

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE
QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Te Pūtahi Ladies Mile Plan Variation in accordance
with section 80B and 80C, and Part 5 of Schedule 1 of the
Resource Management Act 1991.

**STATEMENT OF EVIDENCE OF BRIDGET MARY GILBERT
29 September 2023**

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Introduction

- 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.
- 2 I have been asked to provide evidence by Queenstown Lakes District Council (**QLDC** or **Council**).
- 3 I first became involved in the Te Pūtahi Ladies Mile Masterplan and Plan Variation (the **TPLM Variation**), in June 2023 when Council asked me to review submissions in relation to Slope Hill Outstanding Natural Feature (**ONF**).

Qualifications and experience

- 4 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. More recently, I have also been a member of a Fast Track Consent Panel.
- 5 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.
- 6 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.

- 7 I was appointed as one of three peer reviewers of the Landscape Assessment Guidelines project (including natural character) under the direction of Tuia Pita Ora (the New Zealand Institute of Landscape Architects). That work has culminated in *Te Tangi a te Manu (TTatM)* (Aotearoa New Zealand Landscape Assessment Guidelines) which was unanimously adopted by Tuia Pita Ora in May 2020. TTatM is accepted by the landscape profession as the most up-to-date, best practice landscape assessment methodology in New Zealand.

Experience relevant to the Queenstown Lakes District

- 8 I have previously been engaged by QLDC to provide landscape advice and evidence on various matters and 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: PDP 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: PDP Stage 2 Wakatipu Basin and Stage 3B – Rural Visitor Zone.
- 9 Of relevance to the TPLM Variation, I co-authored the QLDC PDP Priority Area Landscape Schedules (**PA Schedules project**). The purpose of the PA Schedules project is to describe, at a high level, the landscape attributes and landscape values of a priority area (**PA**) and provide a high-level evaluation of landscape capacity for a range of land uses as a ‘starting point’ for plan users when considering applications for plan changes or resource consents in a PA. Of particular relevance, I authored the Slope Hill Priority Area Landscape Schedule 21.22.6 (**Slope Hill PA Schedule**), attached as **Appendix 1** which is adjacent to the TPLM Structure Plan area.
- 10 I also authored the Schedule 21.22.2 Ferry Hill PA ONF, Schedule 21.22.5 Waiwhakaata (Lake Hayes) PA ONF and Schedule 21.22.14 Northern Remarkables PA ONL. The PA Schedules were notified as a variation to QLDC’s PDP on 30 June 2022. Submissions on the PA Schedules closed on 26 August 2022. I recently filed landscape

evidence on 11 August 2023, as part of the s42A Report for the PA Schedules Variation which included careful consideration of several submissions in relation to Slope Hill PA ONF.

- 11 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 ONFs and urban parts of the Queenstown Lakes District (**District**).
- 12 I co-authored the Wakatipu Basin Land Use Planning Study (2017) and provided landscape advice to Council in relation to the Urban Growth Boundary (**UGB**) at Hāwea (2019).
- 13 Collectively, this background has given me a good knowledge of how the District Plan operates, the development pressures across the District, the scale and character of development that is typically considered to be appropriate within the ONF and Outstand Natural Landscape (**ONL**) areas of the District and the landscape character values associated with Slope Hill ONF and its context.

Site Visits

- 14 With respect to site visits, my involvement in the PA Schedules work, the Wakatipu Basin Landuse Planning Study and several Topic 31 QLDC PDP appeals (concerning Wakatipu Basin rezonings) around Slope Hill has given me a thorough understanding of the TPLM Variation area. This has included viewing the area from the local road network, public tracks, the Remarkables Ski Area Access Road, Bendemeer and the air.
- 15 In more recent field work in relation to the TPLM Variation, I have carefully considered the physical interface between the Slope Hill roche moutonnée landform feature and the Ladies Mile terrace (or 'flats'). I have also considered the role of Slope Hill in shaping the landscape values associated with the Ladies Mile flats, including for users of State Highway 6 (**SH6**) and the residential areas of Shotover Country and Lake Hayes Estate to the south.

Code of conduct

- 16 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. Accordingly, I have complied with the Code in the preparation of this evidence and will follow it when presenting evidence at the hearing. Unless I state

otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope of Evidence

- 17 My evidence is focussed on submissions that relate to the Slope Hill ONF and addresses the following submissions and themes:
- (a) Submissions on the effect of the TPLM Variation on the Slope Hill ONF (submissions 20, 40, 74, 97);
 - (b) Submitter 43 – Miranda Spary which raises the 'outstanding natural beauty' of the TPLM area;
 - (c) Submissions seeking to extend the TPLM zoned area into the Slope Hill ONF (submissions 73 and 102);
 - (d) Matters raised by submitter 79 – Lake Hayes Estate Community Association; and
 - (e) Matters raised by submitter 105 – Maryhill Limited seeking a revised ONF boundary and lifestyle zoning transition.
- 18 I attach the following appendices to my evidence:
- (a) Appendix 1: Schedule 21.22.6 Slope Hill PA ONF Schedule of Landscape Values (notified version).
 - (b) Appendix 2: Slope Hill PA ONF mapping.
 - (c) Appendix 3: Background to the Slope Hill PA ONF mapping (including related Joint Witness Statements (**JWS**)).
 - (d) Appendix 4: PDP Topic 2 Landscape JWS.
- 19 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.
- 20 In preparing my evidence, I have reviewed the following documents:
- (a) The TPLM Variation (and associated documents);
 - (b) The submissions that are relevant to my area of expertise;

- (c) The notified QLDC PDP Slope Hill Priority Area ONF Schedule 21.22.6 and mapping;
- (d) QLDC PDP Chapter 3 – Strategic Direction;
- (e) The Flints Park Fast Track Consent documents, including the landscape plans and landscape assessment; and
- (f) Te Tangi at te Manu (Aotearoa New Zealand Landscape Assessment Guidelines).

Executive summary

21 For the reasons set out in my evidence, I do not support the relief sought in submission 43 – Miranda Spary, submission 73 – Glenpanel Development Limited, submission 102 – Alexander Reid, submission 79 – LHECA, and submission 105 – Maryhill Limited that is relevant to Slope Hill ONF.

Submissions on the effect of the TPLM Variation on the Slope Hill ONF

22 A number of submissions concern the effect of the TPLM Variation on the Slope Hill ONF, including:

- (a) Samuel Beck (submitter 20) expresses concern that the proposed Variation will destroy the ONLs and ONFs in the area.
- (b) Amanda Styris (submitter 40) raises concern that the proposed Variation will compromise the part of Slope Hill ONF 'running down to Ladies Mile'.
- (c) Richard Blakely (submitter 74) expresses that the proposed Variation will adversely impact on Slope Hill ONF.
- (d) Philippa Crick (submitter 97) raises concern that the proposed Variation will erode the Slope Hill ONF and the broader ONL.

23 I do not agree with these submissions for the following reasons.

24 As a starting point, the proposed extent of the TPLM Variation area and the PDP Slope Hill ONF mapping that was confirmed by the Environment Court in the Topic 2.7 Decision¹ is attached at **Appendix 2** (and reproduced in **Figure 1** for ease of reference).

¹ See 2021 NZEnvC 60 at [17] and [26].

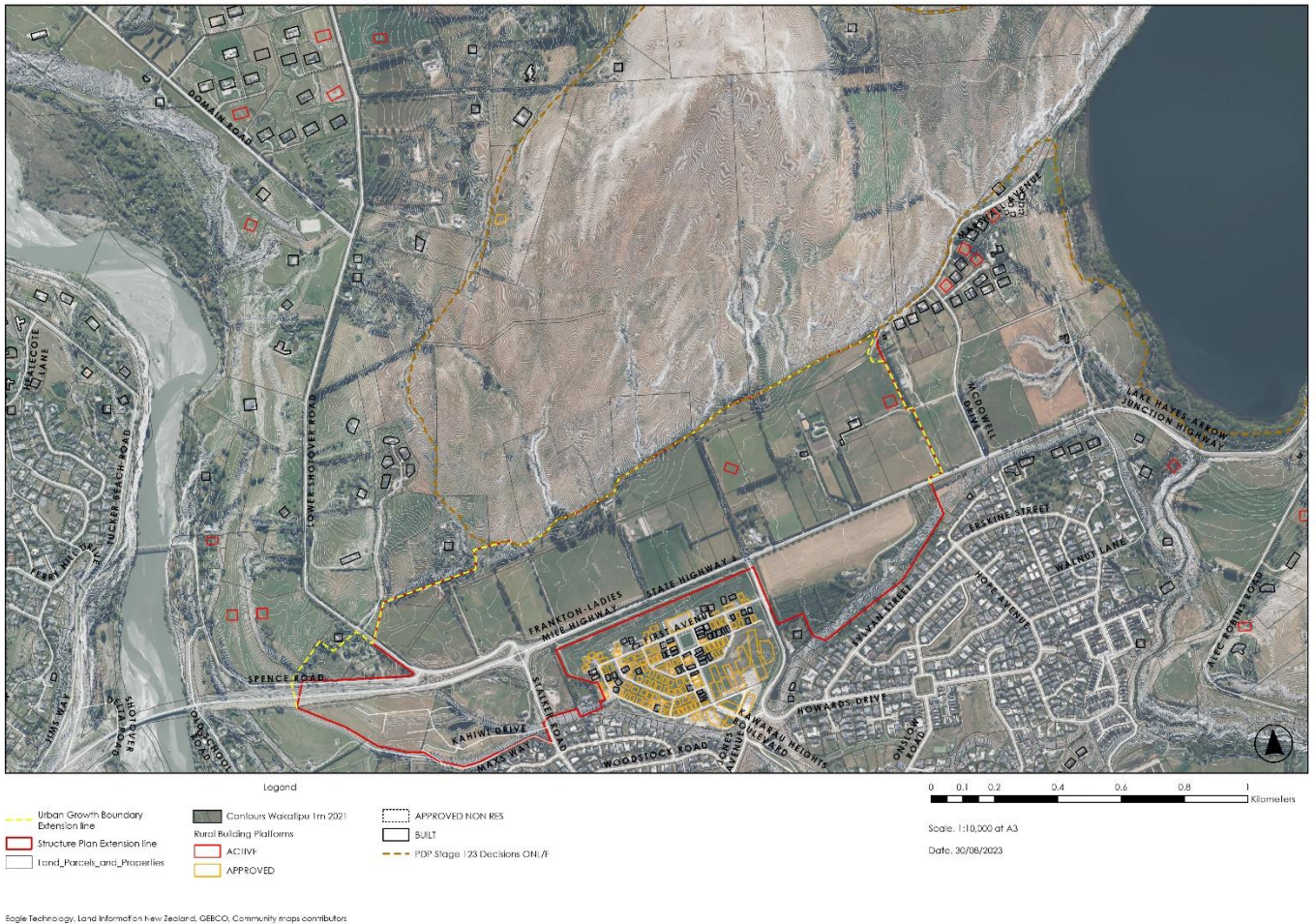


Figure 1: Slope Hill PA ONF mapping - refer **Appendix 2** for an A3 scale version of this mapping.

- 25 This mapping shows that the extent of the TPLM Variation area avoids encroaching into the Slope Hill ONF.
- 26 While I acknowledge that the TPLM Variation will see the introduction of urban development directly adjacent to the ONF, I note that this is a reasonably common occurrence in the more developed parts of the District. For example, the Quail Rise urban development adjacent to the Ferry Hill ONF, the Fernhill and Queenstown urban development adjacent the Western Whakatipu Basin PA ONL and Arthurs Point urban area which is surrounded on all sides by ONL or ONF.
- 27 In my opinion, it is an inevitable consequence that urban development will be juxtaposed against outstanding natural features and landscapes (to be protected under s6(b) RMA) in a district in which approximately 97% of the land area is classified as either ONL or ONF.

28 I note that this long-established spatial relationship between urban development and ONFs (and ONLs) in the district has not, to date, resulted in the down grading of adjacent s6(b) RMA landscapes or features.

29 The next section of my evidence addresses why I consider that the TPLM Variation will not down grade or adversely affect Slope Hill ONF.

TPLM policies that relate to the Slope Hill ONF

30 I note that the TPLM Variation provisions includes policy 49.2.7.9, which requires development north of SH6 to be of a high-quality building and site design, that promotes and supports neighbourhood amenity values, reflects the highly visible location close to the state highway, and that is appropriate in the setting adjacent to the outstanding natural feature of Slope Hill.

31 Further, policy 27.3.24.4 requires subdivision design to support visual links north to open spaces at the base of Slope Hill when viewed from the intersections on SH6 shown on the TPLM Structure Plan, and views to The Remarkables from SH6.

32 In addition, 49.5.41.4 (c) includes the requirement to protect public views to Slope Hill and the Remarkables Range as a matter of discretion where building height standards are infringed.

33 In my opinion, the proposed extent of the TPLM Variation being mapped outside of the Slope Hill ONF (and ONLs), along with the above - mentioned provisions will ensure that the urban development associated with the proposed Variation:

- (a) will not destroy the ONFs and ONLs in the area;
- (b) will not compromise the part of Slope Hill ONF running down to Ladies Mile;
- (c) will not adversely impact on Slope Hill ONF; and
- (d) will not erode the Slope Hill ONF and the broader ONL.

34 For these reasons, I do not support the above submissions that relate to the Slope Hill ONF. In my view, the TPLM Variation will not have adverse effects on Slope Hill ONF.

Submitter 43 Miranda Spary – Outstanding natural beauty of TPLM area

- 35 Miranda Spary (submitter 43) raises concern that the TPLM Variation will turn an area that is recognised as ‘an area of outstanding natural beauty’ into urban development.
- 36 I note that there is no classification of ‘areas of outstanding natural beauty’ in New Zealand (although understand this to be a landscape classification in the United Kingdom).
- 37 As explained earlier, the proposed extent of the Variation avoids the mapped ONF in the vicinity of the TPLM Variation Area (confirmed by the Environment Court). I also note that no ONL overlay applies in the proposed TPLM Variation Area. In my opinion (and drawing from my landscape assessment work that underpinned the Wakatipu Basin Land Use Planning Study) I am of the view that, like much of the lower lying parts of the Wakatipu Basin, the Ladies Mile area corresponds to a s7(c) RMA landscape (or ‘amenity landscape’), rather than a s6(b) RMA landscape.
- 38 For these reasons I disagree that the TPLM Variation area is a part of the District that is (in Ms Spary’s words), ‘an area of outstanding natural beauty’ or an ONL.
- 39 In turn, I do not support the relief sought in of submission 43 – Miranda Spary that is relevant to the Slope Hill ONF.

Submissions seeking to extend TPLM area into current Slope Hill ONF

- 40 Glenpanel Development Limited (submitter 73) and Alexander Reid (submitter 102) seek to extend the TPLM Variation area into the current Slope Hill ONF.
- 41 The submission references the following factors in support of Glenpanel Development Limited’s submission:
- (a) The screening influence of new urban development along the lower part of Slope Hill, by the intervening urban development anticipated by the TPLM Variation across the Ladies Mile flats to the north of SH6.

- (b) The small scale of the loss of Slope Hill ONF area associated with the change to their proposed UGB, described to be approximately 0.19% of the total ONF area of Slope Hill.²
- (c) The observation that houses extend up to the 400m contour on the south face of Slope Hill, and the Queenstown airport navigation structures are located at the 600m contour. The submitter expresses the view that this development, along with the changing context contemplated by the proposed Variation (which will include key infrastructure elements up to the 423m contour), will see a change to the role Slope Hill ONF plays in relation to the broader setting and community.
- 42 The submitter does not include mapping of its preferred UGB, nor does it include landscape evidence in support of its submission.
- 43 The Submission made by Mr Reid (submitter 102) supports the relocation of the Slope Hill ONF boundary slightly up the hill to allow some development to occur in the lower reaches.
- 44 I do not support locating part of the TPLM development in the Slope Hill ONF for the following reasons.
- 45 As explained above at paragraph 23, the mapped extent of Slope Hill ONF and its status as a s 6(b) RMA landscape feature has been confirmed by the Environment Court Decisions on QLDC PDP Topic 2 – Rural Landscapes (and I understand is outside of the scope of the TPLM Variation).
- 46 The following section of my evidence sets out the background to the Slope Hill ONF mapping that has been confirmed by the Environment Court, along with the accepted approach to identifying ONFs (and ONLs) in New Zealand, before commenting on the landscape effects associated with these submissions.

Slope Hill ONF: Mapping Background

- 47 **Appendix 3** attached, outlines the provenance of the PA mapping (including Slope Hill PA ONF mapping).

² N.B. The Glenpanel Developments Limited submission estimates the area of Slope Hill as approximately 226 ha with a perimeter of 6.4km.

- 48 The Environment Court observed in its Topic 2.1 Decision³ that “*ONF (and ONL) boundaries should be legible and coherent to the community*”. The Court went on to accept the landscape expert evidence “*that geomorphological boundaries are a desirable first preference for determining ONF (and ONL) boundaries*”. For completeness, the Landscape Joint Witness Statement referenced in the Topic 2.1 Decision is attached to my evidence as **Appendix 4 PDP Topic 2 JWS**.
- 49 Relying on the mapping of Slope Hill ONF (depicted in **Appendix 2** attached to my evidence), I consider that the ONF boundary line confirmed by the Environment Court corresponds to a clearly legible geomorphological boundary and is appropriate from a landscape perspective.
- 50 I also consider that all of the land included within the mapped extent of Slope Hill ONF contributes to the landscape attributes and values described in the Schedule of Landscape Values for Slope Hill PA ONF (attached as **Appendix 1**).
- 51 In particular, all of the mapped extent corresponds to the roche moutonnée glacial landform feature. This feature is recognised in the NZ Geopreservation Inventory as one of the best examples of this type of landform in Otago and one of the most easily seen and accessible. It is also identified as a site of national scientific, aesthetic and recreational values and is considered to be vulnerable to significant damage by human related activities.⁴
- 52 The importance of the mapped landform feature to landscape values is repeatedly referenced in the Schedule of Landscape Values. For example, the **very high physical values** derive from the ‘high value landform’ (along with other physical aspects),⁵ and the **very high perceptual values** derive from the legibility and expressiveness values associated with the landform feature,⁶ its visual qualities, naturalness, memorability and aesthetic values as a consequence of the generally undeveloped and more natural appearance of the landform feature,⁷ and

³ [2019] NZEnvC 160 *Hawthenden Farms and others v Queenstown Lakes District Council (Topic 2.1 Decision)*: [80].

⁴ Appendix 1: [1] and [2].

⁵ *Ibid*: [31].

⁶ *Ibid*: [16] and [33](a).

⁷ *Ibid*: [18] to [24], [25], [26], [29], [30], [33] (a) and (b).

the visual prominence and importance of the landform feature in shaping the identity or sense of place associated with the wider area and as a gateway to Queenstown and the Wakatipu Basin.⁸

Landscape Effects of the moving the UGB northwards up the lower (southern) slopes of Slope Hill ONF

- 53 As set out in *High Country Rosehip*,⁹ the following three questions underpin the identification of an ONF (or ONL) in New Zealand:
- (a) Is the relevant area a ‘feature’ or a ‘landscape’?
 - (b) Is the feature or landscape, ‘natural’ enough to qualify for consideration as a s 6(b) RMA feature or landscape?
 - (c) If so, is the ‘natural feature’ or ‘natural landscape’ ‘outstanding’?
- 54 TTatM explains that ‘natural’ means characterised by natural elements (such as landforms, vegetation, rocks, waterbodies) as opposed to built elements (such as buildings and infrastructure).
- 55 Applying this test to the submitters’ request to move the UGB northwards up the lower slopes along the southern side of Slope Hill ONF, it is my opinion that enabling urban built development within an ONF will inevitably mean that the ONF will fail to qualify as a s6(b) feature in terms of ‘naturalness’ (and therefore limb (b) of the above test would not be satisfied) because of:
- (a) the scale and extent of landform modification that would be required for the area to be developed for urban land uses; and
 - (b) the marked change in the level and character of built development associated with urban land use.
- 56 I also note that the key PDP policy in relation to ONFs requires the protection of landscape values.¹⁰ I consider that the submitters’ proposed change to the UGB would fail to protect the landscape values of Slope Hill ONF, as described in the PA Schedule of Landscape Values. I discuss the effect of extending the UGB on these landscape values below.

⁸ Ibid: [33](a), (c) and (d).

⁹ [2011] NZEnvC 387: [74]

¹⁰ PDP 3.2.5.2(a).

- 57 In the absence of an alternate UGB line that is preferred by the submitters, it is difficult to accurately gauge the full spectrum of landscape values that may be impacted. However, it is my expectation that, at the very least, urban development across the lower (southern) slopes of the landform feature would detract from the impression of Slope Hill as seemingly undeveloped distinctive and highly legible, roche moutonnée landform feature, in which built development is very limited and is subservient to the natural landscape elements, patterns and processes.¹¹
- 58 I acknowledge that the new urban development on the Ladies Mile terrace that is anticipated by the TPLM Variation may screen the lowermost (southern) slopes of Slope Hill ONF (which the submitters seek to be developed). However, I consider that visibility of the feature is just one aspect of the landscape values associated with Slope Hill ONF. Enabling urban development up the landform slopes would irreversibly change the roche moutonnée landform itself, thus detracting from landscape values.
- 59 I do not agree that the small scale of the loss of Slope Hill ONF area associated with the change to their proposed UGB (described to be approximately 0.19% of the total ONF area of Slope Hill in Glen Panel Development's submission) is a mitigating or moderating factor. In my opinion, the lack of development across the southern side of Slope Hill is a key aspect that enables an appreciation of the distinctive roche moutonnée landform character and profile, comprising a smooth 'up-glacier' slope to the southwest and a steeper rough 'plucked' (down-glacier) slope to the east adjacent to Lake Hayes.
- 60 I also note that the largely undeveloped continuous steeper slopes of the southern side of the feature contrast with the northern slopes, where the transition in grade is less distinct and there are a number of private rural and rural living properties evident. To some degree, this heightens the landscape sensitivity of the southern side of Slope Hill to development change.
- 61 Also problematic, is the inference that if urban creep up the roche moutonnée is small scale, it is acceptable. I consider that the steep and

¹¹ In particular, the landscape attributes and values described at Appendix 1: [1], [2], [16], [18], [19], [22], [23], [24], [25], [26], [29], [30], [31], [33].

continuous landform character across the southern side of Slope Hill means that, were urban development enabled across the lower slopes, it would be extremely difficult to resist such development spreading higher on landscape grounds.

- 62 I consider this issue has been borne out in other similarly scaled landscape roche moutonnée features in the district, such as Mount Iron and Ferry Hill (and, further afield, in relation to some of the maunga in Auckland (Tamaki Makaurau)), with experience showing that once development is enabled up the lower slopes of an elevated landform feature (i.e. beyond the clearly legible 'base' of a landform feature), it can be extremely difficult to determine an appropriate 'stopping point'.
- 63 The fact that houses extend up to the 400m contour on the south face of Slope Hill, and that the Queenstown airport navigation structures are located at the 600m contour are not, in my view, a signal (or 'cue') that urban development can be successfully absorbed across the lower southern slopes of the feature. This is because the existing development is markedly different in scale and character to urban development as illustrated in **Appendix 2**. Further, the existing rural living development is all located outside the mapped ONF area (also evident in the **Appendix 2** mapping).
- 64 For these reasons, I consider that moving the UGB to a location within Slope Hill ONF will be inappropriate from a landscape perspective. I do not support the relief sought in submission 73 – Glenpanel Development Limited and submission 102 – Alexander Reid that is relevant to Slope Hill ONF.

Submitter 79 Lake Hayes Estate Community Association

- 65 The Lake Hayes Estate Community Association (**LHECA**) submission expresses the view that the TPLM Variation will detract from the views and vistas of the Slope Hill ONF and that the scale of urban development adjacent to the ONF will detract from the aesthetic values of the feature.

- 66 In my opinion (and as outlined above in my discussion of the TPLM Variation policies that relate to the Slope Hill ONF), the proposed provisions:
- (a) encourage a high-quality building and site design outcome that complements the Slope Hill ONF (49.2.7.9);
 - (b) require subdivision design to support visual links northwards to open spaces at the base of Slope Hill when viewed from the intersections on SH6 shown on the Structure Plan, and views to The Remarkables from SH6 (27.3.24.4); and
 - (c) where building heights are infringed, require consideration of the protection of public views to Slope Hill and the Remarkables Range as a matter of discretion (49.5.41.4(c)).
- 67 I consider that these provisions frame an urban development outcome that is sympathetic to the high value landscape setting and appropriately acknowledge the importance of vistas and views to the Slope Hill ONF.
- 68 For these reasons, I do not support the relief sought in submission 79 – LHECA that is relevant to the Slope Hill ONF.

Submitter 105 Maryhill Limited – Revised ONF boundary and lifestyle zoning transition

- 69 Submitter 105 – Maryhill Limited requests that the ONF boundary, UGB, and TPLM Structure Plan boundary, on the lower flanks of Slope Hill are amended such that developable land is included in the Masterplan and / or rezoned for lifestyle or residential purposes as a transition or buffer to residual farmland.
- 70 **Figure 2** below, shows the mapping provided by the submitter.

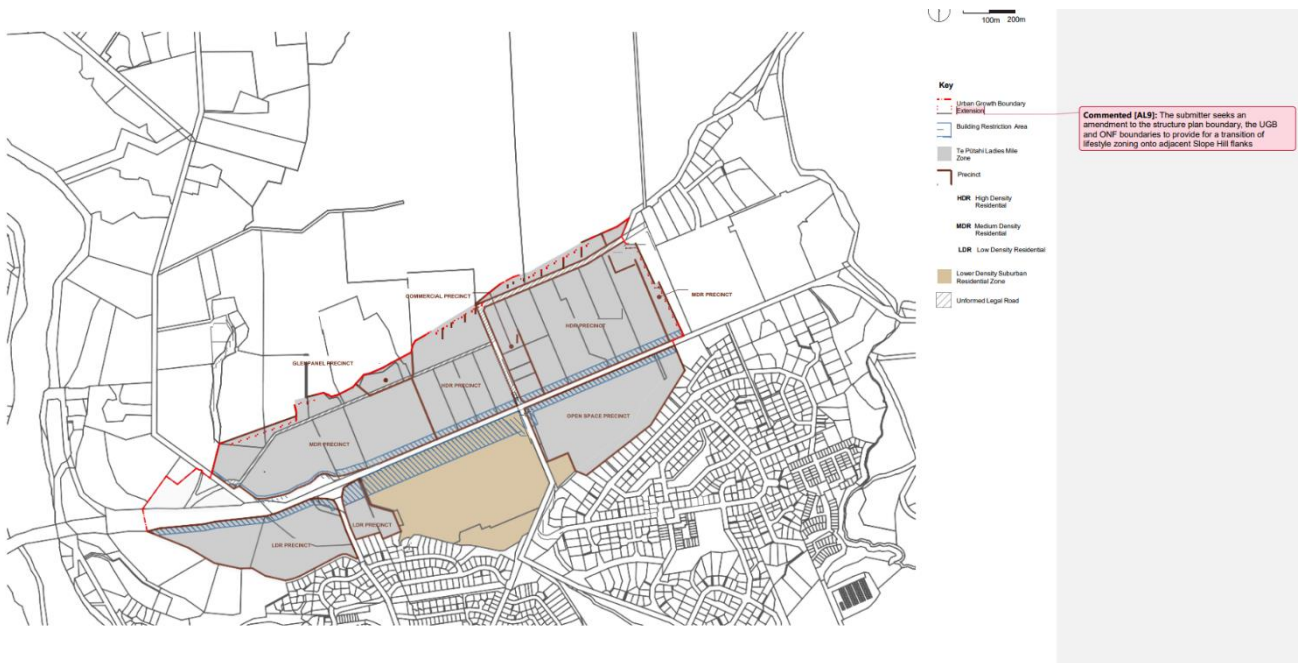


Figure 2: Submitter 105 - Maryhill Limited mapping

- 71 The submitter does not include mapping of its preferred ONF boundary, UGB, TPLM Structure Plan Boundary or extent of rezoned land for lifestyle or residential purposes. Nor does it include landscape evidence in support of its submission.
- 72 For the reasons set out in response to submission 73 – Glenpanel Development Limited and submission 102 – Alexander Reid above, I do not support moving the UGB or enabling urban development northwards across the lower (or higher) southern slopes of Slope Hill ONF.
- 73 I have also considered whether a rural lifestyle type zoning may be appropriate across the lower southern slopes. In my opinion, the importance of the largely undeveloped character of the southern side of Slope Hill ONF (as described above), along with the inevitable earthworks associated with constructing access roads and building platforms in this steeply sloping terrain, means that such a zoning would fail to protect landscape values. In particular, such an outcome would detract from:
- (a) the physical values of the roche moutonnée landform feature;¹²
 - (b) the character and quality of views to the Slope Hill ONF from SH6, Ladies Mile, Lake Hayes Estate and Shotover Country, and

¹² Appendix 1: [1], [2], [31].

potentially, the Remarkables Ski Field Access Road (and lookouts);¹³

- (c) the open and pastoral character of the Slopehill ONF;¹⁴
- (d) the impression of the area as having a very limited level of built modification,¹⁵ and being generally undeveloped¹⁶ with a relatively high perception of naturalness;¹⁷
- (e) the qualities of the highly attractive composition created by the juxtaposition of the undeveloped and distinctive roche moutonnée landform beside a rural living and urban context;¹⁸
- (f) the identity of the area as a natural landscape backdrop to the Ladies Mile area and as a gateway feature to Queenstown and the Wakatipu Basin.¹⁹

74 For these reasons, I do not support the relief sought in submission 105 – Maryhill Limited that is relevant to the Slope Hill ONF.

Bridget Mary Gilbert
29 September 2023

¹³ Ibid: [19], [22], [23], [24].

¹⁴ Ibid: [30](b) (ii).

¹⁵ Ibid: [24], [25], [26], [30](b)(iii).

¹⁶ Ibid: [26], [30](a), [30](c).

¹⁷ Ibid: [25], [33](d).

¹⁸ Ibid: [30] (a).

¹⁹ Ibid: [33] (c) and (d).

STATEMENT OF EVIDENCE OF B GILBERT

Te Pūtahi Ladies Mile Plan Variation

Appendix 1: Notified Slope Hill PA ONF Schedule 21.22.6

PA ONF: Schedule of Landscape Values

General Description of the Area

The Slope Hill PA ONF encompasses the elevated roche moutonnée landform of Slope Hill.

Physical Attributes and Values

Geology and Geomorphology • Topography and Landforms • Climate and Soils • Hydrology • Vegetation • Ecology • Settlement • Development and Land Use • Archaeology and Heritage • Mana whenua

Important landforms and land types:

1. The roche moutonnée glacial landform of Slope Hill, formed by the over-riding Wakatipu glacier, with a smooth 'up-glacier' slope to the southwest and a steeper rough 'plucked' (down-glacier) slope to the east adjacent to Lake Hayes. Rock outcrops throughout the elevated north-western flanks. Highest point: 625m.
2. The Slope Hill roche moutonnée is recognised in the NZ Geopreservation Inventory as one of the best examples of this type of landform in Otago and one of the most easily seen and accessible. It is identified as a site of national scientific, aesthetic and recreational values and is considered to be vulnerable to significant damage by human related activities.

Important hydrological features:

3. Three steep (unnamed) stream gullies draining the southern faces of Slope Hill.
4. A gully draining the north-eastern side.
5. A small kettle lake on the elevated south-western flanks.
6. The irrigation race along the western flanks.

Important ecological features and vegetation types:

7. Particularly noteworthy indigenous vegetation features include:
 - a. Remnant native vegetation comprising matagouri shrubland in the stream gullies and on some adjacent slopes on Slope Hill.
8. Other distinctive vegetation types include:
 - a. Grazed pasture with scattered shelterbelts and clusters of exotic shade trees throughout the elevated slopes.
 - b. Amenity and shelter plantings around the two dwellings and wetland on the north side.
 - c. Poplar plantings around the flanks.
9. Animal pest species include feral cats, hares, rabbits, ferrets, stoats, weasels, possums, rats and mice.

Important land-use patterns and features:

10. Slope Hill is predominantly in pastoral use with very limited rural living use. Modification is limited to a network of farm tracks across the landform, a trig point and communication tower on the highpoint and two dwellings and associated farm building on the northern sides of Slope Hill. Built development is

generally characterised by very carefully located and designed buildings, accessways, and infrastructure, which is well integrated by a mix of established and more recent vegetation features and reads as being subservient to the 'natural' landscape patterns.

Important archaeological and heritage features and their locations:

11. No historic heritage features, heritage protection orders, heritage overlays or archaeological sites have been identified/recorded to date within the ONF.

Mana whenua features and their locations:

12. The entire area is ancestral land to Kāi Tahu whānui and, as such, all landscape is significant, given that whakapapa, whenua and wai are all intertwined in te ao Māori.

Associative Attributes and Values

Mana whenua creation and origin traditions • Mana whenua associations and experience • Mana whenua metaphysical aspects such as mauri and wairua • Historic values • Shared and recognised values • Recreation and scenic values

Mana whenua associations and experience:

13. Kāi Tahu whakapapa connections to whenua and wai generate a kaitiaki duty to uphold the mauri of all important landscape areas.

Important historic attributes and values:

14. Slope Hill has contextual value for its association with Threepwood Farm, one of the Wakatipu Basin's earliest farms.

Important shared and recognised attributes and values:

15. The descriptions and photographs of the area in tourism publications.

Perceptual (Sensory) Attributes and Values

Legibility and Expressiveness • Views to the area • Views from the area • Naturalness • Memorability • Transient values • Remoteness / Wildness • Aesthetic qualities and values

Legibility and expressiveness attributes and values:

16. The area's natural landforms, land type, and hydrological features (described above), which are highly legible and highly expressive of the landscape's formative glacial processes.
17. Indigenous gully plantings which reinforce the legibility and expressiveness values within the gullies on Slope Hill.

Particularly important views to and from the area:

18. Highly attractive framed mid-range views eastbound on SH6, west of the Shotover Bridge to the south-western smooth 'up ice' flanks of Slope Hill. The composition comprises an attractive patterning of the Shotover River terraces and their layered tree plantings (a mix of evergreen and exotic species including Lombardy poplars) below the highly legible and more 'natural' pastoral elevated slopes of the roche

moutonnée and backdropped by (often) snow-capped mountain ranges of Cardrona and the Crown Range. The large-scale road cuttings that frame the highway add to the structure and distinctiveness of the vista. Overall, the outlook impresses as an engaging and memorable gateway to the Wakatipu Basin and seemingly more spacious 'rural' landscape beyond Queenstown/Frankton.

19. Appealing mid to long-range views westbound on SH6 on the elevated section of the highway east of the intersection with Arrowtown Lake Hayes Road to the south-eastern flanks of Slope Hill. The open pastoral character of the rough 'plucked' slopes of the landform in this view forms a bold contrast with the exotic vegetation and building-dominated low-lying terraces of Ladies Mile and Frankton to the left of view. From this orientation, the roche moutonnée blends seamlessly with the layered patterning of dramatic mountains and roche moutonnée that frame the western side of the Wakatipu Basin and Lake Wakatipu more generally. The depth of the outlook together with its 'classic' elements that include a structured layering of mountainous landforms and the gateway impression (enabling first glimpses of Queenstown) contribute to the memorability of the vista.
20. Highly attractive close to long-range views from the Lake Hayes Trail / Wai Whaka Ata, the necklace of reserves around the edge of Lake Hayes, Arrowtown Lake Hayes Road and the residential properties around Waiwhakaata (Lake Hayes) (outside the ONF), across the lake (ONF) to the dramatic and generally undeveloped roche moutonnée, the undeveloped ridgeline framing the western side of the lake and/or the more distant surrounding mountain backdrop.
21. Attractive mid to long-range views from the eastern side of the Wakatipu Basin (including Tuckers Beach, Domain Road, Hawthorn Triangle, Dalefield, parts of the Shotover River corridor, the Hawthorn Triangle, the eastern end of Slope Hill Road and parts of the Queenstown Trail) to the smooth pastoral elevated south-western flanks and the more rugged north-western flanks. From this orientation the open and generally undeveloped landform forms a marked contrast with the rural living development context in the foreground of view.
22. Attractive long-range views from the Remarkables Ski Field Access Road (and lookouts), the Queenstown Trail on Christine's Hill and from Arrowtown Lake Hayes Road at McIntyre's Hill to Slope Hill beside the highly attractive glacial lake of Waiwhakaata (Lake Hayes) and viewed within a broader ONL mountain context.
23. Attractive close, mid, and long-range views from Ladies Mile, Lake Hayes Estate and Shotover Country to the south side of Slope Hill. From this orientation the distinguishing roche moutonnée landform profile is clearly legible and there is an awareness of the transition from the smooth 'ice up' character to the rough 'plucked' character.
24. In all of the views, the dominance of 'natural' landscape elements, patterns, and processes evident within the ONF, along with the generally subservient nature of built development within the ONF and the contrast with the surrounding 'developed' landscape character, underpins the high quality of the outlook.

Naturalness attributes and values:

25. The seemingly 'undeveloped' character of Slope Hill which conveys a relatively high perception of naturalness. While modifications related to its pastoral use are visible, the very low number of buildings, the relatively modest scale of tracks and limited visibility of infrastructure kerbs their influence on the character of the landform as a natural landscape element.

Memorability attributes and values:

26. The appealing and engaging views of the largely undeveloped and legible roche moutonnée landform of Slope Hill. The close proximity of Waiwhakaata (Lake Hayes) ONF in the outlook, collectively seen within a relatively developed immediate context serves to enhance the memorability of the outlook.

Transient attributes and values:

27. Autumn leaf colour and seasonal loss of leaves associated with the exotic vegetation.

28. Seasonal snowfall and the ever-changing patterning of light and weather across the roche moutonnée slopes.

Aesthetic qualities and values:

29. The experience of the values identified above from a wide range of public viewpoints.
30. More specifically, this includes:
- a. The highly attractive large-scale composition created by the generally undeveloped and distinctive roche moutonnée landform, juxtaposed beside a rural living and urban context.
 - b. At a finer scale, the following aspects contribute to the aesthetic appeal:
 - i. the clearly legible roche moutonnée landform profile and character;
 - ii. the open and pastoral character of Slope Hill;
 - iii. the very limited level of built modification evident through the ONF; and
 - iv. the poplars around the flanks of Slope Hill, which contribute to the scenic appeal despite not being native.

Summary of Landscape Values

Physical • Associative • Perceptual (Sensory)

Rating scale: seven-point scale ranging from **Very Low** to **Very High**.

| | | | | | | |
|----------|-----|---------|----------|----------|------|-----------|
| very low | low | low-mod | moderate | mod-high | high | very high |
|----------|-----|---------|----------|----------|------|-----------|

The combined physical, associative, and perceptual attributes and values described above for PA ONF Slope Hill and Lake Hayes Remarkables can be summarised:

31. **Very High physical values** due to the high-value landforms, vegetation features, habitats, species, hydrological features and mana whenua features in the area.
32. **High associative values** relating to:
- a. The mana whenua associations of the area.
 - b. The historic associations of the area.
 - c. The strong shared and recognised values associated with the area.
 - d. The significant recreational attributes of Waiwhakaata (Lake Hayes).
33. **Very High perceptual values** relating to:
- a. The high legibility and expressiveness values of the area deriving from the visibility and abundance of physical attributes that enable a clear understanding of the landscape's formative processes.
 - b. The very high aesthetic and memorability values of the area as a consequence of its distinctive and appealing composition of natural landscape elements. The visibility of the area from Lake Hayes Estate, Shotover Country, the Ladies Mile corridor, the eastern side of the Wakatipu Basin,

the scenic route of SH6, Arrowtown Lake Hayes Road, the Remarkables Ski Filed Access Road and the Queenstown Trail, along with the area's transient values, play an important role.

- c. The identity of the roche moutonnée as a natural landscape backdrop to Ladies Mile and the western and central portion of the Wakatipu Basin and as a gateway feature to Queenstown/ the Wakatipu Basin.
- d. A high perception of naturalness arising from the dominance of natural landscape elements and patterns at Slope Hill.

Landscape Capacity

The landscape capacity of the PA ONF Slope Hill for a range of activities is set out below.

- i. **Commercial recreational activities – very limited** landscape capacity for activities that: integrate with, and complement/enhance, existing recreation features; are located to optimise the screening and/or camouflaging benefit of natural landscape elements; designed to be of a sympathetic scale, appearance, and character; integrate appreciable landscape restoration and enhancement; enhance public access; and protect the area's ONF values.
- ii. **Visitor accommodation and tourism related activities – no** landscape capacity.
- iii. **Urban expansions – no** landscape capacity.
- iv. **Intensive agriculture – no** landscape capacity.
- v. **Earthworks – very limited** landscape capacity for earthworks associated with farm or public access tracks, that protect naturalness and expressiveness attributes and values, and are sympathetically designed integrate with existing natural landform patterns.
- vi. **Farm buildings –** in those areas of the ONL with pastoral land uses, **very limited** landscape capacity for modestly scaled buildings that reinforce existing rural character.
- vii. **Mineral extraction – no** landscape capacity.
- viii. **Transport infrastructure – very limited** landscape capacity for trails that are: located to integrate with existing networks; designed to be of a sympathetic appearance and character; integrate landscape restoration and enhancement; and protect the area's ONF values. **No** landscape capacity for other transport infrastructure.
- ix. **Utilities and regionally significant infrastructure – limited** landscape capacity for infrastructure that is buried or located such that they are screened from external view. In the case of utilities such as overhead lines or cell phone towers which cannot be screened, these should be designed and located so that they are not visually prominent.
- x. **Renewable energy generation – no** landscape capacity.
- xi. **Production forestry – no** landscape capacity.
- xii. **Rural living – no** landscape capacity.



Legend

- Urban Growth Boundary Extension line
- Structure Plan Extension line
- Land Parcels and Properties
- Contours Wakatipu 1m 2021
- Rural Building Platforms
- ACTIVE
- APPROVED
- APPROVED NON RES
- BUILT
- PDP Stage 123 Decisions ONL/F



Scale: 1:10,000 at A3

Date: 30/08/2023

**STATEMENT OF EVIDENCE OF B GILBERT
Te Pūtahi Ladies Mile Plan Variation**

Appendix 2: Slope Hill PA ONF Mapping

STATEMENT OF EVIDENCE OF B GILBERT

Te Pūtahi Ladies Mile Plan Variation

Appendix 3: Background to PA Mapping

Appendix 3 Background to Slope Hill Priority Area Outstanding Natural Feature (ONF) Mapping

- 1.1** The notified Priority Area (PA) mapping is reproduced in **Figure 1** and **Figure 2** below.
- 1.2** 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)¹.
- 1.3** 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 PDP Chapter 3.
- 1.4** The Court made the following direction at [525]:

 - (b) Messrs Barr and Ferguson (together with Messrs Gilbert, Mellsop and Pflugger) 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;*

¹ [2019] NZEnvC 205 [162] and [164].

(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.)

Wakatipu Landscape Schedules

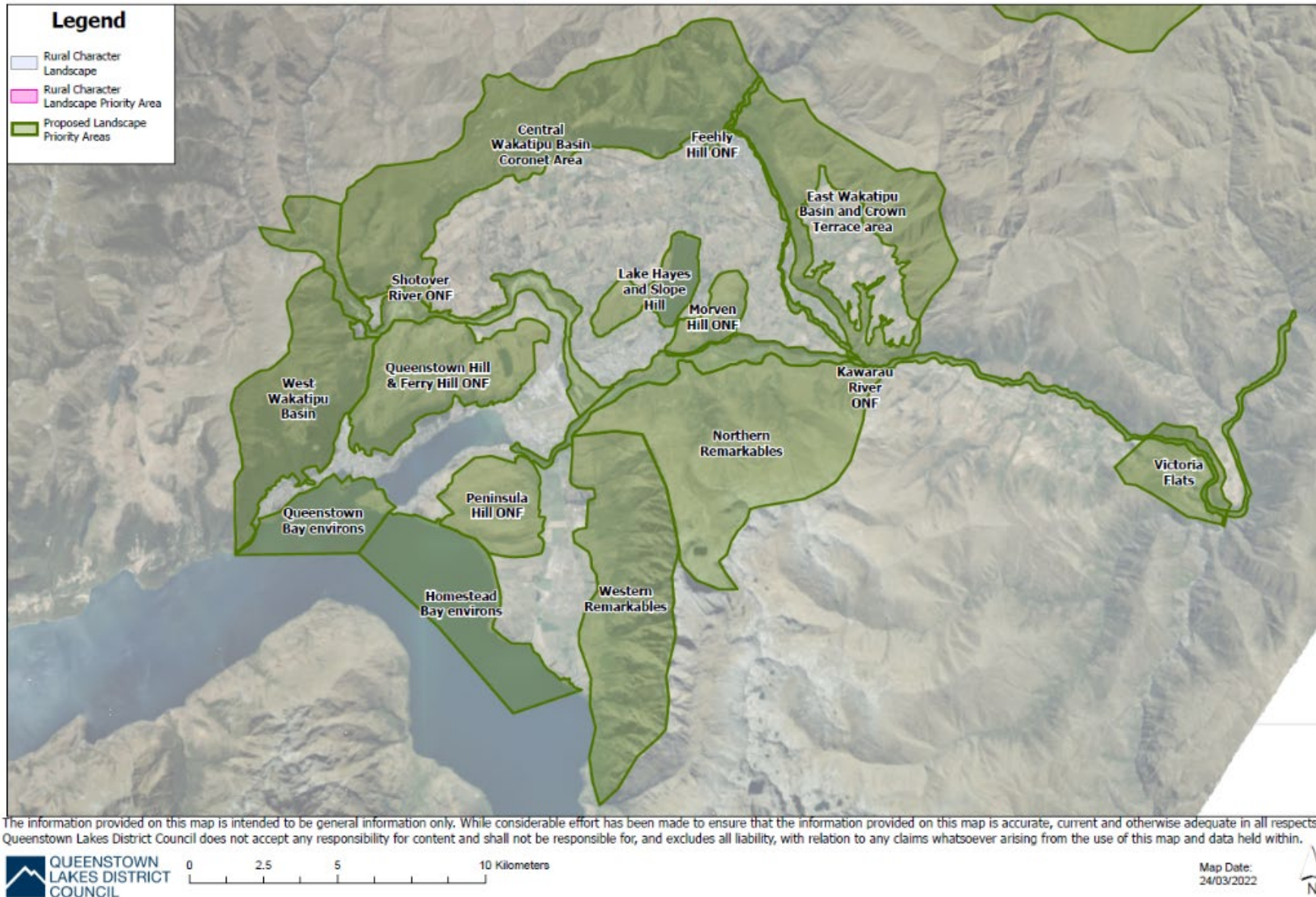
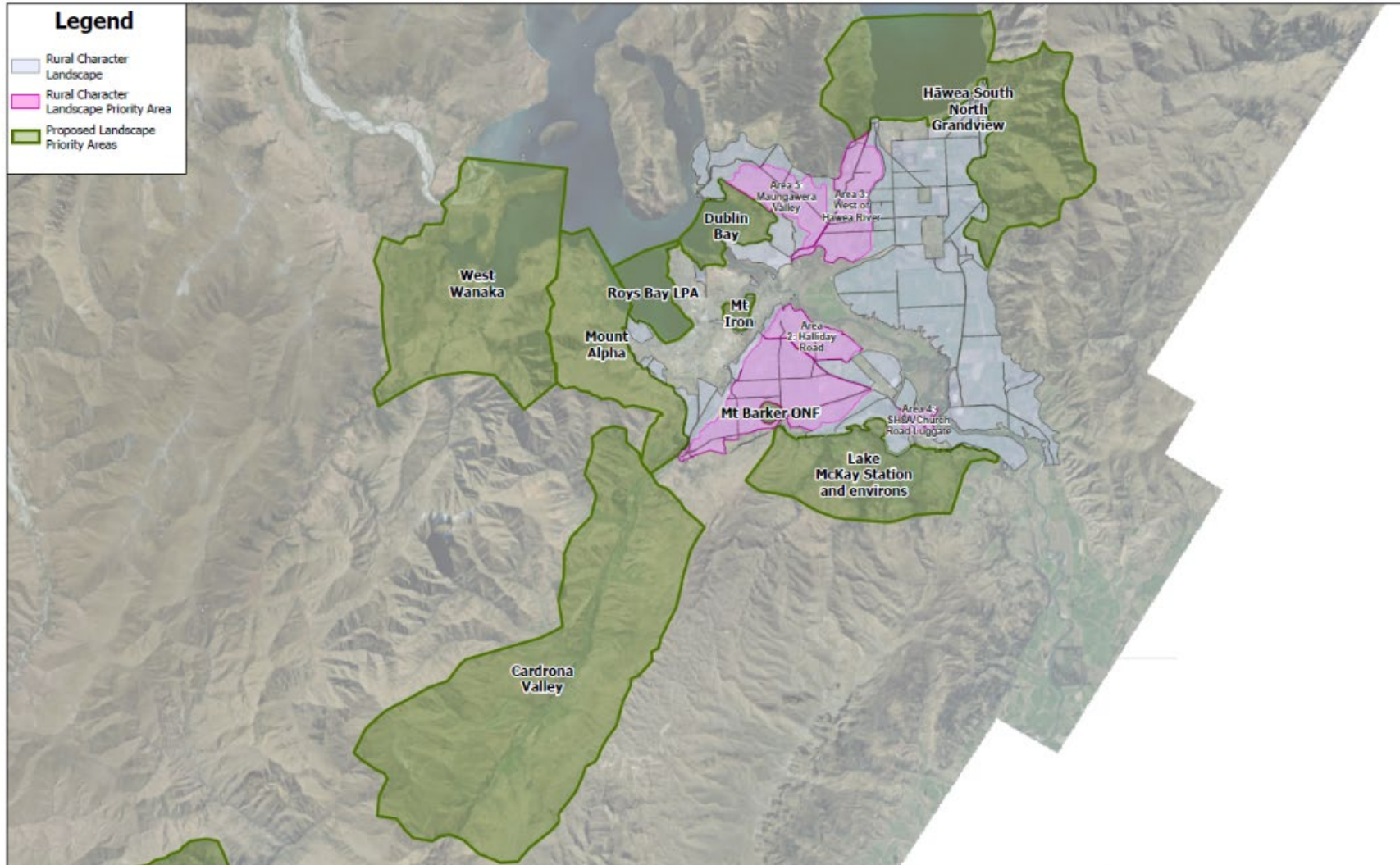
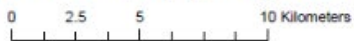


Figure 1: Notified mapping of the Whakatipu Basin PA ONF/Ls

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

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

1.6 The notified PA mapping was developed as follows:

a) Preliminary Development Pressure Area Mapping (February 2020)

Preliminary mapping of the development pressure areas² 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 Mellisop in March 2020 to produce 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 (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 boundaries to the extent this was possible.

c) Topic 2.5 Decision (September 2020)

The Topic 2.5 Decision confirmed the ‘Final Draft PA Mapping’ as being fit for purpose to allow the expert conferencing to proceed.³

d) Expert Conferencing (October 2020)

The ‘Final Draft PA Mapping’ prepared by Ms Mellisop was reviewed at the planner and landscape expert conferencing (directed in the Topic 2.2 Decision), conducted during September and October 2020. I was a

² 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]).

³ Decision No. [2020] NZEnvC 158: [67] and [83].

participant at the 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 3(a) and 3(b)** respectively.

Section E of the October 2020 VIF and PA ONF/L JWS discusses the PA ONF/Ls generally,⁴ describes the mapped extent of each PA ONF/L agreed by the landscape experts during the conferencing (including any agreed mapping amendments)⁵ and incorporates a hyperlink to the agreed PA ONF/L mapping.⁶ The October 2020 Upper Clutha PA Mapping JWS confirms agreement of the landscape experts to the mapping appended to the JWS⁷.

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 2.7 Decision (May 2021).⁸ 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).

⁴ October 2020 JWS: [27] to [30].

⁵ Ibid: [31] to [54].

⁶ Ibid: [55].

⁷ 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.

⁸ See 2021 NZEnvC 60 at [17] and [26].

STATEMENT OF EVIDENCE OF B GILBERT

Te Pūtahi Ladies Mile Plan Variation

Appendix 3(a): PA ONFL Mapping JWS

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2018-331-000019

UNDER of the Resource Management
Act 1991

AND

IN THE MATTER of appeals under clause 14
Schedule 1 of the Act against
decisions of the Queenstown
Lakes District Council on Stage
1 of the Proposed Queenstown
Lakes District Plan

BETWEEN **DARBY PLANNING LIMITED**

and all other appellants
concerning Topic 1 of Stage 1
of the Proposed Queenstown
Lakes District Plan

Appellants

AND

**QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**JOINT STATEMENT ARISING FROM EXPERT PLANNER AND
LANDSCAPE CONFERENCING IN RELATION TO STRATEGIC POLICIES
AND PRIORITY AREA EXPERT CONFERENCING
TOPIC 2: RURAL LANDSCAPES**

A. INTRODUCTION

1. This joint statement is the outcome of planner and landscape expert witness conferencing for Topic 2, regarding the following policies to be added to Chapter 3 (Strategic Directions):
 - (a) Values Identification Framework (**VIF**) for the identified Priority Areas of the Outstanding Natural Features (**ONF**) and Outstanding Natural Landscapes (**ONL**), and for Priority Area Rural Character Landscapes (**RCL**) of the Upper Clutha Basin;
 - (b) The extent of the Priority Areas for the Outstanding Natural Features and Outstanding Natural Landscapes;
 - (c) Landscape Assessment Methodologies; and
 - (d) Monitoring policies in relation to rural landscapes.
2. Expert conferencing sessions were held on 29 September 2020 in QLDC's Queenstown office.
3. The participants also assisted with the completion of the JWS from 7 October through to 29 October 2020.
4. The experts who attended the conferencing sessions are set out below.
 - (a) Craig Barr - planning (QLDC);
 - (b) Helen Mellsop – landscape (QLDC);
 - (c) Chris Ferguson - planning (Darby Planning);
 - (d) Yvonne Pfluger – landscape (Darby Planning);
 - (e) and
 - (f) Di Lucas – landscape (Upper Clutha Environmental Society Incorporated (UCESI))
5. On 29 September 2020 Bridget Gilbert – landscape (QLDC) attended remotely via audioconferencing facilities.
6. Mr Brown landscape (Queenstown Park Limited) could not attend the Conference, however a draft statement was made available to Mr Brown and his input has been recorded in this statement.
7. On 8 October 2020, the following landscape experts undertook

conferencing Auckland, to determine the extent of the ONF/L PA:

- (a) Di Lucas;
- (b) Stephen Brown;
- (c) Helen Mellsop;
- (d) Bridget Gilbert; and
- (e) Yvonne Pfluger.

8. Prior to conferencing, all participants have reviewed the relevant information, including:

- (a) The Environment Court's interim decision 2.2 dated 19 December 2019;
- (b) The Environment Court's decision 2.5 dated 21 September 2020;
- (c) Council's draft provisions, elaborating upon the interim decision text and placeholders provided by the Court in Annexure 1 of Decision 2.2. The draft provisions were circulated by the Council on the evening of 23 September 2020;
- (d) The potential landscape assessment guidelines, submitted as part of Ms Gilbert's supplementary evidence (Topic 2) dated 29 April 2019, were circulated on 28 September 2020.

9. This joint statement records the extent of the Outstanding Natural Feature and Outstanding Natural Landscape PAs as agreed by the landscape experts during conferencing on 8 October 2020. A separate joint statement will be prepared by the landscape experts on the Upper Clutha RCL PAs.

10. This joint statement has been prepared in accordance with Section 4.7 of the Environment Court Practice Note 2014.

11. In addition, all attendees have read, and agree to abide with, Appendix 3 to the Environment Court Practice Note 2014, which comprises the Protocol for Expert Witness Conferencing.

B. Strategic Directions provisions relevant to VIF, landscape assessment methodology and monitoring

12. Attached as **Appendix A** are the proposed VIF, landscape assessment methodology and monitoring strategic policies (SP). Relevant strategic objectives (SO) and SPs have also been included for context and as a reference point for the participants. Amendments are proposed to some of these provisions to better integrate the proposed VIF, landscape assessment methodology and monitoring SPs. The participants agree that these amendments are necessary and consequential in light of the additional SPs, and that the interim drafting by the Court in its Topic 2.2 decision was of a preliminary nature, as it relates to the future VIF, landscape assessment methodology and monitoring SPs.
13. The following specific comments are offered to explain the amendments to the SOs and SPs:
- (a) SO 3.2.5.xx - the amendments are to simply record the location of the landscape assessment methodology SPs in 3.3.XB. It is understood by the participants that these will be numbered in a more orthodox sequence following determination of the provisions.
 - (b) SP 3.3.29x - the amendments clarify the role of each of limbs (a) and (b) to respectively relate to PAs being identified and landscape capacity identified through the separate policy frameworks in 3.3.XA for PAs, and 3.3.XB for non-PAs.
 - (c) SO 3.2.5v - amendments for minor grammatical clarity.
 - (d) SP 3.3.31X - amending limb (a) by specifying the PAs are within the upper Clutha Basin and in the identification of values would be in accordance with the values identification framework in 3.3.XA, and that subsequent applications would still apply the landscape assessment methodology. Amending limb (b) to clarify that the landscape assessment methodology framework in 3.3.XB is applicable to all areas outside of identified priority areas. For both limbs (a) and (b), the participants prefer 'best practice' to 'sound landscape methodology'.
 - (e) SP 3.3.32X - amendments to emphasise that the maintenance of landscape character, and maintenance or enhancement of visual amenity values, relates to the identified landscape character.
 - (f) SP 3.3.32y - amendments to limbs (a)(i)-(ii) and (b) to address

concern from the participants at the risk of landscape assessments being inadvertently confined to a small area and potential undesirable consequences for the wider landscape context not being taken into account.

14. Mr Barr notes that any amendments to these interim decisions Topic 2.2 provisions are to integrate the subsequent VIF, landscape assessment methodology and monitoring SPs, but does not support any amendments that alter the environmental qualification or outcomes expressed in those SPs. Mr Barr does not consider the directed conferencing to be an opportunity to revisit substantive policy outcomes and any amendments to these provisions were undertaken in the least invasive way possible, respecting the Court's drafting of the Topic 2.2 provisions.

C. Amendments to Landscape Assessment Matters in Chapter 21 Rural Zone

15. As part of the conferencing on 29 September, the participants discussed whether and how a list of the values and attributes requiring consideration as part of a landscape assessment would be incorporated into the VIF. It was agreed that the Landscape Assessment Matters in part 21.21 of Chapter 21 Rural Zone provide a sound basis for undertaking an assessment of landscape attributes and it would be efficient for the VIF to cross reference these existing provisions. The participants reviewed the agreed in principle amendments to the landscape assessments, following mediation on those provisions undertaken in January 2020 as part of Topic 18 (subtopic 7).
16. For context, following the Topic 18 mediation, the agreed in principle amendments to the Landscape Assessment Matters were parked for reconsideration following the outcome of the values identification framework process and completion of court directed joint witness conferencing.
17. The participants have suggested some amendments to the Chapter 21 Landscape Assessment Matters, and these are attached as part of the package of provisions in **Appendix A**. The participants acknowledge that the Chapter 21 Landscape Assessment Matters are subject to the Topic 18 Subtopic 7 appeals and mediation processes.

D. VIF for the identified Priority Area ONFs and ONLs

- 18.** The participants acknowledge that the Environment Court in Decision 2.5 confirmed the following ONFs and parts of the ONL as Priority Areas:
- (a) The Outstanding Natural Features of Peninsula Hill, Ferry Hill, Shotover River, Morven Hill, Lake Hayes, Slope Hill, Feehly Hill, Arrow River, Kawarau River, Mt Barker, and Mt Iron.
 - (b) The Outstanding Natural Landscapes of West Wakatipu Basin, Queenstown Bay and environs, Lake Hayes and Slope Hill, Northern Remarkables, Central Wakatipu Basin Coronet Area, East Wakatipu Basin and Crown Terrace Area, Victoria Flats, Cardrona Valley, Mount Alpha, Roys Bay, West Wanaka, Dublin Bay, Hawea South North Grandview, and Lake McKay Station and environs.
- 19.** The participants note that the Slope Hill and Lake Hayes has been recorded as both a landscape and a feature. This was identified as being incorrectly recorded in the memorandum of Council, as an ONL as well as an ONF.
- 20.** Lake Hayes and Slope Hill are identified on the PDP District Plan Maps as an ONF, all participants agree that Slope Hill and Lake Hayes need only be referenced as an ONF.

Structure of the VIF

- 21.** The drafting structure of the VIF for both the ONF/L and RCL are the same and are set out as follows:
- (a) A policy that identifies the respective PA, noting that in some cases only part of the relevant area is to scheduled, due to the areas being zoned both Rural Zone and an exception zone (i.e. Peninsula Hill is part zoned Rural and Jacks Point Zone). These are proposed policies XA1 (ONF/L) and XA4 (RCL);
 - (b) A policy that provides the fundamental instruction for the promulgation of future schedules, of PAs, to be added to Chapter 21 Rural Zone. These are policies XA2 (ONF/L) and XA5 (RCL); and
 - (c) A policy for each of the ONF/L (policy XA3 for ONF/L and Policy XA6 for the RCL) that directs the district plan to be changed to implement the scheduling of PAs.
- 22.** The participants understand, and expect that the outcome of the Topic

2.2 VIF process, will be that the maps of the respective PAs will be added to Chapter 21, serving more or less as a placeholder in a schedule until such time as the district plan is amended to add the schedules.

23. The landscape experts discussed the matter of reference to 'visual amenity values' in a number of the RCL provisions (i.e. SO 3.2.5.2, 3.2.5.iv, 3.2.5.v and SPs 3.3.31x, 3.3.32x and 3.3.32y) and how this may flow through to the respective VIF policies. The reason being that the landscape experts preferred the reference to 'visual' be deleted because the multi-sensory experience of landscapes includes more than solely visual aspects of amenity. The landscape experts acknowledge that this would result in substantive amendments and create inconsistencies with other SOs and SPs that were not included in the provisions attached in **Appendix A**.
24. The participants did not discuss any dates by which the plan should be amended, and understand this matter to be subject to separate directions from the court.

Matters Agreed

25. The participants agree with the drafting of the VIF SPs attached as **Appendix A**, being new proposed SPs XA1, XA2 and XA3.

Matters Disagreed

26. There is not any disagreement.

E. Extent of the Priority Area of the ONFs and ONLs

27. The landscape experts agree that the DPAs (Development Pressure Areas) (identified by QLDC) are nested within or overlap landscape units, and in turn, landscapes.
28. The landscape experts agree that the mapped Priority Areas (PAs) need to be considered within the context of the broader landscape setting and ONF/L.
29. The landscape experts agree that it is likely there will be a number of landscape character units within a single PA that will need to be recognised in the ONF/L Schedule. Examples of where this is likely to be the case include (but are not limited to): Ferry Hill and Queenstown Hill PA; Lake Hayes and Slope Hill PA; Remarkables North PA; Shotover River PA; Kawerau River PA; Arrow River PA; Clutha River PA; Mt

Dewar PA; East Wakatipu Basin and Crown Terrace PA; Victoria Flats PA; Cardrona Valley PA; West Wanaka PA; Dublin Bay PA; North Grandview PA; Lake McKay Station PA; Southwest Lake Hawea PA.

30. Further, the landscape experts acknowledge that some landscape character units are likely to extend beyond the mapped PA.

ONFs

31. **Peninsula Hill PA:** the landscape experts agree that Peninsula Hill qualifies as an ONF, and that the ONF extends into Jacks Point Zone (JPZ). The PA should include the entire ONF (i.e. not just the land zoned Rural, outside JPZ). The PA mapping has been amended to delineate the boundary between the Peninsula Hill PA and the adjacent Lake Wakatipu ONL along the lake side of Peninsula Hill, which follows the top of the steep lake edge landforms.
32. **Feehly Hill PA:** the landscape experts agree that the extent of the PA should capture the entire landform feature (as opposed to the extent of the existing Feehly Hill ONF mapping). The Feehly Hill PA mapping has been amended to reflect this.
33. **Ferry Hill and Queenstown Hill PA:** the landscape experts agree that the extent of the PA mapping corresponds to the extent of the Ferry Hill ONF and a wider ONL including Queenstown Hill. The Ferry Hill PA mapping has been amended to reflect this.
34. **Shotover River PA:** the landscape experts agree that the extent of the PA mapping corresponds to the extent of the Shotover ONF.
35. **Morven Hill PA:** the landscape experts agree that the extent of the PA mapping corresponds to the Morven Hill landform and ONF boundaries.
36. **Kawarau River PA:** the landscape experts agree that the extent of the PA should be defined by the upper edges of the landforms framing the Kawarau River corridor. The Kawarau River PA mapping has been amended to reflect this.
37. **Arrow River PA:** the landscape experts agree that the PA mapping should be extended northwards to capture the full extent of the river corridor up to the limit of the existing mapped PA in the vicinity. The Arrow River PA mapping has been amended to reflect this.
38. **Mt Barker PA:** the landscape experts agree that the extent of the PA mapping corresponds to the Mt Barker landform and ONF boundaries.

39. **Mt Iron PA:** the landscape experts agree that no changes to the PA mapping are required.

40. **Clutha River PA:** the landscape experts agree that no changes to the PA mapping are required.

ONLs

41. **Remarkables PA:** the landscape experts agree that this PA comprises two distinct landscape units: **Northern Remarkables PA** and **Western Remarkables PA**. The landscape experts agree that: the delineation between these two PAs should coincide with a ridgeline at the northern end of the western side of the Remarkables; the extent of the Western Remarkables PA should extend southwards to Wye Creek; and the eastern extent of the Northern Remarkables PA should coincide with a ridge that divides the Wakatipu Basin mountains from the Gibbston Valley mountains. The PA mapping has been amended to reflect these changes.

42. **Queenstown Bay PA:** the landscape experts agree that the PA mapping should be amended along the lake edge near Sunshine Bay/Fernhill, so that it aligns with the road edge. They also agree that the PA boundary should be amended to align with the West Wakatipu Basin PA mapping in the vicinity. The Queenstown Bay PA mapping has been amended to reflect these changes.

43. **Homestead Bay PA (proposed):** notwithstanding that the Council has not included this area as an ONL PA, the landscape experts agree that this area of Lake Wakatipu and its margin is deserving of consideration as a PA given the development pressure and landscape values associated with the lake and its margins. The proposed Homestead Bay PA mapping agreed by the landscape experts captures the lake margins and immediate lake edge extending from approximately Peninsula Hill southwards to Lakeside Estates.

44. **West Wakatipu Basin PA:** the landscape experts agree that PA mapping should be amended so that the eastern boundary aligns with Gorge Road and the line work around Sunshine Bay reflects the ONL boundary confirmed by the Environment Court. The West Wakatipu Basin PA mapping has been amended to reflect these changes.

45. **Mt Dewar PA:** the landscape experts agree that no changes to the PA mapping are required.

46. **East Wakatipu Basin and Crown Terrace PA:** the landscape experts agree that no changes to the PA mapping are required.
47. **Victoria Flats PA:** the landscape experts agree that the PA mapping should be amended to include the proximate mountain faces up to ridgelines. The Victoria Flats PA mapping has been amended to reflect this.
48. **Cardrona Valley PA:** the landscape experts agree that the PA mapping should be amended to include the areas proposed for extension of the SASZ, with elevated ridgeline systems and marked changes in vegetation used to define the extent of the area added to the PA. The Cardrona Valley PA mapping has been amended to reflect this change.
49. **West Wanaka PA:** the landscape experts agree that the PA mapping should be amended: to include Hospital Flat; follow the toe of the slopes framing the Motutapu River valley; and include the low-lying land at the upper reaches of the Motutapu River flats. It is noted that this PA includes Roys Peninsula ONF. The West Wanaka PA mapping has been amended to reflect these changes.
50. **Roys Bay PA:** the landscape experts agree that minor amendments are required to the PA mapping so that it adjoins the neighbouring PA at Beacon Point. The Roys Bay PA mapping has been amended to reflect this change.
51. **Dublin Bay PA:** the landscape experts agree that the PA mapping should be extended to include the lake frontage in the vicinity of Mt Burke on the northern side of Dublin Bay. The Dublin Bay PA mapping has been amended to reflect this change.
52. **Lake McKay Station PA:** the landscape experts agree that the PA mapping should be extended southwards to take in a series of peaks to the south of the area. The Lake McKay Station PA mapping has been amended to reflect this change. It is noted that the eastern boundary of the ONL will need to be updated to reflect the ONL determined by the Court.
53. **North Grandview PA:** the landscape experts agree that the PA mapping should be extended eastwards up to the Grandview Ridge (aligning with District boundary), and southwards to Lagoon Valley. The North Grandview PA mapping has been amended to reflect this change.
54. **Southwest Lake Hāwea PA:** the landscape experts agree that the PA

mapping should be extended: to capture the Mt Maude ridgeline crest to the west; to follow the toe of the slopes on the eastern side of Lake Hawea; and northwards over Lake Hāwea. The Southwest Lake Hāwea PA mapping has been amended to reflect these changes.

55. The Outstanding Natural Features and Outstanding Natural Landscapes PAs, as identified to be amended by the landscape experts in paragraphs 31 – 54 above, are available for viewing via the following weblink:

<http://gldc.maps.arcgis.com/apps/webappviewer/index.html?id=09766231fa5a4eb096f1a019baa27b6e>

Username: PDPAppeals_QLDC

Password: PDPstage12018

Matters Agreed

56. The landscape experts agree with the extent of the PAs as identified above.

Matters Disagreed

57. There is not any disagreement.

F. VIF for the Priority Areas of the Upper Clutha Basin RC;

58. The participants agree with the drafting of Policy XA5, noting that while the emphasis for PAs in the RCL is focusing on development pressure, and cumulative degradation from rural living and other residential activity, it is appropriate for the schedules to potentially contemplate landscape capacity from a range of activities, in addition to rural living as elaborated upon in Policy XA5.h.
59. The participants agree with local context criteria being applied to the RCL VIF policy XA5, including references to the relationship between the PA and landscape character area, the relationship between the ONFs within the Upper Clutha Basin, and the ONLs that frame the Upper Clutha Basin.
60. The participants considered adding reference to cumulative degradation to Policy XA5, but consider that this matter is sufficiently canvassed in the preamble of XA5 by way of reference to landscape capacity.

Matters Agreed

61. The participants agree with the drafting of the VIF SPs attached as **Appendix A**, being new proposed SPs XA4, XA5, XA6 and XA7.

Matters Disagreed

62. There is not any disagreement.

G. Landscape Assessment Methodologies

63. The landscape assessment methodology policy framework comprises two policies.
64. Policy XB1 provides guidance as to the landscape assessment methodology for any area where landscape matters are at issue (i.e it is able to be applied to all rural zones (both within the ONF/L and the Rural Zone RCL, and exception zones).
65. Policy XB1 directs landscape assessments be undertaken in accordance with best practice landscape methodology, and shall describe landscape values, landscape capacity, and apply a consistent adverse effects rating scale. This shall be implemented by applying the identified evaluation processes and methodology set out in limbs (a) to (g).
66. An advice note is provided following Policy XB1 that refers to the QLDC Landscape Assessment Guidelines, which provide assistance in the application of best practice landscape methodology and should be considered as part of implementing Policy 3.3.XB. It is intended that these are the landscape assessment guidelines provided by Ms Gilbert in her supplementary evidence 29 April 2019¹. The guidelines would be accessible via a weblink in the advice note.
67. The second policy, Policy XB2, provides guidance as to when Policy 3.3.XB is to be implemented. The rationale for Policy XB2 is to clarify that while it would be expected to be applied for all plan changes, and for potentially more complex discretionary or non-complying resource consent applications, notwithstanding the activity status, discretion may be applied to dispense with the need to undertake a landscape assessment in accordance with policy XB1, particularly where the transaction costs of doing so are out of proportion to the actual and potential adverse effects on landscape values.

1 Supplementary evidence of Bridget Mary Gilbert for Queenstown Lakes District Council. Topic 2 – Rural Landscapes 29 April 2019.

Matters Agreed

68. The participants agree with the drafting of the landscape assessment methodology SPs attached as **Appendix A**, being new proposed SPs XB1 and XB2.

Matters Disagreed

69. There is not any disagreement.

H. Monitoring policies in relation to rural landscapes

70. Two SPs are proposed that prescribe particular monitoring requirements of the Rural Zone provisions, at a frequency of not more than two and half years (policy XC1).
71. Proposed policy XC2 engages with the effectiveness of the outcomes of those PA where schedules have been added to the district plan (i.e limbs (b) and (c)). Limb (d) provides monitoring guidance on whether SP 3.2.5 is being achieved, and in particular whether the landscape capacity has been met or exceeded as it relates to a range of identified land uses.
72. Policy XC2(e) encourages the identification of areas that are subject to particular development through field reports.

Matters Agreed

73. The participants agree with the drafting of the landscape monitoring SPs attached as **Appendix A**, being new proposed SPs XC1 and XC2.

Matters Disagreed

74. There is not any disagreement.

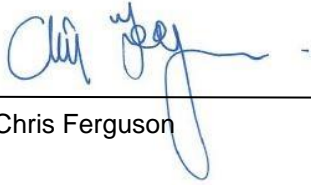
I. ATTACHMENTS

Attachment A: Provisions agreed by all participants,

DATE: 29 October 2020.



Stephen Brown



Chris Ferguson



Di Lucas



Yvonne Pfluger



Helen Mellsop



Bridget Gilbert



Craig Barr

STATEMENT OF EVIDENCE OF B GILBERT

Te Pūtahi Ladies Mile Plan Variation

Appendix 3(b): PA RCL Mapping JWS

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2018-331-000019

UNDER of the Resource Management
Act 1991

AND

IN THE MATTER of appeals under clause 14
Schedule 1 of the Act against
decisions of the Queenstown
Lakes District Council on Stage
1 of the Proposed Queenstown
Lakes District Plan

BETWEEN **DARBY PLANNING LIMITED**

and all other appellants
concerning Topic 1 of Stage 1
of the Proposed Queenstown
Lakes District Plan

Appellants

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

**JOINT STATEMENT ARISING FROM EXPERT LANDSCAPE CONFERENCING IN
RELATION TO THE UPPER CLUTHA PRIORITY AREA MAPPING**

TOPIC 2: RURAL LANDSCAPES

A. INTRODUCTION

1. This joint statement is the outcome of landscape expert witness conferencing for Topic 2, regarding the extent of RCL Priority Areas in the Upper Clutha Basin.
2. The expert conferencing session was held in Auckland on 8 October 2020.
3. The experts who attended the conferencing session are set out below.
 - (a) Helen Mellsop – landscape (QLDC);
 - (b) Bridget Gilbert – landscape (QLDC);
 - (c) Stephen Brown – landscape (Queenstown Park Limited); and
 - (d) Di Lucas – landscape (Upper Clutha Environmental Society Incorporated (UCESI)).
4. Prior to conferencing, all participants reviewed the draft RCL Priority Area mapping in the Upper Clutha Basin, prepared by QLDC and dated 5 October 2020.
5. This joint statement has been prepared in accordance with Section 4.7 of the Environment Court Practice Note 2014.
6. In addition, all attendees have read, and agree to abide with, Appendix 3 to the Environment Court Practice Note 2014, which comprises the Protocol for Expert Witness Conferencing.

RCL Priority Areas in the Upper Clutha Basin

7. The landscape experts agree that all of the RCL PA areas should be mapped to adopt 'landscape' (e.g. landforms, land use, river, bush features etc) rather than 'road' boundaries.
8. **Cardrona River/Mt Barker Road RCL PA:** the landscape experts agree that the PA mapping should be extended to the base of the lower Criffel Terrace due to the similarity of this area with respect to landscape characteristics and values, to the balance of the mapped Cardrona River/Mt Barker Road RCL.

9. **Halliday Road/Corbridge RCL PA:** the landscape experts agree that the PA mapping should be extended south-eastwards to run along the top of the river scarp, terminating at Stevenson Road due to the similarity of this area with respect to landscape characteristics and values, to the balance of the mapped Halliday Road/Corbridge RCL PA.
10. **West of Hāwea River RCL PA:** the landscape experts agree that the PA mapping should be extended westwards to the ONL boundary and reconfigured to include Maungawera Hill.
11. **Church Road /Shortcut Road RCL PA:** the landscape experts agree that this is a 'lesser' PA for inclusion. If it is included, the landscape experts consider that the extent of the PA should be expanded westwards to the toe of the slopes, and eastwards to the river so that the PA boundaries align with landscape boundaries rather than road boundaries.
12. **Maungawera Valley RCL PA (proposed):** notwithstanding that the Council has not included this area as a RCL PA, the experts agree that a RCL PA should be added that captures the lower flanks of Mt Brown where there is development pressure.
13. **Hawea Flats RCL PA (proposed):** notwithstanding that the Council has not included this area as a RCL PA, the experts agree that a RCL PA should be added that captures land around Hāwea Flats that is vulnerable to development pressure. The recommended area roughly extends between Camphill Road and Watkins Road, although landscape boundaries for the PA should be determined by detailed mapping analysis.
14. Maps showing the recommended extensions and additions to Upper Clutha Basin RCL Priority Areas are attached as **Appendix A**.

DATE: 29 October 2020.



Stephen Brown



Di Lucas



Yvonne Pfluger



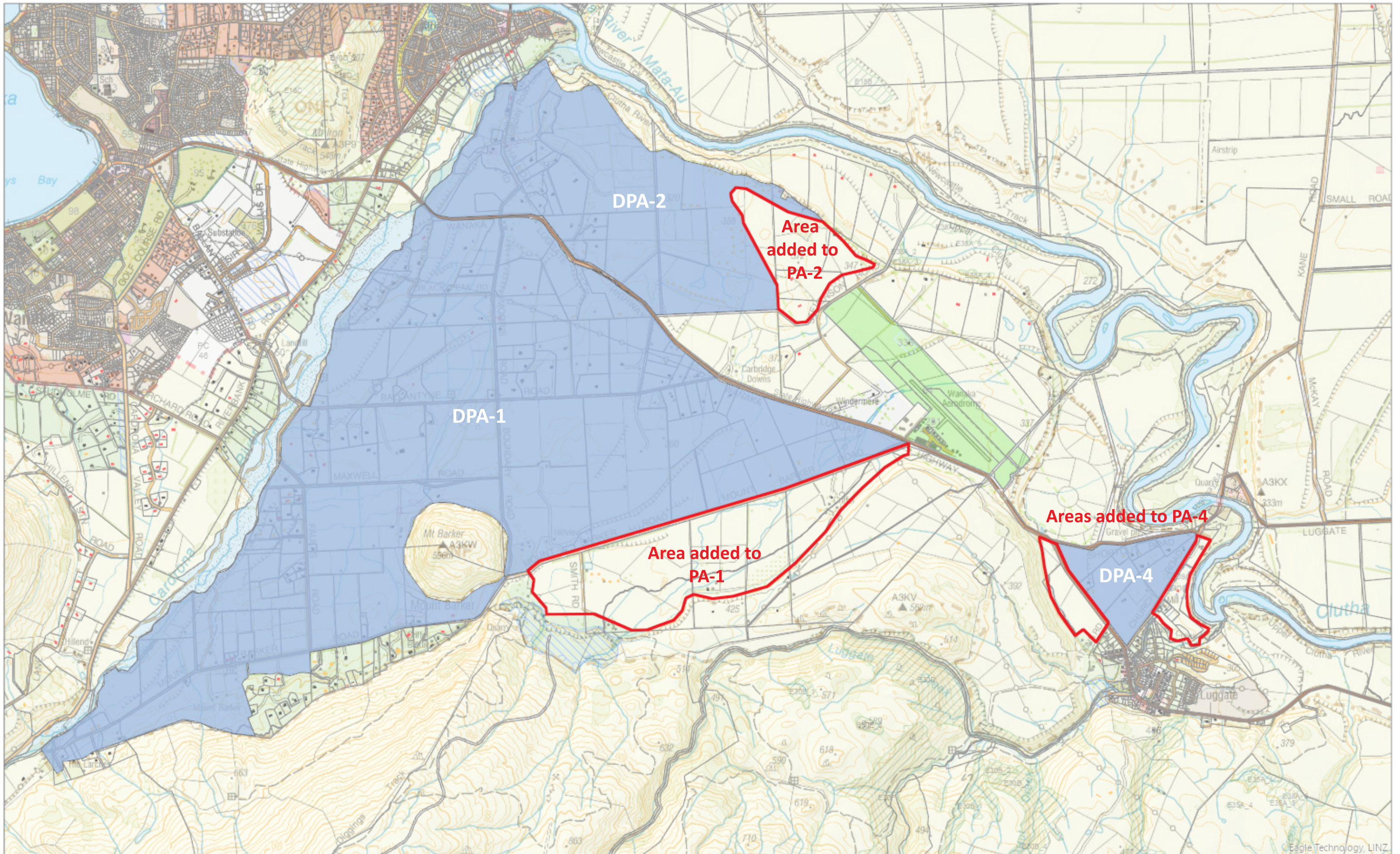
Helen Mellsop



Bridget Gilbert

APPENDIX A

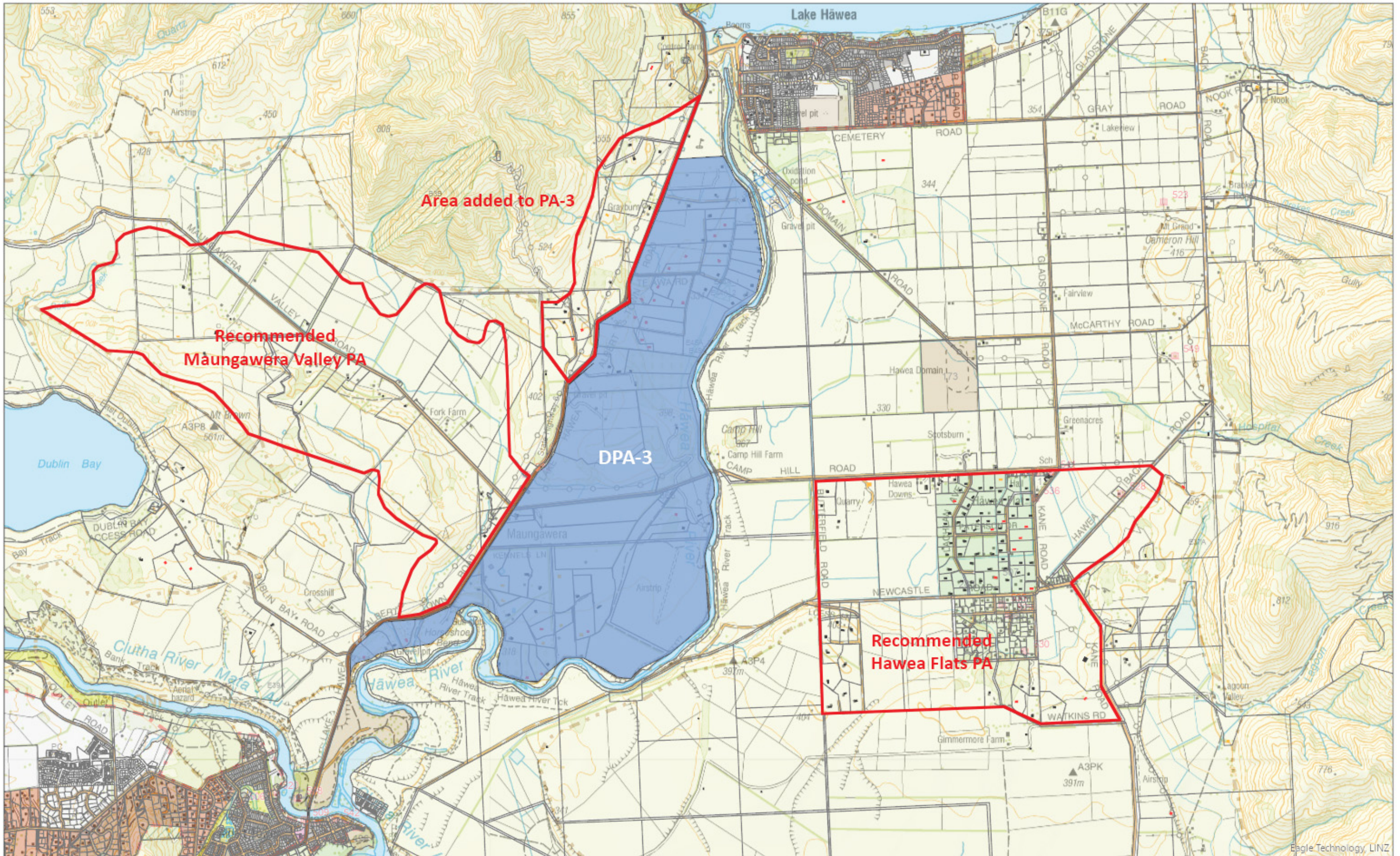
Recommended changes to Upper Clutha RCL priority areas agreed at expert landscape conferencing 08/10/20



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.



Recommended changes to Upper Clutha RCL priority areas agreed at expert landscape conferencing 08/10/20



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.

STATEMENT OF EVIDENCE OF B GILBERT

Te Pūtahi Ladies Mile Plan Variation

Appendix 4: PDP Topic 2 Landscape JWS

**BEFORE THE ENVIRONMENT COURT
AT CHRISTCHURCH
I MUA I TE KOOTI TAIAO O AOTEAROA**

ENV-2018-331-000019

UNDER of the Resource Management
Act 1991

AND

IN THE MATTER of appeals under clause 14
Schedule 1 of the Act against
decisions of the Queenstown
Lakes District Council on Stage
1 of the Proposed Queenstown
Lakes District Plan

BETWEEN **FEDERATED FARMERS OF
NEW ZEALAND** and all other
appellants concerning Topic 2
of Stage 1 of the Proposed
Queenstown Lakes District
Plan

Appellants

AND **QUEENSTOWN LAKES
DISTRICT COUNCIL**

Respondent

JOINT STATEMENT ARISING FROM EXPERT CONFERENCING

TOPIC: LANDSCAPE METHODOLOGY AND SUPTOPICS 2, 3, 5, 6, 7, 8 AND 10

29 JANUARY 2019

INTRODUCTION

1. This joint statement is the outcome of landscape expert conferencing for the Topic 2 – Rural Landscapes appeals. It addresses the outcome of expert conferencing for the following topics:
 - (a) Methodology of Landscape Assessments;
 - (b) Subtopic 2 - 3.1, SO 3.1.1.7-3.2.1.8, 3.2.5, 3.2.5.1 and 3.2.5.2;
 - (c) Subtopic 3 – Strategic Policy 3.3.20 – 3.3.32 (Excluding Strategic Policy 3.3.27 – 3.3.28);
 - (d) Subtopic 5 – Rural Landscape Categorisation (Policies 6.3.1 To 6.3.3);
 - (e) Subtopic 6 – Managing Activities in the Rural Zone, Gibbston Character Zone, the Rural Residential Zone and the Rural Lifestyle Zone (Policies 6.3.4 To 6.3.11);
 - (f) Subtopic 7 – Managing Activities in Outstanding Natural Landscapes (**ONLs**) and Outstanding Natural Features (**ONFs**) (Policies 6.3.12 To 6.3.18); and
 - (g) Subtopics 8 and 10 – Managing Activities in Rural Character Landscapes (**RCL**) (Policies 6.3.19 To 6.3.29) and Upper Clutha Land Use Planning Study

2. It has been prepared in relation to appeals brought by:
 - (a) Darby Planning Ltd and others (ENV-2018-CHC-000150);
 - (b) Upper Clutha Environmental Society Incorporated (**UCESI**) (ENV-2018-CHC-000056);
 - (c) Cardrona Alpine Resort and Real Journeys (ENV-2018-CHC-000117);
 - (d) Lake Mckay Station (ENV-2018-CHC-000160);
 - (e) Allenby Farms Limited (ENV-2018-CHC-000148); and
 - (f) Hawthenden Limited (ENV-2018-CHC-000055).

3. A number of parties have joined these appeals as section 274 parties but none have provided expert landscape evidence relevant to this conferencing.

4. This expert conferencing session was held on Tuesday, 29 January 2019 at the Crown Plaza Hotel, Queenstown. The session was facilitated by Environment Commissioner Leijnen.
5. The experts who attended the conferencing session were:
 - (a) Helen Mellsop on behalf of the Queenstown Lakes District Council (**Council**);
 - (b) Bridget Gilbert on behalf of the Council;
 - (c) Yvonne Pfluger on behalf of Darby Planning Ltd and ors;
 - (d) Diane Lucas on behalf of UCESI;
 - (e) Tony Milne on behalf of Cardrona Alpine Resort and Real Journeys; and
 - (f) Nicola Smetham on behalf of Hawthenden Ltd.
6. This joint statement has been prepared in accordance with section 4.7 of the Environment Court Practice Note 2014.
7. All attendees have read, and agree to abide with, the Code of Conduct for Expert Witnesses included in Section 7 of the Environment Court Practice Note 2014.
8. In addition, all attendees have read, and agree to abide with, Appendix 3 to the Environment Court Practice Note 2014, which comprises the Protocol for Expert Witness Conferencing.
9. This joint statement sets out matters agreed and disagreed in relation to:
 - Methodology for identifying ONL/ONF;
 - Whether a district-wide landscape assessment is required to define the spatial extent, attributes and values of ONL/Fs;
 - Importance of landscape character sensitivity and visual sensitivity in addressing a landscape's ability to absorb change;
 - Priority in the PDP towards agricultural land uses;
 - The threshold of adverse effects for ONL/F;
 - Whether there should be a strategic policy encouraging provision of public access;

- Policy 6.3.10 regarding appropriate level of effects on ONFs;
- Whether the 'reasonably difficult to see' test in Policy 6.3.12 is appropriate;
- Whether co-location of activities is appropriate within the ONL/F;
- Policy 6.3.16 regarding the maintenance of openness in ONF/Ls in relation to indigenous revegetation;
- Whether open character should be protected in RCL;
- Identification and management of RCL and whether a Study for RCLs outside the Wakatipu Basin is recommended.

**JOINT RESPONSE TO CONFERENCING AGENDA FOR THE LANDSCAPE
METHODOLOGY AND SUPTOPICS 2, 3, 5, 6, 7, 8 AND 10**

1. Methodology for identifying ONL/ONF

Matters agreed

1.1. Landscape assessment

- (a) For a landscape to rate as an ONL or ONF, three key questions need to be satisfied:
 - a. Is the area a 'landscape' or 'feature'?
 - b. Is the landscape or feature 'natural'?
 - c. Is the natural landscape or feature 'outstanding'?

- (b) For the purposes of a Landscape Study, the following definition of 'landscape' (endorsed by the NZILA) is usually applied by the study team:

"Landscape is the cumulative expression of natural and cultural features, patterns and processes in a geographical area, including human perceptions and associations."

- NZILA Best Practice Note 10.1
'Landscape Assessment and Sustainable Management'

- (c) This definition points to the concept of 'landscape' embracing three broad components:
 - a. Biophysical attributes;
 - b. Sensory attributes; and
 - c. Associative attributes (the 'meanings' of the landscape).

(NB: consistent with PORPS Schedule 3.)

The scope of this definition of 'landscape' is in keeping with the range of attributes (commonly referred to as the WESI or modified Pigeon Bay attributes) that have been widely accepted by the Environment Court and landscape experts to provide a useful starting point in evaluating landscapes.

Put another way, it is generally accepted that a thorough assessment of a landscape in terms of these three components assists in identifying 'the extent of the landscape/feature' and answering the questions as to whether it is 'natural' and 'outstanding'.

- (d) Landscape Assessment typically involves:
 - a. Landscape Characterisation: using consistent set of descriptors embracing biophysical, sensory and associative attributes. Largely relies on GIS resources, landscape expert input, other expert inputs (eg geologist, ecologist, archaeologist, iwi/cultural) and field survey.
 - b. Landscape Evaluation: identifying the values and qualities of the District's landscapes (in terms of the three components outlined above) to determine those areas that qualify as s6(b). Complex phase requiring a significant component of expert judgement by the landscape assessor, and ideally including input from other expert disciplines and from stakeholders and the wider community.

1.2. Is it a "landscape" or "feature"

- (a) Typically, 'landscapes' display characteristics such that they are distinctive from adjacent landscapes and can be identified and mapped. However, in some circumstances the attributes are more subtle and/or common to more than one area, making it more difficult to define the spatial extent of a landscape. In such circumstances it may be appropriate to focus on whether the landscape can be meaningfully perceived as 'a whole'. It is important that where this approach to the identification of a landscape is applied, it is clearly transparent in the assessment.
- (b) Landscapes may also overlap, or smaller landscapes may be nested within larger ones (DL).
- (c) A feature typically corresponds to a distinct and clearly legible biophysical feature (eg. *r*oches moutonnées, volcanic cone, water body). It is acknowledged that scale and context will play a role in determining whether the area is a feature or landscape.
- (d) A landscape character area displays a distinctive combination of landscape attributes that gives the area an identity and distinguishes it from other nearby areas.

1.3. Threshold for “natural” as ONF/L

- (a) An assessment of naturalness takes into account natural elements, patterns and processes and the level of human modification, including built change. The highest degree of naturalness occurs where there is least modification. It is recognised that naturalness is context dependent.
- (b) Assessment of biophysical attributes is the first step in assessing the level of naturalness. People’s perceptions of naturalness are then taken into account in the assessment. People’s associations influence their perceptions of naturalness, and expert understanding and interpretation is therefore necessary.
- (c) As a useful guide, a rating of moderate to high for naturalness is a starting point in determining whether a landscape is ‘natural’ enough to qualify in terms of RMA s6(b). The appropriate level of naturalness will however be contingent on the context and/or the scale of the assessment (eg. district or regional scale).

1.4. Threshold for “outstanding”

- (a) The evaluation of the biophysical, sensory and associative attributes and overall ‘outstanding-ness’ requires a non-linear (or iterative) process that includes both an ‘individual’ and ‘collective’ analysis. For example, in some instances the proximate albeit scattered arrangement of a series of natural features may be such that the wider (and more ordinary) landscape within which the features are nested, qualifies as outstanding.
- (b) It is recognised that in many cases it will be obvious if a landscape or feature is outstanding. However, in some cases, expert assessment will be needed (eg. where associative values or less obvious biophysical values are present). The

expert assessment may require identification and analysis by other disciplines.

- (c) The method generally employed involves describing the attributes and values and rating them. However an overall judgement is made of the significance of the landscape or feature, and its outstandingness.

1.5. ONL Scale

- (a) It is widely accepted by the Environment Court and landscape experts that an assessment of ONLs requires a comparative judgement. This comparison would be made district-wide in this case (QLDC Plan review).

1.6. District-wide landscape assessment

- (a) There is currently no district-wide landscape assessment of Queenstown Lakes District (**QLD**) undertaken from 'first principles'. To be useful, such an assessment would need to be of sufficient detail to assist with decision making in relation to the appropriate management of the rural landscapes. The nature of QLD, as a large, complex and undeveloped district, means that it is challenging for a district-wide landscape assessment to be adequately detailed.
- (b) It is important that the same method of landscape assessment be used in each site specific or application specific assessment.
- (c) We note the anomaly in 3.1 Purpose, which uses 'alpine landscapes' in a non-technical manner. Alpine landscapes technically only include mountainous areas above the natural treeline. However most ONL and ONF within the District are below this level. It would be appropriate to delete the word 'alpine' from 3.1 a.

- (d) We note that the wording of the assessment matters for ONL/ONF in 21.21.1.3 of the PDP is inconsistent with NZILA guidance. We recommend use of the headings biophysical, sensory and associative attributes in this assessment matter rather than the existing headings of physical, visual and 'appreciation and cultural'. It is important that the tools that implement the landscape policies are consistent with the policy. For example reference to naturalness needs to be included in 21.21.1.3 and these assessment matters also need to address sensory aspects in addition to visual attributes.

1.7. ONL and OLF boundaries

- (a) Geomorphological boundaries (such as ridgelines and other marked changes in landform gradient) are the preferred boundary delineation method for ONLs and ONFs. Where geomorphological features are not evident, the 'next preferred' delineation methods include marked changes in land cover and land use patterns (e.g. settlement edges, production forestry). Where none of these methods are available or adequate, then road corridors or other cadastral boundaries may be relied on to delineate ONLs and ONFs.
- (b) It should be noted that there is generally a decreasing degree of 'legibility' and 'defensibility' associated with these various delineation methods, with more timeless natural geomorphological boundaries rating the most favourably, and cadastral boundaries rating least favourably in this regard.
- (c) Further, 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. Rather an evaluation is required as to whether the level of development (in the localised area) is such that the 'landscape' or 'feature' within which it is located qualifies as 'natural' and /or 'outstanding' anyway, or conversely, is of a scale and /or character such that the overall 'landscape' is outstanding.

- (d) If development is evident on the edge of a landscape it may be appropriate to exclude that area from the ONL or ONF.

1.8. Transparency

- (a) The complexity of the analysis required to determine ONLs and ONFs calls for a very high degree of transparency in explaining why an area qualifies in terms of:
 - (i) being a landscape or feature;
 - (ii) being natural enough for consideration as an ONL;
 - (iii) outstanding-ness; together with
 - (iv) a clear explanation of assumptions and methods with respect to the scale of the assessment and determination of ONL and ONF boundaries.

1.9. Physical scale of landscape

- (a) There is no defined physical scale for 'landscape' and 'landscape character area' assessment, as these are context dependent (eg region- or district-wide assessment).

2. **Whether a district-wide landscape assessment is required to define the spatial extent, attributes and values of ONF/Ls**

Matters agreed

- (a) In the Operative District Plan (**ODP**), some landscape classifications were identified in maps appended to the plan. These were based on Environment Court appeal decisions and were limited to locations where appeals had occurred. ONL/F boundaries in the maps were either dashed (indicative) or solid (fixed), with both types of boundaries being based on Environment Court decisions.
- (b) We understand that in preparation for the PDP the following processes took place:

- the ONLs and ONFs that had already been identified on the maps appended to the ODP were assumed by Council’s landscape architects to have been appropriately identified, in a general sense;
 - review of the boundaries identified on the maps, and extension of these boundaries, using landscape characterisation methods and with reference to previous landscape assessment reports;
 - a process of matching ‘like with like’ (through landscape characterisation and evaluation based on the Pigeon Bay factors) to identify other ONL and ONF that had not been identified in the ODP appendices.
 - peer review by landscape architects familiar with the district.

- (c) The attributes and values of each ONL/ONF were not consistently documented as part of this process.

- (d) Most of the ONL and ONF identified in the PDP have not been contested. The boundaries of the ONL/F have been contested in some locations, and in general by one party.

- (e) In an ideal case, a comprehensive district-wide landscape study (undertaken from ‘first principles’) would have been done in preparation for the PDP. Such a landscape study could be referenced in the PDP and would underpin assessment of any future resource consent or plan change applications, thus improving consistency between application-specific assessments under 21.21.1 of the PDP.

- (f) A comprehensive study would also establish the attributes and values of the ONL and ONF and how they relate at the scale of the district as a whole. It is important that attributes and values be determined independently and consistently.

- (g) Due to the scale and complexity of the District’s rural landscapes, a comprehensive study would be time-consuming to undertake.

Matters disagreed

- (h) While a comprehensive first principles rural landscape assessment may be ideal and helpful, there are concerns about its level of usefulness as part of this district plan review. There is also concern about the scale and extent of ONL within the District, and the potential lack of detail identified for attributes and values to address every locale. The level of detail possible in a district-wide study may not be of any great practical assistance in plan administration (HM, DL, BG).
- (i) If a landscape study is prepared well and according to best practice there will not be any issues with usefulness or inadequacies of detail. The Proposed Otago Regional Policy Statement directs that a landscape study be undertaken and the area requiring assessment is comparable to that in other districts. It is preferable for attributes and values to be determined independently and consistently rather than in response to applications for use and development. (TM, YP, NS).
- (j) As a result of the approach of matching 'like with like' taken in preparation for the PDP, there are areas that some consider have been inappropriately excluded (DL). Others do not have an opinion on this issue (HM, BG, TM, YP, NS).
- (k) Given that there are relatively few challenges (in terms of location or spatial extent) to the PDP ONL and ONF, then the application-specific assessment of landscape attributes and values (in accordance with 21.21.1.3) may be a pragmatic solution for areas inside the boundaries of the ONL and ONF (HM, BG, DL).
- (l) A pragmatic approach as described under (3k) under the current circumstances is not an appropriate response (YP, TM, NS).

3. **Importance of landscape character sensitivity and visual sensitivity**

Matters agreed

- (a) Landscape character sensitivity and visual sensitivity are equally important for the assessment of a landscape's ability to absorb change.

4. **Priority in the PDP towards agricultural land uses**

Matters agreed

- (a) Currently the PDP encourages agricultural land use and openness over diversification to other activities, although those other activities are acknowledged at a policy level e.g. Strategic Policy 3.2.1.8.

Matters disagreed

- (b) There is little emphasis on maintaining or enhancing natural vegetative cover in the plan. Instead there is a priority towards agricultural land uses. (DL, TM, YP, NS).
- (c) The plan should give greater acknowledgement that other activities can and have contributed to a more environmentally sustainable outcome in the District's rural landscapes (DL, TM, YP, NS).
- (d) Prioritisation of low intensity pastoral farming over other land uses is appropriate in the District's rural landscapes. (HM, BG).

5. **The threshold of adverse effects for ONL/F**

Matters disagreed

- (a) The significance and vulnerability of this district's ONFs and ONLs is such that the threshold for effects should provide a stringent level of protection (HM, BG, DL).

- (b) The test should address whether an effect is inappropriate in the context of the attributes and values of the landscape (YP, DL, TM, NS). BG and HM agree with this but do not agree that the term “inappropriate” should be used in the wording of strategic policies.

6. **Whether there should be a strategic policy encouraging provision of public access**

Matters agreed

- (a) Public access can be both beneficial and detrimental from a landscape perspective, particularly in terms of sensory and associative attributes. For example public access may detract from a sense of remoteness or wildness that is highly valued.

7. **Policy 6.3.10 regarding appropriate level of effects on ONFs**

Matters agreed

- (a) Maintaining the integrity of ONFs and ONLs is important to the landscape values of the district. Subdivision, use or development in proximity to ONF and ONL may adversely affect the integrity of the ONL or ONF.
- (b) Rewording of Policy 6.3.10 to address effects on the biophysical, sensory and associative natural landscape attributes may assist, although the existing policy uses the terminology landscape quality, character and visual amenity, and this terminology should implicitly include biophysical, sensory and associative attributes.

Matters disagreed

- (c) The reference to only *visual* amenity in Policy 6.3.10 should be amended, as other aspects of amenity should also be addressed. (DL, TM).

8. **Whether the ‘reasonably difficult to see’ test in Policy 6.3.12 is appropriate**

Matters agreed

- (a) In some cases, development can be readily visible but appropriately absorbed within an ONL or ONF (eg. some locations within the Cardrona Valley).
- (b) The capacity of the landscape to absorb change includes consideration of both visual sensitivity and landscape character sensitivity. The ‘reasonably difficult to see’ test emphasises visual aspects, potentially at the expense of others, for example the sense of tranquillity and quietness.

Matters disagreed

- (c) The ‘reasonably difficult to see’ test has been a very successful and simple test to use in determining the appropriateness of development in the ONL-Wakatipu Basin under the ODP, and in helping maintain the values of these landscapes. In the PDP the ‘reasonably difficult to see’ test is complemented by assessment of landscape absorption capacity, which takes into account landscape character sensitivity (HM, DL).
- (d) The ‘reasonably difficult to see’ test may encourage the location of development in more remote locations that have high naturalness and landscape character sensitivity but low visibility (YP, NS, TM, DL).

9. **Whether co-location of activities is appropriate within the ONL/F**

Matters agreed

- (a) In principle co-location is supported, however, careful consideration would need to be given to cumulative adverse ‘landscape’ effects.

10. **Policy 6.3.16 regarding the maintenance of openness in ONF/Ls in relation to indigenous revegetation**

Matters agreed

- (a) We support the amendment to Policy 6.3.16 (which relates to the open character of ONL/F) proposed by Craig Barr. Significant indigenous regeneration should be encouraged in ONL and ONF, as this would potentially enhance the naturalness of these landscapes and features.

11. **Whether open character should be protected in RCL**

Matters agreed

- (a) Open character might be valued in the RCL as a result of:
- The ability to maintain views to ONL and ONF;
 - As a valued component of rural character.
- (b) Mr Barr's proposed definition of "Openness and Open Character" should include scree slopes and herb fields, as encountered in the alpine environment within the district.
- (c) There is also concern that the definition may not take account of the effect of vehicles on openness/open character. If there is a large presence of vehicles in an area they can impact on openness (DL only, others do not have an opinion).

12. **Identification and management of RCL**

Matters agreed

- (a) A comprehensive study with a similar methodology to the Wakatipu Basin Land Use Planning Study would be beneficial for the RCL in the Upper Clutha Basin and other areas of RCL. If a study was undertaken, this should be referenced in the Plan.

- (b) The RCL assessment matters in Chapter 21 should be expanded to include the full range of biophysical, sensory and associative attributes (as in 21.21.1.3).
- (c) In the absence of a comprehensive study the appropriately amended PDP policies and assessment matters should be applied for consideration of individual resource consent applications.
- (d) At present there are very few rezoning appeals within the RCL in the Upper Clutha. If the zoning was reopened for public submissions, there is the potential for multiple submissions seeking more intensive zoning. YP, TM, NS do not have an informed view about this.
- (e) The name for RCL could be changed to “Rural Character Landscapes and Areas”. The important issue is the primary purpose of the classification rather than the name.

Matters disagreed

- (f) The provisions in the PDP RCL outside the Wakatipu Basin Land Use Study area are enabling and are inadequate to address landscape capacity and vulnerability. For example, the discretionary provisions for residential development, whereas, the Wakatipu Basin Land use study area has areas with a more restrictive regime (DL). YP, TM and NS do not have an informed view about this.

DATE: 29 January 2019



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