of the approach taken to the identification and evaluation of **landscape attributes and values** in the PA Schedules.
- (b) An explanation of how **landscape capacity** is evaluated in the PA Schedules.
- (c) An explanation of the **PA Schedules link with the District Plan Policy Framework**.
- (d) A description of the **landscape assessment 'method' (or 'process')** that has been used to complete PA Schedules. This includes:
 - i. a description of **other expert inputs** into the preparation of the PA Schedules;
 - ii. an explanation of how **associative values** have been addressed;
 - iii. an explanation of how **perceptual values** have been addressed;
 - iv. **other information sources** relied on;
 - v. the **PA Schedule templates**;
 - vi. a description of the **field survey**;
 - vii. a summary of the **peer review process**;
 - viii. the **delineation of 'landscape character units'** within PAs;
 - ix. the **data sources** that have been relied on;
 - x. any **assumptions** that have underpinned the preparation of the PA Schedules; and
 - xi. the **step-by-step process** that has been used to complete the work.

- 4.2** It is well established (and goes without saying) that ‘landscape’ affects us all, with most people having an interest in landscape to at least some degree and that non-landscape experts have an important role in framing landscape values. As *Te Tangi a te Manu* (Aotearoa New Zealand Landscape Assessment Guidelines (**TTatM**)) explains: ... *everyone experiences landscapes and has heart felt views about them.*
- 4.3** TTatM¹⁷ goes on to explain that the landscape expert’s role is to assist decision makers by: providing an objective account of relevant landscape facts against which to test others opinions; providing an unbiased and independent expert opinion against which the range of community views might be compared and analysed; and interpreting and explaining landscape matters that other participants may lack the training to articulate. TTatM also cautions against simply repeating other’s opinions as that would not be fulfilling the role of landscape experts in assisting decision makers.
- 4.4** In summary, the evaluation of landscape attributes and values is a complex process, requiring community input and careful expert judgement.¹⁸ The complexities of this process and requirement for judgement are acknowledged in TTatM and draw from an extensive body of case law.¹⁹ I confirm that an expert assessment approach, informed by community input²⁰ has informed the Response to Submissions Version of the PA Schedules appended to Ms Evans’ evidence.
- 4.5** Issues raised by submissions in relation to aspects of the PA mapping and rezoning are discussed under **Theme 1: PA mapping and rezoning**. Issues raised by submissions in relation to aspects of the PA Schedules methodology are discussed under **Theme 2: PA Schedules methodology**.

¹⁷ See: *Te Tangi a te Manu* [2.2] to [2.5].

¹⁸ For example, see TTatM:[4.21].

¹⁹ For example, see *Matakana Island Second Decision* [26]

²⁰ Which included preliminary consultation in early 2022 and a thorough review of landscape related submission points.

5. THEME 1: PA MAPPING AND REZONING

PA Mapping Changes recommended by Council experts

- 5.1** The only mapping amendment that I support relates to the naming of 21.22.3 Kimiākau (Shotover River) PA.
- 5.2** The notified 21.22.3 Kimiākau (Shotover River) PA ONF mapping corresponds to the river corridor and takes in the roche moutonnée knoll landform in the vicinity of the Shotover Loop (and adjacent Arthurs Point urban area).
- 5.3** The Decision of the Arthurs Point Hearing Commission (dated 8 June 2023)²¹ identifies a s6(b) landscape classification over the notified PA mapped area. However, the Decision distinguishes the roche moutonnée knoll landform in the vicinity of the Shotover Loop as ONL, with the balance of the river corridor identified as ONF.
- 5.4** For these reasons, I recommended that the naming of 21.22.3 Kimiākau (Shotover River) PA is changed from 'PA ONF' to 'PA ONF/L' in the PA mapping and PA Schedule 21.22.3.
- 5.5** I note that the terminology 'ONF/L' is not currently used in the PDP however, I am aware that it is used in other districts (e.g. Western Bay of Plenty). In my opinion, I consider this 'naming' amendment is an appropriate change as it reflects the interconnectivity between the knoll and the wider landscape context referenced in the Decision²² and which I have observed in the field.

²¹ QLDC: Re hearing of Submissions on Stage 1: PDP, Gertrude's Saddlery Limited and Larchmont Developments Limited at Arthurs Point, Report and Recommendations of the Hearing Commissioners, 8 June 2023.

²² For example, see Decision of the Arthurs Point Hearing Commission [70], [71].

Submissions seeking PA Mapping Changes

- 5.6 Several submissions request that part or all of a site, or a particular area of a PA is excluded (by way of mapping amendments) from the PA. This relief is typically sought on the basis of the **level of modification** evident in part or all of the site (often associated with farming practices, or, in the case of Victoria Flats PA ONL, existing landfill and quarrying activities), **consented and as yet unbuilt development** and/or, **what might occur in the future following the development of alternative landuse practices** (such as different ways of farming).
- 5.7 The PA mapping, ONF/L and RCL status of the mapped areas has been confirmed by the Environment Court as outlined in the background to the PA mapping discussed above. Ms Evans' s42A Report addresses the matter of scope for PA mapping changes.
- 5.8 I am aware that it is well established in case law that **farming areas (including pastoral areas) can qualify as s6(b) (RMA) landscape and features.**²³ For this reason (along with the fact that the PA mapping has been confirmed by the Environment Court), I do not consider, and have not recommended, that any changes to the PA mapping are required as a consequence of the level of landscape modification of the area due to farming activities.
- 5.9 The issue raised in relation to the level of modification is not an uncommon question that arises in the mapping of Aotearoa's ONF/Ls i.e. **whether it is more appropriate to remove (or 'excise') 'modified' areas from an ONF/L or retain it within the ONF/L.** The answer generally draws from the scale and context of the area in question, with 'exclusions' corresponding to landscapes (for example, watersheds), rather than sites, and/or where the scale, nature and extent of the modification is such that it dominates the landscape within which it is located.

²³ For example, see [2017] NZCA 24: [66]

- 5.10** An example of this is the treatment of aquaculture in ONF/Ls. Excepting expansive areas of aquaculture that dominate a landscape (for example in parts of the Marlborough Sounds), there is generally an acceptance that it is preferable to retain the aquaculture area within the ONF/L and clearly acknowledge its 'existence' in the Schedule of Landscape Values (e.g. Hauraki Gulf, Golden Bay). In this way, the modified (marine) environment associated with the aquaculture is acknowledged as an established part of the landscape that does not detract from landscape values to the extent that the landscape no longer qualifies as an ONF/L.
- 5.11** A similar approach is applied with pastoral areas, for example the north-eastern portion of Waiheke Island in the Hauraki Gulf, where over 2,000ha of predominantly mixed pastoral land, olive groves and vineyard are identified as ONL. In that circumstance, the values associated with the underlying landform (in terms of its scale and physical values), along with the area's (coastal) context and perceptual values (in particular, the expressiveness and aesthetic values), are such that the area still qualifies as ONL despite its reasonably modified nature.
- 5.12** Of more local relevance is the Topic 2.1 Decision where the Seven Albert Town Property Owners argued that part of the Mata Au Clutha Riverbanks should be excluded from the ONF due to the level of modification associated with flood hazard management. The Court found that despite the 'significant' level of modification evident, the landscape values associated with the modified banks²⁴ merited their inclusion in the ONF.²⁵
- 5.13** For these reasons (along with the fact that the PA mapping has been confirmed by the Environment Court as mentioned above), no changes to the PA mapping are recommended as a consequence of the level of modification evident in part or all of a PA.

²⁴ And in particular, their role in forming part of a legible and defensible boundary to the ONF, and their naturalness values.

²⁵ [2019] NZEnvC 160: [105] to [111].

5.14 Of relevance to this submission theme is **the tension between identifying an area as a s6(b) RMA landscape or feature and acknowledging and allowing for established activities and development that form a part of the high value landscape/feature.** The *Matakana Island Second Decision*²⁶ provides helpful guidance:

[9] In addition, we said that the listing could also be more specific about the character, intensity and scale of the effects of current activities, to provide some sort of baseline against which ongoing activities can be assessed in relation to the attributes and values to be protected. Such an approach should attempt to distinguish between:

- a) those **effects** which create **no real detraction from the values and attributes** for which the ONFL is scheduled and so may be regarded as not being adverse; and*
- b) those effects which may be **tolerated as existing uses** but ought not to be allowed to continue otherwise or be allowed to be replicated by any new activity. (Emphasis added.)*

5.15 A similar line of thinking has been applied in the drafting of the PA Schedules. Established modifications and activities in a PA are acknowledged in the PA Schedule in recognition that such development and activities are an existing and accepted part of the PA (and landscape) and are of a scale and nature that does not detract from the values of the landscape or feature. In many instances, the PA Schedules text have been amended in response to submissions in this regard, to reflect the more detailed information that landowners and locals are able to provide in terms of the existing and consented development and activities within a specific PA. This includes the consented but unbuilt environment.

Part of a PA is excluded from the PA mapping as it is an Exception Zone

5.16 Other mapping related submissions seek that part of a PA is excluded from the mapping because it is an Exception Zone (for example, that the

²⁶ [2019] NZEnvC 110 *Western Bay of Plenty District Council v Bay of Plenty Regional Council and others* ('Matakana Island Second Decision'), [9].

Coronet Peak Ski Area Subzone is removed from the Central Whakatipu Basin PA ONL). The s42A Report addresses this matter, and the application of the PA schedules to the PDP zones.

5.17 However I would also note that the Response to Submissions Version of the relevant PA Schedules have been amended, where required, to acknowledge the landscape values and landscape capacity associated with the Exception Zone parts of the PAs.

5.18 Also of relevance here is the Topic 2 JWS January 2019²⁷ attached as **Appendix 6**. At paragraph 1.7, the landscape experts agree that in determining the extent of an ONL it is generally preferred to avoid 'cut outs' i.e. excluding localised areas from the broader ONL as a consequence of the level of development evident in that specific location.

6. THEME 2: PA SCHEDULES METHODOLOGY

Landscape Character Units, Landscape Types and Landscapes

6.1 Several submitters have requested that landscape character units, landscape types or smaller landscapes are identified within a PA, and that the attributes, values and landscape capacity for the PA are amended applying a finer-grained approach (for example, the 'landscape character unit' approach applied in the Wakatipu Basin Land Use Planning Study).

6.2 Others have simply requested that a more fine-grained approach is applied that results in (what they consider would be), a more helpful framework to guide appropriate development within the PAs. Part and parcel of several of these submissions is a criticism that the PA is not a 'landscape' in itself, and the assertion that due to the large size of the PA there are landscapes nested within the PA.

²⁷ Joint Statement arising from Expert Conferencing, Topic: Landscape Methodology and Subtopics 2,3,5,6,7,8 and 10, dated 29 January 2019. Also see [2019] NZEnvC 160 [80] (b)(iii).

- 6.3 The Topic 2.5 Decision (September 2020) directs at [171], that the assessment of the ONF/L Priority Areas be undertaken for the feature or landscape **as a whole** (rather than at a landscape character unit scale). (Emphasis added.)
- 6.4 **Section 4** of my evidence explains the background to the PA mapping, including the evolution of the Development Pressure mapping and the PA mapping, which was agreed by the landscape experts at conferencing and then confirmed by the Environment Court.
- 6.5 I note that **prior to the PA Schedules work being undertaken**, the **October 2020 VIF and PA ONF/L JWS** advises at [29] (refer **Appendix 4**), that the experts agreed that there were likely to be a number of landscape character units within a single PA.
- 6.6 The landscape expert PA Schedule authors carefully considered the utility of identifying landscape character units within each PA, in terms of identifying the important landscape attributes and values that needed to be protected, and landscape capacity.
- 6.7 The PA Methodology Report explains at [5.24] (refer s32 Appendix c1), that the authors did not consider it necessary to undertake landscape character unit delineation to inform an understanding of landscape values (and in turn, landscape capacity). However, this is not to say that localised variances in values and landscape capacity do not occur across a PA. The PA Schedules have been drafted to acknowledge this variance in two ways:
- (a) By acknowledging more localised nuances in the main body of the Schedule of Values and Landscape Capacity comments (where appropriate).
 - (b) By signalling 'upfront' in the Preamble to Schedule 21.22 and 21.23 that: the landscape attributes, values and capacity relate to the PA as a whole and should not be taken as prescribing the attributes,

values and capacity of specific sites; and a finer grained site-specific assessment of a plan change, or resource consent process may identify different attributes, values and capacity to that identified in the PA Schedule.

6.8 Having read thousands of submission points in relation to the PA Schedules and reflected on these issues, I am of the view that the identification of landscape character units, landscape types or smaller landscapes within PAs is unlikely to provide an appreciable benefit for plan users. I set out my reasons below:

- (a) It is my expectation that to achieve methodological consistency, accurately identifying landscape character units would require detailed field work across all of the PAs. The inaccessibility of many parts of the larger PAs suggests the potential for significant practical constraints and inaccuracies. So, while it may introduce a finer grain of information for some of the more accessible PAs, it would promote a varying grain of landscape assessment (and landscape capacity evaluation) across the PAs which is methodologically questionable.
- (b) I am also of the view that overly dissecting the PA 'landscapes' runs the risk of confusing (or, at worst, obscuring), the interconnectedness of landscape values within a PA, which contributes to its outstanding value.
- (c) Further, relying on my experience of a landscape character unit approach to landscape assessment in the Whakatipu Basin (in relation to evaluating the absorption capacity for rural living only), I am also of the view that it is unlikely to achieve the grain of analysis (and perhaps most importantly, capacity evaluation) that many submitters are in fact seeking. This is because, in many instances, submitters are seeking the identification of landscape attributes, values and capacity in the PA Schedules that

corresponds to a site-specific level analysis rather than a PA level analysis. The (notified and) Response to Submissions Version of the Preambles to Schedule 21.22. and 21.23 are clear that the PA Schedules are not a replacement for site-specific assessment for consenting and other processes. This was recognised through the Topic 2 appeal process and, in my opinion, supports the proposition that the PA Schedules are intended to provide guidance on landscape values which informs how to achieve the strategic direction, rather than the absolute answers. Were the schedules to provide a complete replacement for site specific assessment, I consider this would amount to a structure planning exercise for the PAs and be an unreasonable, if not, impossible level of detail to achieve.

- (d) It is also important to note that the finer grained Whakatipu Basin landscape character unit work was specifically tasked with identifying the areas of the basin where a particular landuse type (rural living) could be successfully absorbed, as a tool to guide District Plan zoning and policy. This amounts to a landscape assessment to inform a plan change which I consider to be quite a different landscape assessment context, to the preparation of PA Schedules of Landscape Values for a District Plan framework in which the relevant policies and mapping are settled.²⁸
- (e) I also consider that the landscape capacity findings are necessarily high level, as there is no proposal to change zonings or introduce any new provisions that flow from the landscape capacity ratings.

6.9 In addition, I note that several submissions consider that the PA Schedules are too long and should be more concise. It is my expectation that applying a landscape character unit or finer grained landscape approach would add to the length of the PA Schedules.

²⁸ Other examples of more detailed or fine-grained landscape assessment work that informed rezoning are the Coneburn Resource Study (which assisted the rezoning of Jacks Point) and the Wharehuanui Hills Landscape Study (which informed the zone expansion of Millbrook Resort).

Bundling of landscape attributes and landscape values

6.10 Some submitters have criticised the structure of the PA Schedules, contending that attributes and values have been bundled (or conflated), which will lead to confusion in the use of the PA Schedules, particularly in light of the following policies:

3.3.37 For the [ONF/L] Priority Areas listed in SP 3.3.36, according to SP 3.3.38, describe in Schedule 21.22 at an appropriate landscape scale:

- a. the landscape attributes (physical, sensory and associative);*
- b. the landscape values; and*
- c. the related landscape capacity.*

3.3.38 To achieve SP 3.3.37 for each [ONF/L] Priority Area:

- a. identify the key physical, sensory and associative attributes that contribute to the values of the Feature or Landscape that are to be protected;*
- b. describe in accordance with SP 3.3.43, and then rate, those attributes; and....*

6.11 Submitters argue that the PA ONF/L Schedules should be drafted to clearly distinguish the attributes that contribute to landscape values, with those attributes rated in the PA Schedules.

6.12 I note that 3.3.29 requires that the landscape values and landscape capacity for PAs shall be identified in accordance with the values identification framework in SP 3.3.36 - 3.3.38 **and otherwise through the landscape assessment methodology in SP 3.3.45 and through best practice landscape assessment methodology.** (Emphasis added.)

6.13 From an expert landscape perspective, there is a potential disconnect between the wording of 3.3.37 (which requires a description of landscape attributes, landscape values and landscape capacity) and 3.3.38, which

requires the identification of the key attributes that contribute to the values of the PA ONF/L and a rating of those attributes only (i.e. 3.3.38 (b) does not include reference to the rating of landscape values).

6.14 In my opinion, the focus of best practice landscape assessment is understanding and determining how to appropriately respond to / manage landscape values. I also note that the fundamental District Plan policy approach for PA ONF/Ls is that landscape values are protected (i.e. 3.2.5.2(a)).

6.15 Best practice landscape assessment acknowledges that landscape attributes and landscape values are inextricably linked, and to understand (and protect) landscape values requires consideration of both landscape attributes and landscape values.²⁹ Therefore, focussing on identifying and rating landscape attributes only (as suggested by 3.3.38), would amount to ‘part of the picture’ only and does not align well with best practice landscape assessment.

6.16 In response to this matter, it is recommended that the Preambles to Schedules 21.22 and 21.23 are amended to clarify that:

The description of each priority area must be read in full. Each description, as a whole, expresses the landscape values and the attributes on which those values derive.

6.17 The PA Schedules also deliberately state in the ‘start’ of the Summary of Landscape Values that the summary draws from the “combined physical, associative and perceptual attributes and values” described in the preceding part of the PA Schedules (i.e. the more detailed explanation of Physical, Associative and Perceptual attributes and values in the main body of each PA Schedule).

²⁹ For example, see Te Tangi a te Manu [5.02] to [5.06] inclusive.

6.18 In my opinion, these two aspects are critical to the correct interpretation of the PA Schedules by plan users. They signal the interrelationship between attributes and values and the importance of reading the PA Schedules as a whole, rather than simply focussing on the relatively brief Summary of Landscape Values which have been distilled down from the more complex description of landscape attributes and landscape values in the main body of the schedule.

Provenance and scope of landscape attributes and values.

6.19 Some submissions are:

- (a) critical of the provenance of some of the landscape attributes and values sub headers. For example, 'Particularly important views to and from an area', commenting that if these are considered, views within an area should also be mentioned; and
- (b) consider that some landscape attributes and values have been overlooked. For example, natural sounds (such as birdsong and rushing waters), movement (such as the wind across tussock), the value of darkness, the value of dry grasslands/early forest succession.

6.20 With respect to the reference to 'views', this draws from the list of typical factors that are often considered under the three dimensions of Landscape (i.e. the physical, associative and perceptual dimensions) set out at [4.29] of TTatM. It is acknowledged that the list of factors is not intended to be formulaic or form the basis of a tick box exercise. Rather, the list is a starting point to assist the determination of the sorts of factors that will assist an understanding of landscape values within the specific context being considered.

6.21 In my experience of the Queenstown Lakes District, views to and from an area are often a factor that make a noteworthy contribution to the landscape values of the area and assist the evaluation of whether a

development or plan change is appropriate (from a landscape perspective). For these reasons, I consider it helpful to include this sub-header in the PA Schedules.

- 6.22** With respect to referencing views within a PA, I agree that these can be important. Such views have been acknowledged where they are important public vantage points (for example, 21.22.23 PA ONL Hāwea South North Grandview in which the views out over Lake Hāwea from the lake margins are referenced). However, I expect that additional views within a PA would be identified as part of a more detailed and site-specific landscape assessment accompanying any future resource consent or plan change applications.
- 6.23** With respect to natural sounds such as birdsong and rushing waters, it is my experience that these are characteristics of many rural landscapes in New Zealand, and therefore do not merit specific reference as an attribute or value that contributes to outstanding-ness of the Queenstown Lakes District PAs. However this is not to say that in some locations, the locations specific auditory characteristics of a waterfall, shallow brook or popular nesting area may merit reference. Again, I expect that such characteristics would be identified as part of a more detailed site specific landscape assessment accompanying any future resource consent application or proposed plan change.
- 6.24** With respect to the value of the dark night sky, this is typically referenced under the ‘naturalness attributes and values’ and ‘remoteness and wildness attributes and values’ sub-headers where appropriate. For example, see the Response to Submissions Versions of 21.22.12 PA ONL Western Whakatipu Basin [91], 21.22.21 PA ONL West Wānaka [76] and 21.22.3 PA RCL West of Hāwea River [35A]. (Refer **Appendix 2.**)
- 6.25** With respect to acknowledgement of the value of dry grasslands and early forest succession (such as areas of bracken etc), these are referenced under the ‘Important ecological features and vegetation types’ sub

header where appropriate. It is also noted that the PA Schedules were reviewed by an ecology expert, with that expert supporting the notified text in this regard.

Request that the Methodology is 'reconsidered'.

6.26 A number of submissions seek that the methodology that underpins the PA Schedules is 'reconsidered'.

6.27 The PA Schedules have been drafted in accordance with landscape assessment best practice as outlined in TTatM and also draw from the thinking set out in *Matakana Island First Interim Decision*³⁰. The PA Schedules aim to be as transparent and comprehensive as possible to guide the management of the Districts PAs, and achievement of the landscape related policy direction.

6.28 I also note that no alternate methodology has been suggested by submitters.

7. THEME 3: PA SCHEDULES PREAMBLES

7.1 A number of amendments are recommended in the **Response to Submissions Version of the Preambles to Schedules 21.22 and 21.23** (refer **Ms Evans' s42A Report**) to address specific matters raised by submitters and to assist plan users more generally. My evidence discusses recommended amendments that stem from landscape related submissions. Ms Evans' evidence addresses amendments that relate to planning matters. However, there is inevitably a degree of overlap on some matters (e.g. landuse definitions) which I will also address.

³⁰ For example, see [2017] NZEnvC 147 – Western Bay of Plenty District Council v Bay of Plenty Regional Council [112] to [114].

Reference to Pest Animals and Plants in the PA Schedules

- 7.2** Several submissions seek the deletion of reference to pest flora and fauna species in the PA Schedules.
- 7.3** Animal and plant pests are deliberately referenced in the PA Schedules as they have the potential to (negatively) influence landscape values. The identification of negative landscape aspects such as pest plants and animals, along with the reference to landscape restoration and enhancement in the discussion of landscape capacity for a range of landuses, signals the types of enhancement and remediation as part of development change that are likely to be appropriate within the PA (noting that this is at a PA level, rather than a site-specific level).
- 7.4** However, it is agreed that the notified version of the PA Schedules are potentially confusing in this regard, as these aspects of the landscape are negative rather than positive.
- 7.5** For these reasons, the following additional text is recommended for inclusion in the **PA Schedule 21.22. and 21.23 Preambles**:

The schedules refer to plant and animal pests. Plant and animal pests are a negative landscape value. Few, if any of Aotearoa's ONF/Ls are pristine, with varying levels of modification evident (including pests). This means that landscape restoration and enhancement (which can include the management of pests) is typically a highly desirable outcome. The inclusion of pest information is intended as helpful information to guide appropriate future landscape management within the PA. (For example, where a resource consent or plan change is proposed within the PA, the proposal or provisions may seek to specifically address the management of pests).

Link between the District Plan Policy Context and the 21.22.23 PA RCL Schedules

- 7.6** The PA Methodology Report authors acknowledged the potential 'disconnect' between the 3.3.41 text (which relates to PA RCLs) and the PA RCL Schedule structure.³¹ It was their view (and is my opinion), that

³¹ See PA Methodology Report [4.6].

structuring the PA RCL Schedules to more ‘neatly’ align with the terminology in 3.3.41 would be methodologically flawed, as it amounts to plan policy guiding how landscape schedules are structured and ‘populated’, rather than landscape assessment best practice (as articulated in TTatM and which has informed the PA RCL Schedule structure).

7.7 The PA Methodology Report went on to recommend that the following text be included in the PA RCL Schedules Guidance Note. It is noted that this was mistakenly not included in the notified version of the 21.23 Preamble.

7.8 For these reasons it is recommended that the **PA Schedule 21.23 Preamble** is amended as follows:

Landscape character and visual amenity values are expressed through the ‘three dimensioned’ structure of the PA RCL Schedules (i.e. physical, associative and perceptual / sensory). The concept of ‘landscape character’ encompasses all three dimensions of landscape. ‘Visual amenity values’ typically draw from the perceptual dimension, however there is inevitably an overlap with the physical dimension.

With respect to the link between the PA RCL Schedules and PDP Policy 3.3.41, the key public routes and viewpoints are typically identified in the description of the ‘Important land use patterns and features’, with key scenic routes identified under ‘Important recreation attributes and values’ and/or ‘Particularly important views to and from the area’.

The relationship between the PA RCL and the wider Rural Character Landscape context, the Outstanding Natural Features within the Upper Clutha Basin and the Outstanding Natural Landscapes that frame the Upper Clutha Basin are typically addressed in the description of ‘Important landuse patterns and features’, ‘Important shared and recognised attributes and values’, ‘Particularly important views to and from the area’, and ‘Aesthetic qualities and values’.

7.9 While 3.3.41 sets out matters that are to be addressed in the PA Schedules, although these matters are to be considered in order to meet the content requirements set out in 3.3.40, the list is not prescriptive as to how the PA Schedules are to be structured. Instead, the overall

requirement is that the PA Schedules capture all of that information, but with discretion available for the Council to determine how to present the PA Schedules – for readability reasons, and others.

- 7.10** I have also considered whether such an amendment may be required in relation to the **PA Schedule 21.22 Preamble**. I remain of the view set out in Section 4 of the PA Methodology Report that the link between the relevant policy context relating to PA ONFs and PA ONLs³² and the PA Schedules is relatively straight forward and does not require further clarification.

Clarification that the PA Schedules are high-level and a finer grained landscape assessment will be required for plan development or plan implementation purposes

- 7.11** Several submitters have requested improved clarification of the ‘high level’ nature of the PA Schedules in the Preambles.
- 7.12** While the intention of the PA Schedules was always to provide high level guidance with respect to landscape attributes, and values and landscape capacity for each PA³³, I acknowledge that the intended purpose of the PA schedules is not as clear as it could be in the Preamble text.
- 7.13** I consider that the following amendments to the **PA Schedule 21.22. and 21.23 Preambles** are appropriate:

The description of each priority area must be read in full. Each description, as a whole, expresses at a high level,.....

Given the relatively high level landscape scale of the PAs, Aa finer grained location-specific assessment of landscape attributes and values ~~would~~will typically be required for plan development or plan implementation purposes (including any plan changes or resource consent application). The PA Schedules are not intended to provide a complete record and ~~Other~~ location specific landscape values may be identified through these finer grained assessment processes.

³² i.e. PDP 3.2.5.1, 3.2.5.2(a), 3.3.37 and 3.3.38.

³³ For example, see PA Methodology Statement [3.8].

Range of Landuses addressed in the PA Schedules

- 7.14** Some submissions query the range of landuses listed in the Capacity section of the PA Schedules commenting that over the life of the District Plan, 'other' landuses may be contemplated in a PA. In their view, there is a risk that plan users may infer that because the 'other' landuse is not addressed in the PA Schedule there may be an assumption that it is inappropriate.
- 7.15** This is a fair concern from a landscape perspective, as the specific merits of any 'other' landuse need to be evaluated within the context of the specific PA before any conclusions on landscape capacity can be assessed.
- 7.16** For these reasons it is recommended that the following amendments to the **PA Schedule 21.22. and 21.23 Preambles** are appropriate.

The range of landuse activities addressed in the capacity section of the PA Schedules corresponds to the series of activities known to be of relevance at the time of the drafting of the schedules. It is acknowledged that this does not span the full array of landuse activities that may be contemplated in the PAs over time. In the case of a future application for a land-use activity that is not addressed in a PA Schedule, an assessment of landscape attributes, values and capacity applying the principles set out in 3.3.43, 3.3.45 and 3.3.46 would be required.

Land Use Definitions

- 7.17** Several submissions seek clarification of the definition of landuses listed in the Capacity section of the PA Schedules.
- 7.18** The majority of the landuses addressed in the Capacity section are defined in Chapter 2 of the PDP, and I confirm that those definitions underpinned the landscape analysis work for the PA Schedules.
- 7.19** However, the following landuses are not defined in Chapter 2: tourism related activities; urban expansion, intensive agriculture; farm scale quarries; and rural living.

- 7.20** Ms Evans' section 42A report addresses recommended changes to the Preambles to provide clarity around the meaning of these landuses. Ms Evans also recommends replacement of the term 'gondolas' with 'passenger lift systems' (which is defined in Chapter 2).
- 7.21** I confirm that the definitions recommended by Ms Evans align well with the meaning assumed for the PA Schedules work. For example, in considering the landscape capacity for Visitor Accommodation (which is described in Chapter 2 to include motor parks, hotels, motels and managed apartments etc), where a degree of landscape capacity was identified this resulted in the inclusion of guidance with respect to the scale and character of such development that is likely to be appropriate within the PA. In effect, this guidance is intended and included to provide additional context and meaning for the capacity descriptions and support the role of the PA schedules as a tool to assist with landscape assessments.
- 7.22** However, for completeness, I have undertaken a specific review of the Response to Submissions Version of my PA Schedules in this regard and am comfortable that my evaluation of capacity and any qualifying comments, are appropriate for the definitions set out in the **Response to Submission Version of the Schedule 21.22 and Schedule 21.23 Preambles** attached to Ms Evans' evidence.
- 7.23** It should be noted that changes to the Schedule 21.22 and 21.23 Preambles are recommended in relation to **district plan terminology** and **landscape capacity**. These are discussed in more detail under **Themes 4 and 5** shortly.

Clarification that identification of an area as a PA is not intended to connote any higher relative ONF/L quality rating

7.24 This matter is acknowledged in 3.3.44, and therefore no amendments to the Preambles are required in this regard. I confirm that from a landscape perspective the identification of a PA does not mean that it has more significance as a landscape than an ONF/L, or RCL area, that is not identified as a PA.

8. THEME 4: PA SCHEDULES TEXT CHANGES

General Comments

8.1 Detailed landscape comments in response to submission points relevant to each PA are attached in **Appendix 2**, with recommended changes to the PA Schedules set out in the Response to Submissions Version of the PA Schedules attached to **Ms Evans' s42A Report** (and see **Appendix 2**). Where a submission point is accepted in full or in part, the landscape assessment work that underpinned the development of the PA Schedules and post notification review work (along with, in some instances, the author's other landscape assessment work in the relevant area) has informed that recommendation.

8.2 Almost all of the PA Schedule text changes requested in submissions are unsupported by technical landscape evidence. As explained earlier, it is well established that 'landscape' affects us all, with most people having an interest in landscape to at least some degree and that non landscape experts have an important role in framing landscape values. However the evaluation of landscape attributes and values is a complex process requiring expert judgement and draws from an extensive body of case law. This means that without the guidance of expert landscape advice, many of the text changes sought in submissions run counter to best practice landscape assessment. That said, several submission points reflect the more detailed knowledge that submitters have of their land or a local area and have been recommended for inclusion in the PA Schedules.

Submissions that support the PA Schedules text

- 8.3** A large number of submissions (particularly in the vicinity of the Arthurs Point where there is 'live' urban development pressure), support the text of the PA Schedules as notified. This suggests support for the methodology that underpins the PA Schedules, as well as their structure, content and level of detail.
- 8.4** As explained in relation to other relevant submission themes (and the detailed submission points set out in **Appendix 2: PA Specific Submissions Summary, Landscape Comments**), amendments have been made to the PA Schedules in response to other matters raised in submissions where they are supported by expert planning, landscape and (where relevant) other expert advice.

PA Schedules be amended to correct Te Reo

- 8.1** Corrections have been made to Te Reo misspellings where requested.

Typographical Corrections

- 8.2** A number of minor typographical corrections have been made throughout the PA Schedules: in response to submissions; to improve the understanding of the text; or to correct errors (e.g. misspellings, missed words and numerical references).

District Plan Terminology

- 8.3** Several submitters have requested that the terminology in the PA Schedules is amended to better align with the District Plan terminology, although in the main, no detail is provided as to what text changes should be made in this regard.
- 8.4** With respect to the 'main body' of the PA Schedules (that outline landscape attributes and values), the PA Schedules have been drafted in accordance with best practice landscape assessment. This inevitably

introduces vocabulary that is not referenced in the District Plan (such as 'shared and recognised values', 'expressiveness', 'modest', 'small scale', 'low key', 'dramatic', 'muscular', 'sublime', 'tranquil' etc).

8.5 The PA Schedules are intended to provide a guidance resource that incorporates technical landscape vocabulary to describe the landscape values and landscape capacity (at a PA level). In my opinion, the terminology used within the PA Schedules is generally well understood by the landscape profession and is acknowledged and referenced in landscape related case law. So, while such terminology may not be evident in the District Plan, it has an established and accepted use within the lexicon of the landscape profession.

8.6 As outlined above in the discussion of the link between the PA Schedules and District Plan policy context, the PA Schedule authors have remained aware of the potential for inconsistency and ensured alignment (in so far as possible) between the schedule wording and policy direction for rural landscapes.

8.7 However, in considering this submission theme, I have noticed that the notified version of the PA Schedules uses the term 'production forestry' in the Capacity section of the schedule. This is a drafting error, as the term used in 3.3.38 and 3.3.41 is 'forestry'. I confirm that all of the PA Schedules have been corrected accordingly.

PA Schedules should be more concise

8.8 Some submissions have requested that the PA Schedules should be more concise.

8.9 Inevitably balance is required, whereby the information provided is sufficient to provide useful guidance for landscape assessments within the PAs, without resulting in an unwieldy volume of information that is more appropriately identified as part of a site-specific assessment. The methodology adopted for this work, and design of the PA Schedules

themselves, has borne these considerations in mind and developed the PA Schedules with a level of detail that is intended to remain useful and readable for plan users and the community, without being overwhelming.

8.10 Further, an evaluation of landscape values is an iterative and complex exercise and undue focus on brevity risks overlooking important landscape attributes and values. I also consider that the thinking set out in *Matakana Island First Interim Decision*³⁴ and Te Tangi a te Manu, steers towards more comprehensive Schedules of Landscape Values than perhaps has been typical in the past. I note that the Schedule of Landscape Values for Te Ure Koti Koti (Matakana Barrier Arm ONFL 5, arising from the *Matakana Island*), is approximately sixteen pages long.

8.11 In considering this submission point, I am also conscious of the numerous submissions that have sought that additional information be included in the PA Schedules. Overall, I consider that the existing level of detail strikes the balance mentioned above.

PA Schedules should be amended to incorporate submitter feedback

8.12 The PA Schedules have been amended to incorporate submitter feedback where the changes requested are supported by the landscape and, where appropriate, 'other' expert opinion.

PA Schedules should be amended to give greater recognition to farming

8.13 A reasonably common theme in submissions is the request to record greater recognition of farming's past, present and future role in shaping landscape and rural character and that farming practices should not be locked into a particular set of landscape values that will cause increased regulatory burden and limit the extent to which farmers can operate efficiently and effectively.

³⁴ [2017] NZEnvC 147.

- 8.14** The role of past and present farming practices in shaping landscape values is acknowledged (where relevant) under the **Physical Attributes and Values** section of the Schedule, typically under the ‘Important ecological features and vegetation types’ sub-header (see ‘other distinctive vegetation types’) and the ‘Important land-use patterns and features’ sub-header. Where appropriate, the role of historic farming practices is referenced in the **Associative Attributes and Values** section of a Schedule, under the ‘Important historic attributes and values’ sub-header. In addition, the role of farming patterns and characteristics is referenced in the **Perceptual Attributes and Values** under the ‘Particularly important views to and from the area’ and ‘Naturalness’ sub-headers.
- 8.15** Relying on Ms Evans’ evidence, it is my understanding that the permitted activity status for farming in Chapter 21 is not altered by the PA schedules, and it is only when a controlled, restricted discretionary, discretionary or non-complying activity status is triggered (and where landscape considerations are relevant) that the PA Schedules will have meaning. Given the s6(b) or s7(c) nature of the PAs, I consider this to be appropriate.

Amend PA Schedules to delete reference to some of the landscape values listed in the Schedules

- 8.16** Several submissions request the deletion of reference to a ‘type’ of landscape value in a PA Schedule. For example deletion of reference to: ‘mana whenua values’; ‘transient values’; ‘heritage values’; or ‘shared and recognised values’.
- 8.17** The PA Methodology Report [2.10] sets out the well-established factors that are often considered under the dimension of ‘landscape’.³⁵ All of the factors listed in the PA Schedules draw from the list.

³⁵ Deriving from TTatM and in turn, case law.

8.18 For these reasons, I do not consider it appropriate to delete such factors from the PA Schedules.

8.19 I also note that no technical landscape evidence is provided in support of submissions of this nature.

Amend PA Schedules to delete reference to heritage aspects that are not protected by the PDP or other instruments

8.20 Some submissions seek the deletion of heritage aspects in the PA Schedules where they are not protected by the PDP or other instruments.

8.21 As the **PA Methodology Report** explains,³⁶ the PA Schedules have been reviewed by a heritage expert with that expert supporting (and contributing to) the notified version of the PA Schedules. The PA Schedules reference recorded heritage features in the **Physical Attributes and Values** section of the schedule (where relevant). Historic associations of the landscape or feature are referenced in the **Associative Attributes and Values** section of a schedule (where relevant).

8.22 It does not necessarily follow that the historic associations of a landscape or feature will correspond to a recorded item. For example, Schedule 21.22.6 Slope Hill PA ONF does not identify any specific recorded heritage features in the **Physical Attributes and Values** section of the schedule, however, it references the association of the ONF with Threeewood Farm which is one the earliest farms in the Whakatipu Basin under **Associative Attributes and Values**. This associative reference is considered to be important as it acknowledges the role of early pastoral farming in shaping landscape values.

8.23 Again I note that no technical landscape evidence is provided in support of submissions of this nature.

³⁶ PA Methodology Report Section 5 and Appendix A.

Amend the PA Schedules to delete reference to ecological aspects that are not protected by the PDP or other instruments

- 8.24** In a similar vein, some submissions seek deletion of reference to ecological features where they are not identified as a Significant Natural Area (SNA) in the District Plan. Others seek that if ecological features are referenced in the PA Schedules, they should be mapped.
- 8.25** While mapping within the schedules would not form part of a higher-level landscape values assessment (as has been undertaken to inform the development of the PA Schedules), that level of detailed mapping may be expected as part of a detailed landscape assessment for a site specific resource consent or plan change application.
- 8.26** With respect to the suggestion that only SNAs should be referenced in the PA Schedules, again I note that the PA Schedules were reviewed by an ecology expert with that expert supporting (and contributing to) the notified text.³⁷ Further, this runs counter to the well-established acceptance that exotic vegetation features can make a positive and noteworthy contribution to landscape values.³⁸

Amend PA Schedules to recognise and provide for existing uses, their upgrade, replacement or redevelopment

- 8.27** Several submissions have requested that the PA Schedules should recognise and provide for existing uses, their upgrade and their replacement or redevelopment.
- 8.28** The PA Schedules have been amended where appropriate to acknowledge existing uses in response to submissions.
- 8.29** With respect to the suggestion that the PA Schedules should recognise and provide for the upgrading of existing uses, their replacement or

³⁷ Refer PA Methodology Report Section 5 and Appendix A.

³⁸ For example, the poplars at Glendhu Bay that are specifically referenced for protection in *Upper Clutha Tracks*.

development; this goes beyond the identification of the landscape values of the PA and the landscape capacity of the PA as a whole.

- 8.30** Further, it does not always follow that the replacement or upgrade of an existing structure or use will protect landscape values. For this reason, it is fitting that the appropriateness or otherwise of such development change is addressed via a detailed assessment, as signalled in the Preambles to Schedules 21.22 and 21.23.

Amend PA Schedules to recognise that all ONFLs have important recreational attributes and values

- 8.31** Some submitters request that the PA Schedules are amended to recognise that all ONF/Ls have important recreational attributes and values.
- 8.32** The recreational attributes and values have been evaluated for each PA with variances noted across the District in terms of the importance of such characteristics in shaping the landscape values of the specific PA.
- 8.33** It is noted that some PAs are publicly inaccessible in their entirety (e.g. Slope Hill PA ONF) and as such, do not rate highly in terms of recreational attributes and values (e.g. 21.22.6 PA ONF Slope Hill). For this reason, it would be inaccurate to reference important recreational attributes and values in all of the PA ONF/Ls.

Amend the PA ONF/L Schedules to describe only the values which contribute to a feature or landscape being outstanding

- 8.34** A number of submissions request that the PA ONF/L Schedules are amended to describe only the values which contribute to a feature being outstanding, and values and descriptors which do not meet that purpose should be deleted.
- 8.35** A closely related theme is the request that the identified values include an explanation of what exactly contributes to the values.

8.36 As the PA Methodology Report explains:

*Landscape embodies the relationship between people and place: it includes the physical character of an area, how the area is experienced and perceived, and the meanings associated with it.*³⁹

8.37 The Methodology Report then describes landscape values as being:

*...the reasons a landscape is valued – the aspects that are important or special or meaningful. Values may relate to each of the landscape’s dimensions – or, more typically, the interaction between the dimensions. They could relate to the physical condition of the landscape, the meanings associated with certain attributes, and their aesthetic qualities. Importantly, values are embodied in certain physical attributes (values are not attributes, but they depend on attributes).*⁴⁰

8.38 The PA Methodology Report goes on to explain that landscape values embrace three dimensions grouped as: physical, associative, and perceptual values. The values draw from specific attributes along with our interaction with and interpretation of such attributes (i.e. the ‘human’ aspect of landscape), and are inevitably overlapping (for example, the mountains in many of the PAs contribute to all three dimensions of landscape values).

8.39 While the PA Schedules summarise the landscape values in terms of these three dimensions (before the Capacity section of the PA Schedule), it is important to understand that the PA Schedules have been deliberately drafted to be read as a whole (refer Preambles to Schedules 21.22 and 21.23 and the ‘start’ to the Summary of Values in each schedule) in recognition of the complexities and overlapping nature of landscape values.

³⁹ Methodology Report [2.5].

⁴⁰ TTatM [5.6].

8.40 Also of importance in considering this submission theme is the acknowledgement in the Schedule 21.22 and 21.23 Preambles that site specific assessments will need to assess and rate the relative values present on a site as part of a plan change or resource consent application.

Amend the landscape capacity comments in relation to several landuses to use standard wording

8.41 Some submitters have requested that standard wording is applied to the landscape capacity comments for several landuses that are evaluated in the Capacity section of the PA Schedules. For example, the addition of the following text: *preserve the natural character of wetlands, lakes, rivers and their margins; avoid the location of buildings on elevated slopes or skylines; protect mana whenua associations and values, particularly for those areas identified as wāhi tūpuna, statutory acknowledgements or nohoaka....*

8.42 While I do not necessarily disagree with the intention of these submissions, I have carefully considered the merits of these requests within the broader District Plan policy context (outlined in more detail in the Ms Evans' s42A Report) and consider that this information is repetitive and is not considered to add clarity to the PA Schedules.

8.43 However, in considering this latter submission theme, I note that the Capacity section of the Notified PA Schedules repeatedly references 'protect ONF/L values' for PA ONF/Ls and 'maintain or enhance landscape values' for PA RCLs. I consider that this text is unhelpfully repetitive of the broader District Plan policy context and have recommended that it is deleted.

9. THEME 5: PA SCHEDULES LANDSCAPE CAPACITY

Submissions that support the Capacity Ratings in the PA Schedules

- 9.1 A large number of submissions (particularly in the vicinity of the Arthurs Point where there is 'live' urban development pressure), support the capacity ratings in the PA Schedules as notified. This suggests support for the methodology that underpins the PA Schedules, their structure, content and level of detail and the approach to landscape capacity assessment.
- 9.2 As explained in relation to other relevant submission themes (and detailed submission points set out in **Appendix 2: PA Specific Submissions Summary, Landscape Comments**, amendments have been made to the PA Schedules in response to other matters raised in submissions where they are supported by expert planning, landscape and (where relevant) other expert advice.

Delete landscape capacity ratings from the PA Schedules

- 9.3 Several submissions seek that the landscape capacity ratings are deleted from the PA Schedules as they are too conclusive.
- 9.4 As an evaluation of landscape capacity is a requirement of Chapter 3, I understand that there is no ability to accept this submission.
- 9.5 As outlined in **Section 7** of my evidence, the **Response to Submissions Version of the Preamble to Schedules 21.22 and 21.23** (refer **Ms Evans' s42A Report**) signal that: the capacity ratings are high level; apply at a PA level as a whole; and should not be taken as prescribing the capacity of specific sites. The Preambles also explain that a finer grained site-specific assessment will be required for a plan change or resource consent process which may identify different landscape attributes, values and capacity to that identified in the PA Schedule.

9.6 In my opinion, this ‘starting point’ in combination with the changes recommended in relation to the use of the term **no landscape capacity** (discussed shortly), and the recommended inclusion of the meaning for each landscape capacity rating in the Preamble to Schedules 21.22 and 21.23 (also discussed shortly), provide clear guidance to plan users that the capacity ratings are reasonably ‘high level’ rather than ‘conclusive’.

Amend PA Schedules to remove the category of ‘no landscape capacity’

9.7 Several submissions have criticised the application of a **no landscape capacity** rating in the PA Schedules citing a range of issues including:

- (a) That it is out of sync with District Plan policy (which allows for a permitted level of certain types of development in various PAs).
- (b) That it is ‘too conclusive’ and therefore does not align with the ‘less absolute’ capacity rating approach explained in the PA Methodology Report.
- (c) That it risks being interpreted as a prohibition for future development (of certain types) in a PA which does not align well with the District Plan (noting that a prohibited activity status applies to an extremely limited number of activities in the District Plan⁴¹).

9.8 The landscape experts have given careful consideration to this submission theme and reviewed all of the PA Schedule landscape capacity ratings. This has included:

- (a) Evaluating the requested changes to capacity ratings for specific PAs arising from submissions, taking into consideration the information provided by submitters.

⁴¹ For example, Heavy Industry is prohibited in residential zones.

- (b) Reviewing the scale and nature of permitted activities for each landuse type in ONF/Ls and RCLs to ensure that the PA Schedule capacity ratings align with the environment anticipated by the District Plan.
- (c) Reviewing the PA Schedule capacity ratings, following field work that was undertaken after an initial review of the submissions.

9.9 This has resulted in the introduction of a fifth capacity rating of **very limited to no landscape capacity**. (The definition of this new landscape capacity rating is explained shortly.)

9.10 This review process (as set out in paragraph 9.8 above) has also led to the reconsideration of the landscape capacity rating for a number of landuses.

Recommended changes from ‘no landscape capacity’ to ‘very limited to no landscape capacity’

9.11 To assist an understanding of where there has been a change in landscape capacity rating between the **notified PA Schedules** and the **Response to Submissions Version of the PA Schedule** (in **Appendix 2**), I have prepared a Summary Table which sets out the recommended landscape capacity rating for each PA by landuse type in **Appendix 1: Response to Submissions Version PA Schedules, Capacity Summary Table** (attached). The table in **Appendix 1** also identifies the notified rating in [blue text](#).

PA ONF/Ls

9.12 For PA ONF/Ls, there is a change from ‘no landscape capacity’ (in the notified PA Schedules) to ‘very limited to no landscape capacity’ for **visitor accommodation, farm buildings, small scale renewable energy**

generation and rural living in many of the PA ONF/Ls.⁴² This is typically in recognition of the extremely modest level of existing development of that type evident in the PA ONF/L (either as built or consented but unbuilt development), which is of a scale and character that does not detract from landscape values. In my opinion, the (revised) rating of ‘very limited to no landscape capacity’ appropriately recognises that future development of this type can be appropriate in the PA ONF/L (subject to the location and /or character specific guidance set out in the Capacity section of the PA Schedule, and of course the relevant PDP objectives and policies).

9.13 In 21.22.2 Ferry Hill, a change from ‘no landscape capacity’ to ‘very limited to no landscape capacity’ has been recommended for **transport infrastructure** other than trails. This reflects small scale roading development (either existing or as part of consented but unbuilt development) and / or paper roads within the PA.

9.14 In the case of **21.22.1 Peninsula Hill PA ONF**, the landscape capacity comments for **visitor accommodation** (rather than the rating) have been amended to reflect the existing and consented but unbuilt development associated with Hanleys Farm (noting that a sliver of Hanleys Farm is captured in the PA ONF).

9.15 In **21.22.18 Cardrona Valley PA ONL**, a change from ‘no landscape capacity’ to ‘very limited to no landscape capacity’ has been recommended for tourism related activities (resorts), this reflects the potential for appropriately scaled and designed development of this type to be very carefully integrated alongside the existing settlement subject to the location and character specific guidance set out in the PA Schedule.

⁴² 21.22.1 Peninsula Hill PA ONF; 21.22.2 Ferry Hill PA ONF; 21.22.23 Shotover River PA ONF/L; 21.22.6 Slope Hill PA ONF; 21.22.8 Arrow River PA ONF; 22.21.12 Western Whakatipu PA ONL; 21.22.13 Queenstown Bay and Environs PA ONL; 21.22.15 Central Whakatipu Basin PA ONL; 21.22.17 Victoria Flats PA ONL.

PA RCLs

- 9.16** In the case of PA RCLs, **Appendix 1** demonstrates that there is a generally a greater landscape capacity for many of the landuses when compared to the PA ONF/Ls. This comes as no surprise, given the s7(c) context of RCL areas (rather than the s6(b) of the PA ONF/Ls) which suggests an increased tolerance for landscape change.
- 9.17** A change in rating from ‘no landscape capacity’ to ‘very limited to no landscape capacity’ for PA RCLs is recommended in relation to **tourism related activities**,⁴³ **urban expansion**⁴⁴ and **intensive agriculture**.⁴⁵
- 9.18** With respect to the recommendation of a ‘very limited to no landscape capacity’ for **urban expansion** in 21.23.4 Church Road Shortcut Road PA RCL, this reflects the established rural industry development throughout the eastern portion of the PA (east of Church Road) adjacent Luggate which displays a reasonably urban character.
- 9.19** With respect to the recommendation of ‘very limited to no landscape capacity’ for **intensive agriculture** in 21.23.4 Church Road Shortcut Road PA RCL, this reflects the established character of horticultural, agricultural and rural industry activities in the area, along with the potential for vegetation to provide an appreciable integrating influence in some parts of the PA.
- 9.20** With respect to the recommendation of ‘very limited to no landscape capacity’ for **tourism related activities** (resorts) in 21.23.3 West of Hawea River PA RCL and 21.23.4 Church Road Shortcut Road PA RCL, this reflects the potential for appropriately scaled development of this type to be very carefully integrated via existing landform and/or vegetation patterns. The s7(c) context of these areas and the established level of development within and around the PA also plays an important role in this regard.

⁴³ 21.23.3 West of Hawea River PA RCL; 21.23.4 Church Road Shortcut Rd PA RCL.

⁴⁴ 21.23.4 Church Road Shortcut Rd PA RCL.

⁴⁵ 21.23.4 Church Road Shortcut Rd PA RCL.

‘No landscape capacity’ rating

9.21 However, a rating of **no landscape capacity** is still used in the **Response to Submissions Version of the PA Schedules** in relation to the following landuses:

- (a) commercial recreation activities in one PA ONF;
- (b) visitor accommodation in the smaller scale PA ONFs and water dominated PA ONLs;
- (c) tourism related activities (resorts) in the majority of the PA ONF/Ls;
- (d) urban development in all of the PA ONF/Ls and the majority of the PA RCLs;
- (e) intensive agriculture in all of the PA ONFs and many of the PA ONLs;
- (f) mineral extraction in many of the PA ONF/Ls;
- (g) commercial scale renewable energy generation in almost all of the PA ONF/Ls;
- (h) forestry in many of the PA ONF/Ls;
- (i) rural living in in the smaller scale PA ONFs and water dominated PA ONLs;

9.22 Detailed reasoning with respect to why each of these development or activity types are rated as having **no landscape capacity** is explained in my **Appendix 2: PA Specific Submissions Summary, Landscape Comments** and **Appendix 1** to Mr Head’s evidence.

9.23 I set out a below a summary of the landscape reasons that underpin a rating of ‘no landscape capacity’ (at a PA level) across the PA Schedules.

- (a) **Urban development** attracts a rating of ‘no landscape capacity’ in all of the PA ONF/L Schedules as urban development will materially compromise the ONF/L so that it will fail to qualify as a RMA s6(b) landscape in terms of ‘naturalness’ (see *Long Bay*⁴⁶ and *West Wind*⁴⁷).

⁴⁶ [2008] NZEnvC 78: [135].

⁴⁷ [2007] Decision W31/07: [157].

- (b) With respect to the **PA ONFs**, it is typically the small scale of the landform feature, the physical values of the PA (for example river corridor or roche moutonnée) and naturalness attributes and values which result in a heightened sensitivity to development change (of the type evaluated) that leads to a rating of ‘no landscape capacity’. Further, in many instances, the elevated nature of the PA and/or consistent landform and vegetation patterns of the area also play an important role (for example, the elevated slopes with little vegetation cover of 21.22.2 Ferry Hill PA ONF).
- (c) For 21.22.1 Peninsula Hill, 21.22.2 Ferry Hill PA ONF, 21.22.3 Shotover River PA ONF/L, 21.22.6 Slope Hill PA ONF, 21.22.11 Mount Iron PA ONF, and 21.22.12 Western Whakatipu Basin, the **close proximity of the PA to urban development** is also an important factor in recommending a rating of ‘no landscape capacity’ for a range of landuses. This is because ONF/L land close to an urban area typically has a heightened landscape sensitivity to development change due to the potential for a perception of (urban) development sprawl along with the important role that such areas serve in clearly distinguishing between the more natural landscape (or feature) and urban areas.
- (d) For the **PA ONF/Ls that are dominated by water**,⁴⁸ the physical constraints of the PA and the zoning of the land-based parts of the PA (e.g. lake or river margins), is of particular relevance along with the landscape sensitivity of the area. Put another way, in these PAs there is simply ‘little to no room’ for the land use, and a rating of ‘no landscape capacity’ is considered appropriate from a landscape perspective.
- (e) With respect to **jetties, boatsheds, lake structure and moorings**, where relevant, a rating of ‘no landscape capacity’ is

⁴⁸ i.e. 21.22.8 Arrow River PA ONF, 21.22.13 Queenstown Bay PA ONL, 21.22.20 Roys Bay PA ONL, 21.22.22 Dublin Bay PA ONL

recommended in recognition of the high landscape sensitivity of lake and river margins to such development. The exception to this are 21.22.13 Queenstown Bay and Environs PA ONL and 21.22.20 Roys Bay PA ONL, where a rating of 'very limited landscape capacity' (subject to the requirement for colocation with existing facilities and character specific outcomes), reflects the important role that these parts of the PAs play in enabling people to access and experience Lake Whakatipu (ONL) and Lake Wānaka (ONL).

- (f) With respect to the **larger PA ONLs**, a rating of 'no landscape capacity' relates to landuses such as **tourism related activities (resorts), intensive agriculture, commercial scale renewable energy generation, and forestry**. Typically, this rating is the consequence of the transformative nature of the landuse as a consequence of its scale and/or character within a s6(b) context.
- (g) For the PA RCLs, a rating of 'no landscape capacity' is limited to urban expansion. In the case of 21.23.3 West of Hawea River PA RCL, this reflects the important role the PA plays as part of the breathing space between Albert Town and Hāwea settlement. With respect to 21.23.1 Cardrona River Mt Barker Road PA RCL, 21.23.2 Halliday Road Corbridge PA RCL and 21.23.5 Maungawera Valley PA RCL, a rating of 'no landscape capacity' for urban development responds to the transformative nature of such development within areas of the district that display strong rural character values.

9.24 However, as explained previously, it is important to note that landscape capacity in the PA Schedules is evaluated at a PA level rather than a site-specific level and is intended as guidance only, as explained in the Response to Submissions Version of the Schedule 21.22 Preamble. Further, the Schedule 21.22 Preamble acknowledges that a site specific (i.e. finer grained) landscape assessment as part of a resource consent or

plan change application may identify a different landscape capacity rating for a landuse.

Amend the PA Schedules to explain the capacity rating scale

9.25 Several submissions request that the PA Schedules are amended to explain the landscape capacity rating. While the landscape capacity rating scale is explained in the PA Methodology Report,⁴⁹ I acknowledge that it would be useful for it to be included within the PA Schedules themselves so that it is easily accessible to plan users.

9.26 Factoring in the recommendation earlier that a fifth rating scale (i.e. **very limited to no** landscape capacity) should be added to the rating scale set out in the PA Methodology Report, it is recommended that the **Preamble to Schedule 21.22 and Schedule 21.23** is amended as follows (noting that some of the text below addresses other submission points discussed in my evidence, however all of the changes in relation to capacity are included here for completeness):

Landscape Capacity

The landscape capacity ratings used in the PA Schedules, which are described below, are intended to reflect the capacity of the landscape or feature to accommodate various types or forms of development, without compromising the identified landscape values. The definition of landscape capacity applied in the PA Schedules is set out in 3.1B.5(b).

The capacity ratings, and associated descriptions, are based on an assessment of each priority area as a whole, and should not be taken as prescribing the capacity of specific sites within a PA.

The descriptions in the PA Schedules are relatively 'high level' and focus on describing potential outcomes that would likely be appropriate within each PA. These descriptions are not a replacement for any relevant policies, rules or standards in the District Plan, and are intended to provide guidance

⁴⁹ PA Methodology Report, Section 3.

only. Landscape capacity is not a fixed concept, and it may change over time as development occurs or landscape characteristics change. In addition, across each PA there is likely to be variation in landscape capacity, which will require detailed consideration and assessment through future plan changes or resource consent applications.

For the purposes of the PA Schedules, landscape capacity is described using the following five terms:

Some landscape capacity: typically this corresponds to a situation in which a careful or measured amount of sensitively located and designed development of this type is unlikely to materially compromise the identified landscape values.

Limited landscape capacity: typically this corresponds to a situation in which the landscape is near its capacity to accommodate development of this type without material compromise of its identified landscape values and where only a modest amount of sensitively located and designed development is unlikely to materially compromise the identified landscape values.

Very limited landscape capacity: typically this corresponds to a situation in which the landscape is very close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only a very small amount of sensitively located and designed development is likely to be appropriate.

Very limited to no landscape capacity: typically this corresponds to a situation in which the landscape is extremely close to its capacity to accommodate development of this type without material compromise of its identified landscape values, and where only an extremely small amount of very sensitively located and designed development is likely to be appropriate.

No landscape capacity: typically this corresponds to a situation where development of this type is likely to materially compromise the identified landscape values.

It is intended that the use of this five-tier landscape capacity terminology, along with a description of the characteristics that are likely to frame development that is appropriate (from a landscape perspective), and the

description of the landscape attributes and values of the PA will assist in providing high level guidance with respect to the scale, location and characteristics of each landuse type that will protect landscape values in each PA ONF/L.

Amend the PA Schedules to be more directive as to where development can be absorbed in a PA

9.27 Several submitters have expressed a view that specific locations on their land or in discrete parts of a PA be identified in the PA Schedules, where development can be absorbed. I am advised that these submission points are not in scope of this Variation.

9.28 Further, in my experience, identifying locations where development can be successfully absorbed on a site-by-site basis amounts to a structure planning exercise which is beyond the scope of the Variation.

9.29 However, where appropriate, the PA Schedules strive to identify more discrete parts of a PA that are better suited to absorbing new development to assist plan users. For example, see:

Schedule 21.22.1 Capacity (ii) Visitor accommodation.

Schedule 21.22.2 Capacity (ii) Visitor accommodation.

Schedule 21.22.13 Capacity (xiii) Jetties and boatsheds.

Schedule 21.22.14 Capacity (xii) Rural living.

Schedule 21.22.21 Capacity (xii) Rural living.

Schedule 21.22.23 Capacity (xii) Rural living.

9.30 In other PAs (or for other landuses), it is not possible to identify discrete locations where development is likely to be more successfully absorbed due to the similarity in the landscape sensitivity of the area in question and/or the grain of landscape analysis that is implicit in a Schedule of Landscape Values as part of a District Plan Variation (rather than a landscape assessment as part of a location specific resource consent or plan change application).

9.31 However, this is not to say that there will be no locations where development can be successfully absorbed in the PA.

9.32 For this reason:

(a) The **Response to Submissions Version of the PA Schedules** (see **Appendix 2**) set out the characteristics that are likely to support appropriate development in each PA as a ‘cue’ for plan users contemplating resource consent or plan change applications.

(b) It is explicitly stated in the **Response to Submissions Version of the Preamble to Schedules 21.22 and 21.23** (see **Ms Evans’ s42A Report**) that the landscape attributes, values and capacity relate to the PA as a whole and should not be taken as prescribing the attributes, values and capacity of specific sites.

(c) It is explicitly stated in the **Response to Submissions Version of the Preamble to Schedules 21.22 and 21.23** that a finer grained site-specific assessment will be required for a plan change or resource consent process which may identify different attributes, values and capacity to that identified in the PA Schedule.

9.33 To test whether all of the capacity rating comments in the PA Schedules provide guidance with respect to the location, or character (including scale, which is discussed shortly), the **Appendix 1 Response to Submissions Version of the PA Schedules, Landscape Capacity Summary Table** has been colour coded and reveals that where a degree of landscape capacity is identified for a landuse, that landuse rating is qualified by more detailed comments with respect to location and/or character.

Amend PA Schedules capacity discussion to reference the scale of development

- 9.34** Several submissions request that the PA Schedules define the scale of the development that is considered appropriate within the Capacity section of the schedule.
- 9.35** Where possible or relevant, the PA Schedules reference the scale of development that is likely to be appropriate in the PA. For example, a number of PA Schedules identify a degree of capacity for ‘small scale’ renewable energy generation, visitor accommodation and farm buildings, ‘farm scale’ quarries, and ‘modestly scaled’ rural roading.
- 9.36** Inevitably, the broad range of development scales and characters ‘captured’ under the landuse typologies means that such comments are necessarily high level.
- 9.37** Further, I expect that satisfying the submitters request beyond that outlined in the Response to Submissions Versions of the PA Schedules would amount to a structure planning exercise for the PAs and be an unreasonable, if not, impossible level of detail to achieve.

Provide clarification with respect to the treatment of gondolas in the landscape capacity section of the PA Schedules

- 9.38** As explained earlier, the terminology for this landuse has been changed from gondola to passenger lift systems, to better align with District Plan terminology (including the Chapter 2 definition).
- 9.39** Submissions query whether this landuse is better addressed under transport infrastructure rather than as a separate landuse type. In my experience, these landuses often comprise a mix of tourism related activities and transport infrastructure and are serving a dual purpose, but in essence provide access to the Ski Area Sub Zones and enable tourism. For this reason it is considered appropriate to consider them as a distinct landuse type.

Amend the rating for rural living for those parts of a PA outside a Rural Residential or Rural Lifestyle Zone to 'no landscape capacity'

- 9.40** Some submissions seek that the rural living in those parts of a PA outside existing Rural Residential or Rural Living Zones should be rated as having no landscape capacity. In a similar vein, some submissions seek that no further buildings (or rezonings) should be allowed in PA ONF/Ls.
- 9.41** The landscape capacity for rural living (or buildings associated with other landuses) in each PA has been evaluated in response to the attributes and values of the specific PA. This included careful consideration of such factors as: the landform and vegetation features and patterning of the area; mana whenua attributes and values; the elevation and/or prominence of the area; the proximity to key scenic routes and trails; and the character and patterning of existing rural living development within the PA (including consented but unbuilt platforms). In all of the PAs, excepting those that are dominated by water (e.g. 21.22.13 Queenstown Bay and Environs) or small-scale PA ONFs (e.g. 21.22.7 Feehly Hill PA ONF), this (high level) landscape analysis concludes that it is likely that there will be a degree of capacity for new rural living development while protecting landscape values.
- 9.42** Further, it is methodologically incorrect for a landscape assessment (or evaluation of landscape capacity), to start from an assumption that outside those parts of PAs zoned Rural Residential or Rural Lifestyle, there is **no landscape capacity** for rural living activities.
- 9.43** For completeness (and as noted earlier, and by Ms Evans), the PA Schedules do not alter the zones, policies or rules (including activity status of buildings) in the District Plan.

Amend the PA Schedules to recognise that all ONLs and ONFs have a high landscape capacity for new commercial recreation and tourism related activities

- 9.44** In a similar vein, the landscape capacity for commercial recreation and tourism related activities (resorts) in each PA has been evaluated in response to the landscape attributes and values of the specific PA.
- 9.45** This included careful consideration of such factors as: the landform and vegetation features and patterning of the area; mana whenua attributes and values; the elevation and/or prominence of the area; the sense of wildness and remoteness associated with the area; the level of existing commercial recreation evident within the PA and the role it plays in shaping the landscape character (or identity) of the area; and the character and patterning of successfully integrated commercial recreation development within the PA. Typically, this (high level) landscape analysis concludes that there is likely to be a greater landscape capacity for commercial recreation activities where they are an established part of the PA (e.g. 21.22.14 Northern Remarkables PA ONL, which takes in the Remarkables Ski Area Sub Zone).
- 9.46** Further, it is methodologically incorrect to start from an assumption that there is high capacity for these activities in all of the PA ONF/Ls.

Amend the PA Schedules to recognise and provide for the dynamics of landscape change while managing an appropriate level of amenity

- 9.47** Numerous submissions seek recognition and provision for the dynamics of landscape change in the PA Schedules, while managing an appropriate level of amenity through appropriate design outcomes.
- 9.48** The focus of the PA Schedules is to identify the existing landscape values that need to be protected and provide a high-level indication of the landscape capacity of the PA for a range of landuses.
- 9.49** The discussion of landscape capacity in the PA Schedules reference a range of 'development characteristics' that are likely to be associated

with appropriate development (of that landuse type) within the PA (noting that this is at a PA level, rather than a site-specific level).

9.50 These include matters such as: enhancing public access and landscape restoration; siting buildings to exploit the mitigation benefits of existing landform and/or vegetation features; adopting a small scale, modest and/or visually recessive design approach etc.

9.51 In this way, the PA Schedules acknowledge the dynamics of landscape change and seek to frame the broad parameters or characteristics that are likely to make such change appropriate in terms of landscape values (which includes visual amenity values).

Amend the PA Schedules to identify degradation and opportunities to remedy identified degradation

9.52 Numerous submissions request that the PA Schedules are amended so that the landscape values and landscape capacity components of the PA Schedules identify degradation and opportunities to remedy identified degradation.

9.53 As explained above, the focus of the PA Schedules is to identify the existing landscape values that need to be protected and provide a high-level indication of the landscape capacity of the PA for a range of landuses.

9.54 That said, the identification of negative landscape aspects such as pest plants and animals (in the main body of the PA Schedule), along with the reference to landscape restoration and enhancement in the discussion of landscape capacity for a range of landuses, signals the types of enhancement and remediation as part of development change that are likely to be appropriate within the PA (noting that this is at a PA level, rather than a site-specific level).

9.55 Ultimately it will be the plan policies that drive enhancement, but in my opinion, it is useful to note any particularly degraded values that could benefit from enhancement via future development proposals in the PA Schedules. It is expected that such matters would be traversed in detail as part of a detailed (and more site specific) landscape assessment in support of a plan change or resource consent process.

Amend the PA Schedules to acknowledge greater capacity for rural living development where such development exists

9.56 Numerous submissions seek that the PA Schedules are amended so that landscape capacity ratings identify opportunities for greater capacity for rural living development, where the area has already moved toward being dominated by rural living development.

9.57 The landscape capacity for rural living in each PA has been evaluated in response to the landscape attributes and values of the specific PA.

9.58 Further, it is methodologically incorrect to start from an assumption that where there is existing rural living, additional rural living will necessarily be appropriate. Particularly in the PA RCL areas (where there tends to be a greater amount of existing rural living compared to PA ONF/Ls), it can sometimes be the case that additional rural living may ‘tip the balance’ such that the rural area in question takes on the impression of a ‘landscape’ that is dominated by a rural lifestyle character (or even a ‘large lot’ or ‘spacious’ suburban character) rather than rural character. Such an outcome is unlikely to align with the policy intentions of maintaining landscape character and visual amenity values and avoiding cumulative adverse effects.

Amend the PA Schedules to: consider future management; reflect that there will be future capacity; acknowledge that the regimes do not trump biodiversity values or ongoing management of land; and recognition be given to the investment required for future management and holistic improvements

9.59 Several submissions seek that the PA Schedules are amended to: consider future management of the areas; reflect that there will be future capacity

where the landscape values can be protected; acknowledge that the regimes do not trump biodiversity values or ongoing management of land; and recognise investment required for future management and holistic improvements.

9.60 Aspects of this submission theme relate to District Plan policy and are addressed by Ms Evans:

(a) The request that the PA Schedules acknowledge that the regimes do not trump biodiversity values or ongoing management of land; and

(b) The request that recognition be given to the investment required for future management and holistic improvements.

9.61 To some extent the Capacity sections of the PA Schedules provide guidance on the (appropriate) future management of PAs where a degree of landscape capacity is identified for a landuse, by framing the characteristics that are likely to make such development appropriate. I am of the view that the extent to which the PA Schedules provide guidance in this regard is at an appropriate level, as going further than this would be speculative.

9.62 With respect to the request that the PA Schedules should acknowledge that there will be future capacity where the landscape values can be protected, this is implicit in the way the PA Schedules will be used (and also in the PDP policy direction, subject to landscape assessments confirming that (for example) landscape values for ONF/L will be protected). This is further described in Ms Evans' evidence.⁵⁰

9.63 Further, the amendments recommended for the Schedule 21.22 and 21.23 Preambles in Section 7 of my evidence clarify that the PA Schedules

⁵⁰ And noting my earlier recommendation in my Theme 4 discussion, that the reference in the Capacity statements to 'protect landscape values' is removed from the Response to Submissions Version of the PA ONF/L Schedules, as it is considered to be unhelpfully repetitive of the District Plan policy that applies to the ONF/Ls.

do not replace any relevant policies, rules of standards in the District Plan and are intended to provide high level guidance only, to assist the evaluation of future plan change and resource consent applications.

10. REVIEW OF LANDSCAPE RELATED SUBMISSIONS FOR EACH PRIORITY AREA

- 10.1** As explained at the beginning of **Section 8** of my evidence, detailed comments in response to submissions points relevant to each PA are attached in **Appendix 2: PA Specific Submissions Summary, Landscape Comments** (referred to hereafter as the **PA Landscape Comments Tables**).
- 10.2** The **blue highlighted text** in the PA Landscape Comments Tables corresponds to changes that are recommended in the relevant **Response to Submissions Version of the PA Schedule** (in **Appendix 2**).
- 10.3** The **red text** in the PA Landscape Comments Tables corresponds to a submission point that is supported but is not specifically referenced in the relevant **Response to Submissions Version of the PA Schedule**. This is typically because the submission point is general rather than confined to specific text amendments.
- 10.4** PA Landscape Comments Table line items with a green wash correspond to submission points that were re-notified on 22 June 2023.
- 10.5** As also explained previously, where a submission point is accepted in full or in part, the PA landscape assessment work (along with, in some instances, the author's other assessment work in the relevant area) has informed that recommendation (although this is not explicitly stated for each table entry).

10.6 I have discussed the implications of the fact that very few of the PA Schedule submissions are supported by technical landscape evidence under Theme 4.

11. RECOMMENDED CHANGES TO THE PA SCHEDULES

11.1 My recommended changes to the fifteen PA Schedules that I have authored are attached to Ms Evans' evidence. As explained in my evidence the changes that I am recommending are as a result of:

- (a) carefully considering thousands of submission points;
- (b) additional field work; and
- (c) collaboration with Mr Head and Ms Evans.

11.2 For the reasons set out in my **PA Landscape Comments Tables**, I consider that the **Response to Submissions Version of the PA Schedules** (see **Appendix 2**) are appropriate from a landscape perspective.

Bridget Gilbert

Date: 11 August 2023