

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**UNDER THE** Resource Management Act 1991 ("**Act**")

**IN THE MATTER OF** Stage 3b Proposed District Plan – Rural Visitor  
Zone

**BETWEEN** **GIBBSTON VALLEY STATION LIMITED**  
Submitter #31037

**AND** **QUEENSTOWN LAKES DISTRICT COUNCIL**  
Planning Authority

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**EVIDENCE OF TONY DOUGLAS MILNE IN SUPPORT OF  
THE SUBMISSION OF GIBBSTON VALLEY STATION LIMITED**

**29 MAY 2020**

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Counsel instructed:

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**WELLINGTON**

## **INTRODUCTION**

1. My full name is Tony Douglas Milne.
2. I am a Landscape Architect and Director of Rough & Milne Landscape Architects Limited, which is a Christchurch based consultancy established in 2010.
3. I hold a Bachelor of Arts degree from the University of Canterbury and a Bachelor of Landscape Architecture degree from Lincoln University. I am a Registered Member of the New Zealand Institute of Landscape Architects Inc.
4. I have been practising as a landscape architect since 1995. Our consultancy is involved in a wide range of landscape design and land planning projects throughout New Zealand. Many projects have involved preparing reports and evidence, which address matters of visual impact and landscape effects concerning proposed developments.
5. I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (2014). I confirm that I have complied with that practice note in preparing this evidence. In particular I confirm that my evidence is within my area of expertise and the opinions I have expressed are my own except where I have stated that I have relied on the evidence of other people. I have not omitted any facts known to me that may be material in influencing my evidence.

## **SCOPE OF EVIDENCE**

6. My evidence is presented on behalf of Gibbston Valley Station Limited (GVS Ltd) who own Gibbston Valley Station (GVS). GVS Ltd is seeking the application site be rezoned RVZ as part of Stage 3b of the PDP. This is sought on the basis that the site is located in Gibbston Valley, which is a highly popular tourist destination and inclusion of the site in the RVZ would provide opportunity for growth and diversification of visitor accommodation within Gibbston Valley.
7. My evidence responds to the landscape evidence provided by Mr Jones where he is critical of the lack of assessment undertaken for the proposed rezoning of the site. It focuses on the appropriateness of the proposed Rural Visitor Zone (RVZ) for GVS Lot 4 DP 27586, which is located partly within the Gibbston Character Zone (GCZ) and partly within the Rural Zone with an ONL overlay.

8. In the course of preparing my evidence I have considered the following:
- The Proposed District Plan (PDP), specifically Chapter 3 – Strategic Direction, 6 – Landscapes, Rural Character, 21 – Rural Zone and 23 – Gibbston Character Zone.
  - The notified Chapter 46 – Rural Visitor Zone of the PDP.
  - Section 42A Report on Chapter 46 – Rural Visitor Zone, prepared by Ms Emily Grace, dated 18 March 2020.
  - Evidence of Mr Matthew Jones on Landscape Architecture – Rezoning – Rural Visitor Zone, dated 18 March 2020.
  - Evidence of Ms Helen Mellsop on Landscape, dated March 2020.
  - The landscape assessment supporting Section 32 Evaluation Report for the Rural Visitor Zone, prepared by Ms Helen Mellsop, dated May 2019.
9. The structure of my evidence is set out below as follows:
- Executive summary
  - Statutory framework
  - Methodology
  - A description of the existing environment, site and associated values
  - Landscape sensitivity analysis
  - The proposal and RVZ provisions
  - Landscape and visual assessment
  - Is the RVZ an appropriate fit?
  - Conclusion
10. An A3 Graphic Attachment (GA), dated 28 May 2020, is provided in support of my evidence and includes maps, aerials and photographs illustrating the GVS site and the proposed Structure Plan, which sets out suitable developable areas enabled by the RVZ.

## **EXECUTIVE SUMMARY**

11. Gibbston Valley Station Limited is seeking rezoning of Lot 4 DP 27586 within the Rural Visitor Zone. The site currently has split zoning of Gibbston Character Zone and Rural Zone with an overlay of Outstanding Natural Landscape.

12. The proposed zone is located on the south side of Gibbston Highway, setback approximately 660m from the highway corridor. The extent of the proposed zone sought in the original submission was 161 ha; this has been refined to a smaller area of 109ha which is bound to the north by the powerlines which traverse the GVS property through the GCZ land. It has a rural character and moderate-high natural character. Landscape and amenity values are largely associated with the broad scale landforms which form a backdrop to Gibbston Valley. The site has a sense of remoteness due to the elevated and contained topography, although it is not actually physically remote. The visual influence of the site is generally limited due to the complex folded landform and elevated setback from the highway corridor.
13. An assessment of the site's landscape sensitivity has been undertaken, incorporating analysis of the site's character and values. The landscape sensitivity analysis has informed the proposed Structure Plan in which the proposed Primary Developable Areas are located in areas of lower landscape sensitivity, these are considered to be appropriate locations for potential future development within the RVZ according to the policies and rules of the Section 42A report recommended Chapter 46 variations<sup>1</sup>.
14. In the context of the assessment of landscape effects, I consider the proposed rezoning to be appropriate as the Structure Plan and proposed Primary Developable Areas have been informed by the landscape sensitivity analysis in order to select suitable areas for the application of the RVZ and exclude areas of moderate-high or high landscape sensitivity. Landscape effects on a whole are considered to be low as the changes are sensitive to the character and values of the surrounding landscape and the proposed Developable Areas are generally contained within the application site. As a result, I consider the values of the Rural Zone ONL and character of the GCZ will be maintained.
15. In the context of the assessment of visual amenity effects, I find that overall, adverse effects on visual amenity arising from the proposed zone will be low in the context of the receiving environment. This is attributed to the limited visibility of the proposed zone and the considered approach outlined by the proposed Structure Plan which seeks to locate the proposed Primary Development Areas in areas of low visual influence. Therefore, it is considered that the effects of development resulting from the proposed zoning change, will not be at odds with existing

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<sup>1</sup> Section 42A Report of Emily Suzanne Grace. Chapter 46 Rural Visitor Zone. 18 March 2020.

patterns of development in the wider landscape and will represent a change that is acceptable in the context of views from Gibbston Valley and the surrounding landscape.

16. Overall, I consider the proposed RVZ rezoning to be an appropriate fit. The RZV proposal as drafted provides for a holistic approach to development while providing for a certainty of protection for landscape values.

## **STATUTORY FRAMEWORK**

17. The District's landscapes and natural environment are widely recognised and valued as an important resource in the Queenstown Lakes District (QLD) for farming, tourism, recreation, a place to live, work and play.
18. The PDP continues to manage the land resource through zoning and landscape classification. These are accepted methods to geographically delineate those areas to which objectives, policies and rules apply and whether certain effects, activities or uses are acceptable or not.
19. Under the current zoning, the site has split zoning, the north half being in the Gibbston Character Zone and the south half being in the Rural Zone with an Outstanding Natural Landscape overlay.

### **Gibbston Character Zone**

20. The Gibbston Character Zone sets out the purpose for the zone as being:

*to provide primarily for viticulture and commercial activities with an affiliation to viticulture within the confined space of the Gibbston Valley.<sup>2</sup>*

21. The recognition of Gibbston as an acclaimed wine producing area forms the basis for the Gibbston Character Zone. At issue is the potential of residential subdivision and development to degrade the distinctive character and create conflict with established and anticipated intensive viticultural activities. There is, however, an increasing realisation that not all of the valley land is suitable for viticulture and this means that the economic driver behind the anticipated landscape character is compromised.

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<sup>2</sup> PDP Decisions Version. Chapter 23 Gibbston Character Zone, 23.1 Zone Purpose. June 2019.

## Rural Zone

22. The Rural Zone sets out the purpose for the zone as being:

*to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, natural conservation values, the soil and water resource and rural amenity.<sup>3</sup>*

23. The Rural Zone provides for a wide range of activities including productive agricultural, recreation, commercial, rural living and tourism activities. These activities are supported by the distinct landscapes of the District's Rural Zone, including open spaces, lakes and rivers, and areas of high visual quality and/or cultural significance.
24. Many of the District's Outstanding Natural Landscapes (ONL) comprises private high-country stations and pastoral farms, which have high landscape and amenity values. However, it is important to consider the range of potential alternative uses for rural properties which rely on and appreciate these values.
25. Generally, landscape values attributed to ONLs in the Rural Zone include an open character, distinct and legible landforms, indigenous vegetation and/or naturalised patterns of vegetation. Often there is some degree of human modification present, such as the working rural character of pastoral farms which can include modified vegetation, shelterbelts, tracks and farm buildings.

## Rural Visitor Zone

26. The **Section 42A Report on Chapter 46 – Rural Visitor Zone** sets out the purpose for the zone as being:

*to provide for visitor industry activities to occur at a limited scale and intensity in generally remote locations, including within Outstanding Natural Landscapes, that have been identified as being able to absorb the effects of development without compromising the landscape values of the District.<sup>4</sup>*

27. The landscape is currently in a state of change as a range of tourism and recreational activities are gradually replacing traditional farming activities. In my view, the site is well placed for inclusion into the RVZ and the future development enabled by the zone change will not pose a significant threat to the GCZ or the ONL provided that the PDP provisions appropriately reflects

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<sup>3</sup> PDP Decisions Version. Chapter 21 Rural, 21.1 Zone Purpose. November 2019.

<sup>4</sup> Section 42A Report of Emily Suzanne Grace. Chapter 46 Rural Visitor Zone. 18 March 2020.

current uses, recognises future potential and enables appropriate development, while protecting the landscape character and visual amenity of the GCZ and the landscape values of the ONL.

28. The absorption capacity of the landscape and effects of the proposed rezoning of the site are determined by identifying whether the landscape character and values of both GCZ and ONL will be maintained. A description of the landscape setting, site and values assists in establishing the landscape sensitivity and absorption capacity of the landscape and assessing the effects of the proposed rezoning.

## **METHODOLOGY**

29. This evidence has been set out to respond to the report prepared by Mr Jones<sup>5</sup>. On page 37 of his report, Mr Jones has outlined requirements for detailed landscape analysis and assessment to provide a basis for justification of the potential future development opportunities and to determine if the proposed RVZ rezoning request is appropriate. A critical component of this assessment is the determination of the site's landscape sensitivity rating(s), which provides a basis for potential activity status of future development in relation to the RVZ provisions. Mr Jones sets out a full list of what he considers to be the requirements for further detailed landscape analysis and assessment on page 45 of his report, a summary of this follows and has been utilised to guide my evidence:

- (a) Scaled aerial photographs and contour mapping of the site and immediate context
- (b) Identification, description and mapping of the site's attributes and values
- (c) Identification of opportunities and constraints of the site
- (d) Determination and mapping of the landscape sensitivity rating(s) of the site
- (e) Site mapping in relation to future development opportunities within the proposed zone
- (f) Contextual panoramic photographs of the site
- (g) Visual amenity values and assessment
- (h) Assessment of landscape effects on values and character of the site and its setting

30. The methodology and terminology used for assessment of landscape and visual amenity effects has been informed by the methodology for landscape and visual assessment supplementary

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<sup>5</sup> Second Statement of Evidence of Matthew Jones. Landscape Architecture – Rezoning – Rural Visitor Zone. 18 March 2020.

evidence by Bridget Gilbert to the EC in regard to Topic 2 of the QLDPR. In which I was also involved as one of six landscape architects that provided comment on the evidence as it was being prepared. This represents a consistent methodology and terminology that is accepted across the profession. This methodology is intended to guide assessments until it is superseded when the NZILA releases its best practice note next year. Appendix A sets out further definitions and tables which are referred to in the body of this evidence.

### **Data Sources**

31. Key sources of data used in the preparation of this document include survey plans and proposal imagery, relevant QLDP planning documents and online mapping tools, photographs and observations recorded during site visits. A summary of key data sources follows:

- (a) Relevant statutory planning documents
- (b) QLDC maps data (<http://qldc.maps.arcgis.com/apps/webappviewer/>)
- (c) LINZ Data Service (DEM, aerial imagery, cadastral boundaries, etc.)
- (d) Landcare Research (vegetation classification)
- (e) NZ Topo (<http://www.nztopomaps.com/>)
- (f) Observations and photographs recorded during field work
- (g) Patterson Pitts Group site survey and contour data
- (h) Google Streetview

### **Site Visits**

32. I have visited the application site on one occasion in March 2020 prior to the Level 4 lockdown. Given my experience on other projects in the vicinity, I have good working knowledge of the area. Given the situation with Covid-19 over the past months, desktop studies with GIS and Google Streetview have been utilised to undertake additional analysis and testing as well round out the visual presentation of the assessment.

### **ZTV Study**

33. A Zone of theoretical visibility study have been undertaken utilising GIS for key view corridors and viewpoints to determine the extent of visibility of the site within the receiving environment. This has informed the proposed Structure Plan for the site to ensure that the Primary Development Areas are not highly visible from within the receiving environment and ensure an



appropriate response to the site. These viewpoint and view corridor studies have also been utilised for assessment of visual effects.

## **DESCRIPTION OF THE RECEIVING ENVIRONMENT**

34. The receiving environment of the application site encompasses the wider landscape of Gibbston Valley. *Context maps have been included on Sheet 4 – 5 of the GA and zoning maps from the ODP and PDP are included on Sheet 6 – 7 of the GA.*
35. Gibbston Valley is a narrow and enclosed valley between the Kawarau Bridge to the west and Nevis Bluff to the east, a distance of some 8.5km. It is flanked by rugged hills and mountains between 1020 and 2009 amsl that descend from the Crown Range and cut by the Kawarau River. The valley plays an important role as a state highway (SH6) transport corridor between Queenstown and the east coast. The valley floor is characterised by areas of vineyards, improved, top-dressed and cultivated pasture. On the south side of SH6, the valley floor has a northerly aspect and is divided into a patchwork of vineyards interspersed with areas of ‘tended’ pasture. The northern side of the highway is subject to shading during winter but similarly interspersed with pasture and vineyards on the flat, with areas of rocky outcrops, indigenous grey scrub and exotic vegetation along the steep river gorge. Along the west half of the valley, a steep escarpment running parallel to the highway corridor separates the valley floor from the terraces and high country beyond. To the east, the transition consists of gentle slopes with a north facing aspect and has allowed for wider utilisation of the productive valley floor, but for the most part the landscape character is open.
36. The high country is primarily vegetated with tall tussock grassland, transitioning to low producing grassland on the terraces and hillslopes above the valley floor, commonly utilised as untended pasture for grazing and interspersed with areas of mixed exotic shrubland through the gullies and incised creek bed. The hillslopes and terraces are further differentiated from the valley floor by a general lack of fencing and the presence of remnant indigenous vegetation dispersed in patterns relating to moisture gradients and grazing pressure. Whilst much of the original vegetation has been modified or removed, the colour and texture of grassland and scrub vegetation of the hillslopes and terraces contributes to the distinctive identity of the Gibbston landscape and clearly contrasts with the more intensive productive character of the valley floor.

37. Massive rock outcrops are a distinctive feature of the valley, both on the valley floor and hillsides, contributing to the landscape character and high legibility. Of note is the steep bluff that serves as a pinch point in the valley, dividing it into two separate visual catchments. The bluff is associated with a deeply incised water course identified as Toms Creek. The creek is a recognisable feature that intrudes into the valley floor with a high level of natural character conveyed by a dense cover of vegetation. A second creek bisects the middle of Gibbston Valley with characteristics similar to Toms Creek. Referred to as Camp Creek it is deeply incised through the terrace above the valley floor and contains a dense cover of scrub vegetation, contributing to a high level of natural character.
38. The Gibbston Valley supports a community consisting of well-known wineries, artisan cheese mongers, farm buildings and dwellings mostly concentrated in clusters throughout the valley floor, surrounded by (exotic) amenity trees and shelter planting. The Kawarau Gorge Suspension Bridge and the Kawarau River are associated with the gold mining heritage prevalent in the district and today renown for adventure tourism opportunities. This heritage is notable in close proximity to the site by the presence of Coal Pit Road to the east, which provided access to a mine at Coal Pit Saddle in the early 1900's, and the ruins of a stone cottage to the south of the site adjacent to Camp Creek. Today, Coal Pit Road provides access to several walking tracks to Camp Creek and to the mountain peaks to the south, including Mt Edward and Mt Rosa.
39. The valley floor and lower terraces are classified as the Gibbston Character Zone and the Gibbston Valley Resort Zone, while the upper terraces, hillslopes and high country beyond are within the Rural General Zone with an overlay of Outstanding Natural Landscape.
40. Part of the valley is recognised as the Gibbston Valley Resort Zone, which has recently been adopted by way of a consent order issued by the Environment Court. The Gibbston Valley Resort zone is a sub-zone of the Gibbston Character zone which enables most of the objectives, policies, rules and assessment matters for the underlying zone to remain while adding site and location specific matters relating to future development. A structure plan has been developed for the subzone which identifies areas which provide for a range of activities and built form. These areas are controlled through rules and standards in the planning provisions. Areas for productive landscape planting have also been identified as have areas of ecological and heritage importance. Development in the GVRZ is kept below the 380m contour with exception of one activity area which is contained by topography. The basis for the zone is that it will provide for

a range of activities which complement the GCZ and provide for an appropriate level of growth. These activities include a mix of existing, consented and un-built, and proposed future development. The focus of the zone is around the existing Gibbston Valley Winery complex. Consented and proposed future development includes a small commercial centre, visitor accommodation, staff accommodation, service and maintenance buildings, a community building, residential units, golf course, culinary and oenology school, event space, underpass and trail connections and associated parking areas.

## **VALUES OF THE RECEIVING ENVIRONMENT**

41. The mountain ranges which surround the Gibbston Valley are identified as an ONL and generally have a high level of natural character. Landscape values associated with the ONL include the distinctiveness and legibility of the landform and sense of enclosure provided to the valley. The Kawarau River is classified as an Outstanding Natural Feature (ONF). The terraces and lower hillslopes within the Rural Zone also identified as part of the ONL display a more modified landscape with a higher level of human intervention generally associated with agricultural activities. Other values associated with the ONL/F include high perceptual and aesthetic values, transient qualities related to seasonal changes and strong connections to the district associated with heritage and historical endeavours.
42. The Gibbston Character Zone extends over much of the valley floor and lower terraces south of the Kawarau River Gorge. This landscape is characterised by the prevalent viticulture activity across the valley floor and is recognised to have a 'distinctive character and sense of place'<sup>6</sup>. The PDP places a strong emphasis on viticulture farming to maintain the Gibbston character. More particularly, there is an emphasis on a productive regime to maintain the character values attributed to this particular landscape. These productive activities contribute to a rural character but are not its sole determinant. The ancillary activities also contribute to the existing Gibbston valley character.
43. The landscape of the valley floor and lower slopes (south of the river) is considerably more modified than the Rural ONL on the slopes and terraces above and opposite, however the landscape character remains rural and open in character despite the presence of built development including the large scale built form of wineries, clustered and scattered dwellings.

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<sup>6</sup> PDP Decisions Version. Chapter 23 Gibbston Character Zone, 23.1 Zone Purpose. June 2019.

The landscape values of the valley floor and lower slopes are associated with high aesthetic values pertaining to the rural character being the combination of open pasture and vineyards enclosed by the steep natural mountain slopes and dramatic ridgeline.

44. On a whole, the receiving environment displays a gradient of natural character with a very high level of natural character on the upper slopes of the mountains and a moderate level of natural character on the lower slopes where the natural landform has been overlaid with patterns of rural land use. The character of the valley floor and lower terraces within the Gibbston Character Zone and Gibbston Valley Resort Zone is unique within the District, with a rural character contributing to a high level of visual amenity.

## **DESCRIPTION OF THE APPLICATION SITE**

45. In general, I agree with the description of the application site's characteristics and attributes set out in Mr Jones' evidence<sup>7</sup>, however, for completeness I have also undertaken a more detailed assessment of the existing site character and values. *Viewpoint photographs of the site as well as detailed mapping of site attributes has been undertaken and are included on Sheets 8 – 15 of the GA.*
46. The proposed zone boundary as per the original submission and as assessed in the report prepared by Mr Jones has been amended along the north boundary to follow the alignment of the existing powerlines which crosses the GCZ land on the low terrace above the escarpment and valley floor. The reason for this being that the powerlines provide a physical demarcation at the edge of the zone while retaining Gibbston Character Zoning on the front of the terrace and escarpment closer to the Gibbston Highway corridor.
47. The application site is part of Gibbston Valley Station (GVS) and is legally identified as Lot 4 DP 27586. The proposed zone is 109 ha in area, as described above, this has been refined since the submission which previously included an area of 161 ha. It is setback to the south of Gibbston Highway (SH6) by approximately 660m and is accessible from Resta Road by a farm track with feasible access from Coal Pit Road in addition to other existing approved access points.
48. The north boundary of the proposed zone is aligned with the existing powerlines which cross the GVS land east to west. The land north of the proposed zone within the GVS property, which

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<sup>7</sup> Second Statement of Evidence of Matthew Jones. Landscape Architecture – Rezoning – Rural Visitor Zone. 18 March 2020.

was previously included in the submission, is to retain its existing zoning as GCZ. On the valley floor to the north of the GVS land, six residential dwellings are set amongst vineyards and rocky outcrops on the south side of the Gibbston Highway corridor. The recently adopted Gibbston Valley Resort Zone is located to the north-east of the proposed zone. To the north of the site, a heritage identifier, 232 on the PDP refers to Resta Stone Stables, Resta Road, Glenroy Station.

49. To the east, the proposed zone is bordered by Coal Pit Road for a length of approximately 200m. Coal Pit Road continues to the south to Coal Pit Saddle between Mt Edward and Mt Rosa. On the east side of the application site accessed from Coal Pit Road are two residential properties and a subdivision of seven residential allotments, consented in 2003 (RM021075) with five realised building platforms and two unrealised. The subdivision sits on an elevated terrace above Camp Creek. To the west, the site is bordered by pasture with a cluster of rural farm buildings; an existing farm track through the site provides access from Resta Road. To the south, the untended terraces and hillslopes transition into the high country, with peaks of note identified as Mt Rosa to the south-east, A370 and Mt Edward to the south and Camp Hill to the south-west.
50. The site itself has varied topography that extends between 590 amsl – 430 amsl. The site comprises the north trending deeply dissected lower slopes of Mt Edward and Camp Hill that extend to an upper terrace scarp previously incised by the Kawarau River. The site is bisected by the deeply incised Camp Creek, which traverses south to north toward the Kawarau Gorge leaving a series of rounded spurs, ridgelines, knolls and discreet flat terrace areas. A long and narrow terrace runs north to south, bordering the west side of the Camp Creek and is enclosed by the surrounding topography, becoming increasingly narrow to the south. On the east side of Camp Creek, a small terrace borders existing residential development and is accessible from Coal Pit Road. An ephemeral stream originates at the southern boundary of the site below Camp Hill and traverses south to north through a gully to join Resta Road at the north-west boundary of the GVS land.
51. The general landcover is mostly grassland on the flat terrace areas and rounded spurs. Mixed scrubland comprising briar rose and matagouri is more prevalent in clusters on the slope faces and the steep sided creek, typical of many Central Otago landscapes. An existing shelterbelt of tall conifers is located along approximately 260m of the elevated east boundary adjacent to the residential subdivision. A small area of the Camp Creek is identified as a Significant Natural Area on PDP Map 15a. The identifier, F40A, is described in the PDP as:

*Grey shrubland largely dominated by matagouri and Coprosma propinqua, but also includes populations of Olearia spp. and Muehlenbeckia complexa.*<sup>8</sup>

52. The site's landcover has been modified by historic land use, mainly grazing with further modifications attributed to the farming operations including fence lines, 4WD tracks and a water race that tracks along the true left of Camp Creek. Previously part of the site contained the Rabbit Ridge Bike Resort which offered an extensive bike trail system on the lower terraced areas of the site between the west ephemeral stream and Camp Creek. It is no longer operational, and the bike trails have become overgrown though are still evident in some areas.
53. Built modifications on the site include the small corrugated iron clad Rabbit Ridge Bike Shed and 13 water tanks associated with the bike resort and stock water supply. Powerlines and pylons traverse across the GVS land at the north boundary of the proposed zone, at approximately 440 amsl.

## **VALUES OF THE APPLICATION SITE**

54. An understanding of the application site's existing natural character, landscape and amenity values form the basis for assessing the absorption capacity and effects that will result from the rezoning of the application site.

### **Natural Character**

55. Natural character can be thought of as the extent to which the naturally occurring elements, patterns and processes of a place, or resource, remain intact. It does not exclude structures or other human induced changes, but natural character can be reduced by their presence. Natural character is generally understood to occur on a continuum from pristine to significantly modified. Criteria are generally recognised to include physical landform, presence of water, vegetation (especially native), ecological patterns and an absence of 'obvious' human influences. *Refer to Table 1 in Appendix A of this report.*
56. As described previously, the landform of the application site has elevated, and varied topography associated with the lower slopes of Mt Edward and Camp Hill terminating with a steep escarpment at the valley floor. The site is dissected by the deeply incised Camp Creek and consists of a series of spurs, knolls, ridgelines and interrupted terraces. The landform is

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<sup>8</sup> PDP Decisions Version. Chapter 33 Indigenous Vegetation and Biodiversity. 33.7 Schedule of Significant Natural Areas. May 2018.

overlaid by naturalised patterns of vegetation, particularly through the incised creek bed and gullies, with untended pasture grassland on the slopes and terraces, reflecting past use for stock grazing. Although there is a degree of modification, overall the site is dominated by natural elements, patterns and processes reflected by the existing vegetation mosaic. The natural processes associated with Camp Creek, including the area identified on Map 15a as a Significant Natural Area, also enhance the overall degree of natural character attributed to the site. Although a gradient of natural character is visible across the site, associated with the features and modifications described above, on a whole I consider that natural character is moderate-high.

### **Landscape Values**

57. Landscape values are described in the 'Topic 2.2' Environment Court decision as:

*whether in relation to ONF/Ls or RCLs, including reference to biophysical, sensory and associative attributes.*<sup>9</sup>

58. Landscape values of the site are largely broad scale, relating to the underlying landform and the wider setting. Values associated with the site include a complex landform with high legibility of the valley formation. Although not physically remote, the site has a sense of remoteness as experienced on the lower terraces due to both the elevation and setback relative to the Gibbston highway corridor and the contained nature of the site due to internal spurs, knolls and ridgelines. Recreation is also a value associated with the site as are cultural values which are associated with traditional farming practices and mining.

### **Visual Amenity Values**

59. Amenity values are defined in the Resource Management Act (RMA) as meaning:

*those natural and physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes.*<sup>10</sup>

60. The amenity values afforded by the application site are associated with the juxtaposition of the domesticated valley floor surrounded by the natural rural high country and distant mountains. There is also a connection to recreation opportunities and cultural traditions linked to farming

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<sup>9</sup> NZEnvC 205, Topic 2: Rural Landscapes Decision 2.2 (2019)

<sup>10</sup> Part I Section 2 of the Resource Management Act

and viticulture. Within the site there is a sense of ‘ruggedness’ reflected by the varied topography of the site and the visual connection to the surrounding mountain peaks and ridgelines. Transient and seasonal qualities include summertime browning of grass, winter snow cover, changes in lighting, and exposure to the elements. Overall, these elements contribute to a high level of visual amenity value.

### **Landscape Character**

61. The landscape character of any area can be described as a particular combination of generic natural and physical elements such as landforms (including features such as water bodies), land cover (such as vegetation, buildings etc) and land use (such as activities). Where elements are commonly present, they can describe a particular landscape character. Elements common to a rural character generally include open space (i.e. a lack of built elements), a dominance of vegetation and, but not necessarily, a productive land use.
62. Although it has split zoning, the site displays a rural character typical of the Lakes District. The underlying landform is natural with variable topography and spurs and has been overlaid with human modifications which include a shed, water tanks, fencelines and tracks. There is a dominance of vegetation and open space and the site has formerly been used for recreation and stock grazing which is evident in the modified vegetation cover. The landscape character of the GCZ which is characterised by vineyards on the valley floor, is not present on the site in its current form, although it is reasonable to assume viticulture activity could be implemented on the north half the site which is zoned as GCZ.

### **SITE OPPORTUNITIES & CONSTRAINTS**

63. In general, I agree with the site attributes and characteristics which support the RVZ as set out in Mr Jones’ report<sup>11</sup>, however, for completeness I have also undertaken my own assessment of the application site’s opportunities and constraints based on my description and values of the site set out above.
64. Key opportunities associated with the site’s location, values and physical qualities include:

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<sup>11</sup> Second Statement of Evidence of Matthew Jones. Landscape Architecture – Rezoning – Rural Visitor Zone. 18 March 2020.



- The site is set back from SH6 and has a remote character provided by the elevated location of the site.
- The visual influence of the site is limited in extent.
- The topography of the site allows for contained areas of potential developable sites which are visually discrete.
- Views within the site and to the surrounding landscape have high visual amenity value.
- The site has an overall rural character.
- The site is not highly natural as it has been modified by traditional farming practises and recreational activities.
- The site is located within and immediately adjacent a popular tourist destination and the recently adopted Gibbston Valley Resort Zone.
- Development anticipated by the RVZ has the capacity to complement and align with the objectives of the GCZ and GVRZ.
- The site has potential for revegetation and restoration of waterways.

65. Key constraints include:

- The site lies within an ONL with important values and qualities.
- The site's role as a less intensively developed transition between the more developed valley floor to the north and the District Wide ONL.

## LANDSCAPE SENSITIVITY

66. As described in Policy 46.2.2.1 of the **Section 42A Report on Chapter 46 – Rural Visitor Zone**, proposed development areas within the RVZ should not be located in areas of high or moderate-high landscape sensitivity. Identification of landscape sensitivity is therefore a critical component in determining the appropriateness of the application of the RVZ.

67. The definition for landscape sensitivity is set out from the NZILA Best Practice Note<sup>12</sup>:

***Landscape sensitivity** is the degree to which the character and values of a particular landscape are susceptible to the scale of external change.*

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<sup>12</sup> NZILA Best Practice Note: Landscape Assessment and Sustainable Management 10.1. 2010.

68. Linked to landscape sensitivity is the concept of landscape capacity, defined as<sup>13</sup>:

***Landscape capacity*** the amount of change the landscape can accommodate without substantially altering or compromising existing character and values.

69. As described in Ms Grace's report<sup>14</sup>, evaluation of the landscape sensitivity requires three areas, if applicable, be identified within each RVZ: high landscape sensitivity areas, moderate-high landscape sensitivity areas and the remainder of the RVZ area.

70. Those areas identified as being able to accommodate development while protecting the values of the surrounding ONL/landscape are the areas of lower landscape sensitivity. Provisions in the **PDP notified Chapter 46** for such areas are relatively enabling as a ***controlled activity*** status applies to buildings and does not include a site coverage limit. In areas identified as having less capacity to absorb development, such as those considered to have moderate-high or high landscape sensitivity, the activity status is ***discretionary*** and ***non-complying*** respectively.

71. Assessment of the application site's landscape sensitivity has been undertaken and has been informed by the analysis of the site's character and values. *Refer to the Landscape Sensitivity Map is on Sheet 20 of the GA.* Three zones have been described as high landscape sensitivity, moderate-high landscape sensitivity and areas of lower landscape sensitivity.

72. High sensitivity areas are the more highly natural and prominent areas of the application site which includes the ridgelines, knolls and spurs of the upper slopes and the deeply incised and vegetated Camp Creek corridor. These areas are considered to have very low landscape capacity to absorb change.

73. Moderate-high sensitivity areas include the steep slope faces and gullies. These areas are considered to have low landscape capacity to absorb change.

74. Areas of lower sensitivity, encompassing the rest of the site, are generally the terraces and areas exhibiting a rural character with a variety of existing human modifications. These areas have a higher capacity to absorb change.

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<sup>13</sup> NZILA Best Practice Note: Landscape Assessment and Sustainable Management 10.1. 2010.

<sup>14</sup> Section 42A Report of Emily Suzanne Grace. Chapter 46 Rural Visitor Zone. 18 March 2020.

## THE PROPOSAL

75. The proposed RVZ for the GVS application site is supported by a Structure Plan. *Refer Sheet 21 of the GA.* The development of the Structure Plan has been an iterative process, informed by the landscape sensitivity analysis. The proposal seeks to avoid development in areas identified as High and Moderate-High sensitivity. The proposed Primary Development Areas are all located in areas of lower landscape sensitivity and are considered to be appropriate locations for development to occur, exhibiting factors including but not limited to favourable topography, ease of access, reasonable sunlight access, quality views and presence of existing modifications. As indicated on the Structure Plan, not all areas of lower sensitivity are included within one of the Primarily Developable Areas. This is not to say these areas are unsuitable in any way. They have been left out because it is preferred that the Primary Development Areas are contiguous and of an appropriate size and shape to allow for a concentrated or clustered approach to development. A description of each Primary Development Area within the site follows.

### Area 1

76. Primary Development Area 1 is approximately 12.6 ha and located on the narrow gently sloped terrace along the west edge of the Camp Creek. Area 1 is 750 m from SH6 and is readily accessible from Resta Road by an existing farm track. This area is between 510 and 460 amsl and is considered to have suitable topography and site attributes to enable development. Existing modifications within this area include fencelines, mountain biking trails, the Rabbit Ridge shed, farm tracks and a water tank. It is also visually contained by the surrounding topography with limited visibility from external viewpoints. It exhibits a rural character with strong visual connection to Camp Creek, the surrounding topography of the site and the prominent mountain ranges beyond.

### Area 2

77. Primary Development Area 2 is approximately 2.3 ha and located on a gently sloped terrace above Camp Creek. Area 2 is 740 m from SH6 and adjoins Coal Pit Road to the east. This area is between 455 – 430 amsl and considered to have site attributes suitable for development. Existing modification include fencelines, farm tracks and a water race. Area 2 is within the GCZ and exhibits a rural character. It is located adjacent to two existing residential dwellings. An

assessment of visual effects outlined later in this evidence addresses adverse effects on private outlook from these dwellings.

### **Area 3**

78. Development Area 3 is 3.4 ha and located on the west facing slopes above Camp Creek between 510 and 475 amsl. Access is possible from Coal Pit Road via Area 2. Area 3 is considered to have suitable topography and site attributes to enable development in accordance with the RVZ. Existing modifications include evidence of tracks and modified land cover. This area is visually contained by the surrounding topography, and although it is located in close proximity to the residential subdivision along Coal Pit Road, elevation precludes visibility from neighbouring properties. It exhibits a rural character with a strong visual connection to Camp Creek and the surrounding mountainous landscape.

### **Area 4**

79. Primary Development Area 4 is 1.7 ha and located in the south corner of the application site between 565 – 505 amsl to the east above Camp Creek. It is accessible from Coal Pit Road via Developable areas 2 and 3. This area is considered to have suitable topography and site attributes to enable development. This area is visually contained by the surrounding topography with limited visibility from external viewpoints. It exhibits a rural character and visually relates to Area 1 although separated by the incised topography of Camp Creek.

### **RVZ Provisions**

80. The notified RVZ provisions includes a series of development standards for *controlled activities* within areas of lower landscape sensitivity, which address matters of relevance to the management of landscape effects. These include:
- Building height limit of 6m
  - Building size limit of 500m<sup>2</sup>
  - Glare controls
  - Waterbody setback of 20m
  - Building setback of 10m from the zone boundary

81. The Section 42A report prepared by Ms. Grace's<sup>15</sup> recommends the following further standards be adopted for the zone:
- Total ground floor building coverage of 500m<sup>2</sup> within areas of lower landscape sensitivity
  - Inclusion of the Wakatipu Basin building material and colours standard
82. I support inclusion of the above further standards and consider this an appropriate method to ensure the scale and form of future development is acceptable. In particular, I understand that where total ground floor building coverage exceeds 500m<sup>2</sup> (within areas of lower landscape sensitivity) then a restricted discretionary consent is required. This will allow density and other effects to be assessed at the time consent is sought. I understand this will be non-notified. Given the location of the Primary Development Areas identified for the site, I consider this appropriate.
83. In addition I support the revision to rule 46.5.1 to allow for a building height limit of 7m within Primary Development Area 1 and 3. This is proposed on the basis that these areas are located within the core of the proposed zone and are not highly visible from viewpoints within the receiving environment except from considerable distances. Thus, an 7m height in these areas can be readily absorbed by the site while providing for additional design flexibility.
84. I also support inclusion of policies associated with roading and infrastructure to ensure rural character is maintained, and consider that the Wakatipu building materials and colours standard, while generally appropriate for the district's rural landscapes, should also allow for sympathetic design, cladding, materials and colour to enhance the landscape character of the zone.

## **LANDSCAPE ASSESSMENT**

### **Landscape Effects**

85. Landscape effects derive from changes in the physical landscape, which may give rise to changes in its character and how this is experienced. This may in turn affect the perceived value ascribed to the landscape. At a detailed local scale any change proposed for the landscape must rely on

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<sup>15</sup> Section 42A Report of Emily Suzanne Grace. Chapter 46 Rural Visitor Zone. 18 March 2020.

a character description and evaluation to establish the landscape's capacity to absorb development without adverse effects on its recognised values and the compatibility and appropriateness of the proposed development with the site and surrounding landscape. *Refer to Table 2 and 3 in Appendix A of this report for relevant terminology and ratings scales.*

86. The characteristics that promote the ability of the landscape to absorb development include:
- A complex landform
  - Abrupt changes in topography
  - Context
  - 'Appropriateness' of activity
  - Compatibility of the development with the landform
  - Limited visibility
  - The existing degree of modification

#### **Effects on Outstanding Natural Landscape**

87. As described previously, the application site is located partly within the Rural Zone with an Outstanding Natural Landscape (District Wide) overlay. The ONL encompasses the steep mountainous high country beyond the site on both sides of the valley and contributes significantly to the character and aesthetic quality of Gibbston Valley and the application site. The values are typically associated with the large scale, highly legible landforms with high levels of natural character that enclose the Gibbston Valley.
88. The purpose of the RVZ, as described previously and in notified Chapter 46 of the PDP, is to provide locations for visitor industry activities within ONLs where the values of the ONL are maintained or enhanced. Locating proposed development outside areas of high or moderate-high landscape sensitivity has been identified as a critical step to protect the landscape values of the ONL. My assessment of the site's landscape sensitivity has informed the preparation of the Structure Plan and identification of proposed Primary Development Areas, which are located in areas of lower landscape sensitivity.
89. The magnitude of change resulting from development enabled by the rezoning is assessed as being low on the basis that the Primary Developable Areas are located outside of the High and Moderate-High landscape sensitivity areas. Further, the effects are well contained or localised due to the topography of the site and, in the context of the District Wide ONL and RVZ building

coverage rule, the scale of development enabled by the zone is very small. Therefore, it is considered that the proposal will have a low effect on the landscape character and values of the ONL. The key characteristics and values of the ONL will remain with little change apparent.

### **Effects on the Gibbston Valley Landscape**

90. The north half of the site is within the GCZ. The GCZ extends east to include the residential dwellings adjacent the site and north to include the Gibbston Highway corridor along the valley floor. As described previously, the landscape value of this area is largely based on the pleasing aesthetic of viticultural production on the valley floor set amongst the surrounding mountain ranges.
91. Although part of the site lies within the GCZ, the application site (including the Primary Development Areas) is largely isolated from the GCZ on the valley floor due to the nature of the site's elevated position and variable topography. This physical separation and the setback of the proposed zone from the GVS land north boundary limit the effect of the proposal on the GCZ landscape. Importantly the identification of the Primary Development Areas does not preclude viticulture development within the setback of 300 m at the northern (i.e. front) extent of the terrace. Further it is considered that visitor industry and workers accommodation uses are complementary to the GCZ landscape and the standard RVZ rules will ensure that development enabled by the proposed rezoning will not be out of character with that anticipated for the GCZ.
92. The magnitude of change resulting from development enabled by the rezoning is assessed as low on the basis that the Primary Development Areas are generally isolated or setback from the valley floor and the type of development enabled by the RVZ is considered complementary to the Gibbston Valley Landscape. Therefore, it is considered that the proposal will avoid adverse effects on the landscape character and values of the existing GCZ landscape. The key characteristics and values of the Gibbston Character landscape will remain with little change apparent.

### **Effects on Rural Character**

93. As described previously, the application site surrounds display a rural character influenced by viticulture to the north along the valley floor and less intensive pastoral land use for stock grazing of the terraces and lower hillslopes. The landscape is open with a dominance of

vegetation, although primarily exotic. Clusters of residential dwellings and large-scale wineries and farm buildings are visible throughout the landscape. The values of the existing rural landscape are largely broad scale related to the landform and setting.

94. An important consideration is the possible landscape effects on rural character of the site and surrounds, as rural character is susceptible to adverse effects due to increased built form density. Therefore, built form proposed within the site should be limited to areas of lower landscape sensitivity, as indicated on the proposed Structure Plan and form and density should be carefully considered to ensure the density of built form is appropriate within the context of the wider landscape.
95. I consider the policies and rules outlined in the amended Section 42A RVZ Chapter are appropriate to ensure the protection of rural character. Primary Development Areas are limited to locations of lower landscape sensitivity and standard rules limit building size, total building area, glare and colour. While I consider that the Primary Development Areas have a greater capacity to absorb development than permitted by the RVZ rules, in general the rules will ensure an appropriate level of control by which development of a greater extent is subject to Restricted Discretionary activity status and can be reviewed further at the consent stage. As a result, I consider the proposed rezoning will avoid adverse effects on rural character.

#### **Effects on the Landscape Character and Quality of the Application Site**

96. As described previously, the existing landscape character of the site is rural with values associated with the legibility of the landform, the natural character associated with the incised creek bed, and a general aesthetic quality related to the coherent interplay between landform and land cover. Parts of the site have a sense of remoteness, largely due to the rugged, elevated and contained topography. It also has high scenic qualities conveyed by the visual connection to the valley floor and surrounding mountain peaks.
97. Though it is inevitable that the landscape character of the application site will change from its existing condition, due to the introduction low density built form within the Primary Development Areas, I am of the opinion that the proposed RVZ will complement the character and quality of the application site. This will be achieved through application of the proposed Structure Plan which locates development in areas that can readily absorb the change, areas which have suitable topography, site attributes and some degree of modification, and protects the sensitive, natural and visually significant areas of the site. The standard RVZ rules will also



limit the scale and density of development to ensure the rural character of the site, though somewhat changed by the presence of built form, will remain. Overall, this approach will ensure that the site has the capacity to accommodate the type of development enabled by the RVZ and that landscape character and values are maintained.

### **Summary of Landscape Effects**

98. Within the context of the surrounding ONL and the Gibbston Character Zone landscape, I consider the proposed rezoning to be appropriate as the Structure Plan and proposed Primary Development Areas have been informed by the landscape sensitivity and analysis of the site attributes and visibility in order to select suitable areas for the application of the RVZ. Landscape effects on a whole are considered to be low as the changes are sensitive to the existing environment and are generally in keeping with the values of the Rural Zone ONL and character of the GCZ.

### **VISUAL AMENITY ASSESSMENT**

99. The focus of this assessment is visual amenity, which is a measure of the visual quality of a landscape as experienced by people living in, working in or travelling through it. The most salient viewpoints are those at which a tourist, visitor or local is likely to stop and appraise the mountain setting, in the foreground of which the application site is located. Additionally, views from Gibbston Highway (State Highway 6) as a key transportation route in the district are also assessed as having a high sensitivity. Views from industrial and farming activities will be less sensitive to seeing human modifications in the landscape.
100. The key influencing factor controlling local views and the extent to visibility of the application site is the variable topography of the lower hillslopes and terraces. As a result, the visibility of the application site is, for the most part, highly contained to the immediate surrounds and can be categorised into key view corridors: Gibbston Highway (SH6), Coal Pit Road and views from neighbouring residential properties or building platforms. Long views are generally unavailable due to the topography and containment of the site, with the exception of a viewpoint from the Crown Range Road Lookout.
101. A Zone of Theoretical Visibility (ZTV) analysis has been undertaken for each viewshed, *refer to Sheet 16 – 19 of the GA*. Sheet 15 includes a brief description of the ZTV data source and

calculations which applies to all of the ZTV studies. Paired with visual assessment undertaken in person and desktop study utilising Google Streetview, this has informed the visual assessment of effects undertaken for each view corridor and viewpoint.

102. The following assessment for each view corridor and viewpoint gives consideration for the amenity conveyed by the existing environment, the current zoning, the proposed zoning and sensitivity of the viewer. An assessment is then made in regard to the anticipated magnitude of change and the effects on visual amenity. It is important to describe if the effect on visual amenity is adverse, neutral or positive and to what degree, as a change in visual amenity is not necessarily adverse unless the new element is at odds with or degrades the visual amenity that would otherwise be experienced. *Refer to Table 4- 6 in Appendix A of this report for relevant terminology and ratings scales.*

#### **View Corridor 1: Gibbston Highway**

103. The application site is visible from Gibbston Highway for a distance of approximately 1.2km when travelling in an East or West direction. Gibbston Highway is regularly used by locals and visitors as a main connection between Queenstown and Cromwell. Gibbston Valley itself is a highly valued landscape with significant tourism activities related to winery operations and visual appreciation of the many vineyards set amongst the mountain backdrop. As a result, it is considered that viewer sensitivity along this viewshed is high.



*Figure 1: Google Streetview from Gibbston Hwy*



*Figure 2: Google Streetview from Gibbston Hwy*

104. *Refer to Sheet 16 of the GA for the ZTV analysis from Gibbston Highway.*
105. The proposed zone is set back to the south of the highway corridor by approximately 660m. The land between is occupied by a steep escarpment within the GVS land and several residential dwellings set in amongst vineyards, rocky outcrops and exotic deciduous and evergreen trees. The north facing escarpment between the highway corridor and the proposed zone forms a visual backdrop to these properties and generally preclude visibility of the proposed zone which is above on the elevated terrace. Views up Camp Creek are generally precluded by landform and existing vegetation while views up Resta Road are brief but capture some of the high points within the west part of the site, as do similarly brief glimpses afforded by some of the lesser gullies along the face of the escarpment.
106. Visual amenity values associated with views from Gibbston Highway are strongly linked to the rural character of Gibbston Valley which, as described previously, is associated with viticulture activities. A high level of amenity exists due to the juxtaposition of viticulture on the valley floor and the rugged terrain of the escarpments, terraces and mountain peaks beyond. Existing modifications the landscape which are visible from this section of Gibbston Highway include residential dwellings and associated exotic planting, roads and driveways, fencelines, vineyards and associated wind machines and sheds, the powerlines and pylons which cross the terrace above the escarpment and evidence of bike and 4WD tracks on the face of the escarpment.
107. Under the proposed zoning, given the limited visibility of the proposed zone and that none of the proposed Primary Development Areas will be visible, I consider that views from Gibbston Highway will be largely unchanged. A minor change which may be visible will be the improved road connection from Resta Road, which could reasonably be implemented under the current zoning if access to the terrace was required to undertake viticulture operations. As a result, I

consider that the magnitude of change for this view corridor will be very low and that adverse effects on visual amenity from Gibbston Highway will be avoided.

### **View Corridor 2: Coal Pit Road**

108. The application site is visible from Coal Pit Road for a distance of approximately 450 metres when travelling South. Coal Pit Road is primarily used by locals for access to clusters of residential development along Coal Pit Road and Gibbston Back Road. It also provides access to Coal Pit Saddle which is a carpark and trailhead for several advanced tramping routes. As a result, it is considered that viewer sensitivity along this viewshed is moderate.



*Figure 3: Panorama Photograph from Coal Pit Road*

109. Refer to Sheet 17 of the GA for the ZTV analysis from Coal Pit Road.
110. From this viewshed, the incised Camp Creek is highly visible and features steep slopes with some exposed rocky faces, dense scrub vegetation on the slope faces and scattered pockets of deciduous trees along the base of creek bed. A few residential dwellings are clustered on a narrow terrace above the south slope of the creek, adjacent to Coal Pit Road. Vegetation on the terrace is primarily grassland with clusters of exotic deciduous and evergreen trees within close proximity to the residential dwellings. A grassed slope rising beyond the dwellings sits in the foreground of the rugged mountains which enclose Gibbston Valley.
111. Similarly, across the creek, the north part of the proposed zone is visible at a distance of 850m. The highest point along Coal Pit Road is similar to the elevation of the terrace and views across to the site take in the Rabbit Ridge bike shed, the water tank and the powerlines and pylons. The terrace sits in the foreground of the site's upper hillslopes, Camp Hill and the mountains beyond. To the north, the escarpment slopes steeply toward Gibbston Valley with residential dwellings, vineyards, farm sheds and associated exotic vegetation visible on both sides of Gibbston Highway from the raised vantage point along Coal Pit Road.

112. In its existing condition, the complex landform and incised creek contribute to a highly natural setting with a visible overlay of rural land use portrayed by the clusters of residential dwellings, powerlines, and pastoral land cover of the terrace and hillslopes. The current zoning within the GCZ land anticipates viticulture, from a visual perspective this is considered an accepted outcome. This would change the view from one that is currently dominated by the landform with a subtle overlay of rural land use to one in which the rural character resulting from a more intensive agricultural use is more distinct.
113. From this short stretch of Coal Pit Road, Primary Development Area 2 will be visible, located on the terrace south of the creek adjacent to two existing residential dwellings. It is considered that development in this location would not be out of character with the existing landscape and would appear as an extension to an existing small enclave of development.
114. The north half of Primary Development Area 1 will also be visible from this viewshed from a distance of approximately 850m. In this location there is little existing built form, only the existing bike shed, however, given appropriate design controls around building coverage, I considered that proposed development in this location will not be out of character and will visually relate to the enclaves of residential dwellings and farm buildings typical of the terraces. Further to this, the elevation of the viewer, distance and brief nature of the view limit the amount of detail visible.
115. Overall, within this viewshed the magnitude of change is considered to be moderate-low. The difference between the 7m building height being sought for Primary Development Area 1 and the 6m building height standard (46.5.1.1) will be negligible. Adverse effects on visual amenity are likely to be low. The current level of scenic value will be maintained, and new elements are not uncharacteristic of the existing landscape character.

### **Viewpoint 3: Private Outlook from 106 Coal Pit Road**

116. The application site is visible from the dwelling at 106 Coal Pit Road, Viewpoint 3. A ZTV analysis from this viewpoint has been undertaken, *refer to sheet 18 of the GA*, which provides an indication of the site's visibility from this location. As a result, it is assessed that Primary Development Area 2 and a small part of the north extent of Primary Development Area 1 will be visible from this location.

117. Of primary concern is the proximity of Primary Development Area 2. While I consider there is some capacity within Area 2 for a low density of built form, it is important to consider adverse effects on private outlook. In my opinion, a low density of built form in this location would not be unexpected and would be generally consistent with existing patterns and outcomes in the surrounding landscape. Dwellings are frequent in the landscape and are often located in clusters around a shared resource, notable feature or oriented toward a similar view. Under the current zoning, GCZ, identification of a building platform and construction of any building is a Discretionary activity. Under the Section 42A RVZ provisions, development within the zone of more than 500m<sup>2</sup> building coverage is considered a Restricted Discretionary Activity. I consider that the RDA consent process will give Council the appropriate means to consider adverse effects and ensure they are limited to an extent which is considered acceptable.

#### **Viewpoint 4: Private Outlook from 150 Coal Pit Road**

118. The application site is partly visible from the existing building platform at Viewpoint 4, 150 Coal Pit Road. This view is considered to be indicative of views from adjacent neighbours within the Coal Pit Road subdivision as well. A ZTV analysis from this viewpoint has been undertaken, *refer to sheet 18 of the GA*, which provides an indication of the site's visibility from this location. As a result, while the application site is visible, only a small area of Primary Development Area 4 will be visible from this location. Given the elevated position of the subdivision and setback of building platforms from the terrace edge DA1-3 will not be visible from this location

119. As described in relation to Viewpoint 3 above, I consider the RVZ provisions and RDA process will ensure that proposed development within DA4 is of a scale and nature that is appropriate and will ensure adverse effects on private outlook are limited to a range which is considered acceptable.

#### **Viewpoint 5: Crown Range Road Summit**

120. A Zone of Theoretical Visibility (ZTV) analysis has been undertaken for the Crown Range Road Summit viewpoint, *refer to sheet 19 of the GA*. The application site not visible from the Crown Range Road Summit.

## Viewpoint 6: Crown Range Road Lookout

121. The application site is visible from the Crown Range Road Lookout, at a distance of approximately 3.1km. The Crown Range Road is regularly used by locals and visitors as a main connection between Queenstown and Wanaka. The Lookout is a popular place for tourists to stop and view the landscape. As a result, it is considered that viewer sensitivity at this viewpoint is high.



*Figure 4: Google Streetview Crown Range Lookout towards Gibbston Valley*

122. Refer to Sheet 19 of the GA for the ZTV analysis from the Crown Range Road Lookout.
123. From this viewpoint much of Gibbston Valley, primarily South of the Gibbston Highway, can be seen from an elevated position. This is visible within the context of the surrounding mountain ranges and distant views to Queenstown and Lake Wakatipu. In this view the valley floor is distinct from the terraces. The valley floor reads as a rural landscape with a patchwork of vineyards and pastureland, clusters of buildings and exotic trees and shelterbelts. On the terraces, the folded landform is strongly evident as is the colour of open grassland with scrub concentrated in gullies and on the north facing escarpment. A few shelterbelts and clusters of exotic evergreen trees stand out adjacent to clusters of buildings and gravel roads and fencelines are also somewhat visible. The steep and rugged high-country slopes are further distinguished by a transition from the pastoral terraces to steep and rugged terrain with scrub concentrations on the lower slopes and tussock at the higher altitudes. Of the application site, the west facing upper slopes, the west gully and Resta Road, the north half of the terrace and north facing escarpment are visible from this viewpoint though at considerable distance.
124. Visual amenity values associated with this view are strongly linked to the rugged mountain peaks which form a backdrop to Gibbston Valley. A high level of amenity exists due to the

juxtaposition of viticulture on the valley floor and the rugged terrain of the escarpments, terraces and mountain peaks beyond.

125. From this viewpoint it is anticipated that Developable Area 2 and 3 will be visible as well as the North half of Developable Area 1. Given distance, topography, the colour and scale of the landscape, it is considered that development enabled by the proposed zoning and standard rules of the RVZ will neither be visible in great detail nor appear out of character in the surrounding landscape given context and existing patterns of development. The difference between the 7m building height being sought for Developable Area 1 and 3, and the 6m building height standard (46.5.1.1) will be negligible. I consider that from this viewpoint the magnitude of change is likely to be low and adverse effects on visual amenity will be avoided. The current level of coherence, naturalness and scenic value will be maintained.

#### **Visual Amenity Assessment Summary**

126. Overall, it is considered that adverse effects on visual amenity arising from the proposed zone will be low in the context of the receiving environment. This is attributed to the limited visibility of the proposed zone as well as the careful assessment of landscape sensitivity which has informed the proposed Structure Plan. Therefore, it is considered that the effects of development resulting from the proposed zoning change, will not be at odds with existing development in the surrounding environment and will represent a change that is acceptable in the context of views from Gibbston Valley and the surrounding landscape.

#### **IS THE RVZ AN APPROPRIATE FIT?**

127. Through my assessment of the proposed zone, and in alignment with Mr Jones' evidence<sup>16</sup>, I consider that there is capacity, from a landscape perspective, for the application site to accommodate the type of development anticipated within the **Section 42A Report on Chapter 46 – Rural Visitor Zone**. Mr Jones has set out the following key factors to which I have addressed in my assessment above and to which I now provide a summarised response.

#### **Whether the site is located within an ONL and has a remote character.**

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<sup>16</sup> Second Statement of Evidence of Matthew Jones. Landscape Architecture – Rezoning – Rural Visitor Zone. 18 March 2020.



128. The site is located partly within the Rural Zone with an ONL overlay and partly within the Gibbston Character Zone, from which it is setback from the valley and highway corridor. The site has a rural character and though not physically remote, there is a sense of remoteness attributed to the contained nature of the site's topography and elevated position above the valley floor.

**Whether the site is relatively visually discrete in views from public places and neighbouring dwellings.**

129. The contained nature of the site and elevated position above the valley floor contribute to the limited visibility of the site within the immediate context, making it generally visually discrete from public places and neighbouring properties.

130. Views of the site are available from the Crown Range Road Lookout, however given distance, scale and context, it is anticipated that development enabled by the proposed RVZ will not be out of character with the surrounding landscape and given the low threshold for development within the RVZ rules, it will not be readily noticeable from this distance.

131. Views from the neighbouring dwellings at 106 Coal Pit Road and from a short section along Coal Pit Road will take in Developable Area 2 on the proposed Structure Plan. However, it is considered that development in this location will not necessarily be out of character with the surrounding landscape and will appear as part of a small enclave of development. I understand that effects will be able to be considered, and a consent declined if necessary through the Restricted Discretionary framework to be adopted (where total ground floor building coverage exceeds 500m<sup>2</sup>, which will inevitably be the case).

**Whether the site or immediate context displays a modified character.**

132. As described previously, the site displays a modified natural character generally typical of a traditionally farmed rural landscape. Visible modifications on the site include modified pastoral vegetation, a shed from former bike resort operations, water tanks, a water race, fencelines, farm tracks and mountain bike trails. The upper slopes, incised creek and west gully are less modified and so are excluded from the Primary Developable Areas proposed on the Structure Plan. The immediate context to the north and east is modified by the GCZ and associated viticulture operations, farming practices and residential dwellings.

**Whether additional development of the type anticipated by the notified RVZ will generate adverse cumulative effects.**

133. The RMA describes cumulative effects as an *'effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration or frequency of the effect'*<sup>17</sup>.
134. Adverse cumulative effects of the proposal should be considered, especially in the context of the recently approved GVRZ. On a whole, it is my opinion that the proposed RVZ will not contribute to adverse cumulative effects. This is because the Structure Plan has been informed by the landscape sensitivity rating and visual influence of the site. As a result, the site will not be readily apparent from the Gibbston Highway corridor nor in the context of development of the GVRZ.

**Whether there are reasonably 'buildable' locations within the proposed rezoning area.**

135. As described above, the underlying landform has a varied topography including incised creeks, ridgelines, spurs and terraces. This creates visually discrete pockets within the site that would allow for contained areas of development. Primary Developable Areas have been proposed as per the Structure Plan, which seeks to locate these areas where landscape sensitivity is low and site attributes are favourable for development, such as gentle topography, ease of access, quality views and presence of existing site modifications.

**CONCLUSION**

136. The RZV proposal as drafted provides for a holistic approach to development while providing for a certainty of protection for landscape values. Landscape sensitivity has been assessed and through implementation of the Structure Plan and standard RVZ rules, the scale and nature of landscape effects anticipated on the application site and the surrounding landscape are considered to be low, maintaining the quality and distinctive identity of the District's landscapes. Therefore, I consider that the proposed RVZ rezoning is an appropriate fit for the site.

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<sup>17</sup> Section 3 of the RMA 1991

Dated this 29 May 2020

A handwritten signature in black ink, appearing to read 'Tony Milne', with a horizontal line extending to the right from the end of the signature.

Tony Milne

## APPENDIX A: DEFINITIONS & TABLES

### Natural Character

Table 1: Natural Character Assessment Rating<sup>18</sup>

Natural character rating	Very High		High		Moderate - High		Moderate		Moderate-Low		Low		Very Low	
	Natural	Near-natural	Very weakly influenced	Semi-natural	Weakly influenced	Agricultural	Moderately disturbed	Agricultural	Strongly influenced	Near cultural	Very strongly influenced	Cultural	Extremely disturbed	
Ecological naturalness state	Natural	Near-natural	Very weakly influenced	Semi-natural	Weakly influenced	Agricultural	Moderately disturbed	Agricultural	Strongly influenced	Near cultural	Very strongly influenced	Cultural	Extremely disturbed	
Measure of human influence	Non-disturbed	Very weakly influenced	Very weakly influenced	Weakly influenced	Weakly influenced	Moderately disturbed	Moderately disturbed	Strongly influenced	Strongly influenced	Very strongly influenced	Very strongly influenced	Extremely disturbed	Extremely disturbed	
Typical habitats	<b>Self-Regulating</b> Habitats approaching pristine state – no human modifications to ecosystems	Forest vegetation communities with species and structure typical of the site, limited harvesting or clearing of biomass, light fertiliser, pastoralism	Forest vegetation communities with species and structure typical of the site, limited harvesting or clearing of biomass, light fertiliser, pastoralism	Managed exotic forests, extensive pastoral farmland, slight improvements	Managed exotic forests, extensive pastoral farmland, slight improvements	Intensive grazing, developed pasture. Selection of species in terms of grazing potential (ie clover ryegrass pasture)	Intensive grazing, developed pasture. Selection of species in terms of grazing potential (ie clover ryegrass pasture)	Regular cultivation, intensively cropped arable land, horticultural cropping, drainage, heavy use of fertiliser and pesticides	Regular cultivation, intensively cropped arable land, horticultural cropping, drainage, heavy use of fertiliser and pesticides	Parkland, greenways, green open space	Parkland, greenways, green open space	Urban-suburban	Urban-suburban	
Vegetation structure	No change	No change	No change	Maybe naturally occurring layers beneath exotic canopy	Maybe naturally occurring layers beneath exotic canopy	Improved pasture, annual crops	Improved pasture, annual crops	Perennial or annual crops dominant	Perennial or annual crops dominant	Amenity plants, turf, ephemeral weeds	Amenity plants, turf, ephemeral weeds	Amenity plants, turf, ephemeral weeds	Amenity plants, turf, ephemeral weeds	
Floristic composition	No change	Most species spontaneous	Most species spontaneous	Some species spontaneous, e.g. understory in exotic forestry	Some species spontaneous, e.g. understory in exotic forestry	Few species spontaneous, other than weeds. Weed growth controlled	Few species spontaneous, other than weeds. Weed growth controlled	Few species spontaneous, other than weeds. Weed growth controlled	Few species spontaneous, other than weeds. Weed growth controlled	Few to no species spontaneous, other than weeds. Weed growth generally controlled	Few to no species spontaneous, other than weeds. Weed growth generally controlled	No species spontaneous, other than weeds.	No species spontaneous, other than weeds.	
Substrate change	No change	Few changes	Few changes	Small, superficial	Small, superficial	Moderate	Moderate	Drastic	Drastic	Drastic - artificial	Drastic - artificial	Drastic, compaction, artificial, impervious surfaces	Drastic, compaction, artificial, impervious surfaces	

## Landscape Effects

Table 2: Determining the Level of Landscape Effects<sup>19</sup>

Contributing Factors		Higher	Lower
Nature of Landscape Resource	Susceptibility to change	The landscape context has limited existing landscape detractors which make it highly vulnerable to the type of change which would result from the proposed development.	The landscape context has many detractors and can easily accommodate the proposed development without undue consequences to landscape character.
	The value of the landscape	The landscape includes important biophysical, sensory and associative attributes. The landscape requires protection as a matter of national importance (ONF/L).	The landscape lacks any important biophysical, sensory or associative attributes. The landscape is of low or local importance.
Magnitude of Change	Size or scale	Total loss or addition of key features or elements. Major changes in the key characteristics of the landscape, including significant aesthetic or perceptual elements.	The majority of key features or elements are retained. Key characteristics of the landscape remain intact with limited aesthetic or perceptual change apparent.
	Geographical extent	Wider landscape scale.	Site scale, immediate setting.
	Duration and reversibility	Permanent. Long term (over 10 years).	Reversible. Short Term (0-5 years).

Table 3: Landscape Effects Rating Scale<sup>20</sup>

Magnitude/Degrees	Use and Definition
Very Low	Negligible loss of or modification of key elements, features, characteristics, and/or values of the baseline. Influence of new elements on landscape character and/or landscape value is barely discernible.
Low	Very little material loss of or modification to key elements, features, characteristics and/or values. New elements integrate seamlessly into the pre-development landscape character and/or landscape values.
Moderate-Low	Minor loss of or modification of one or more key elements, features, characteristics and/or values. New elements are not uncharacteristic within the receiving landscape and do not disturb the pre-development landscape character and/or landscape values.
Moderate	Partial loss of or modification of key elements, features, characteristics and/or values. The pre-development landscape character and/or landscape value remains evident but is changed.
Moderate-High	Modifications of several key elements, features, characteristics and/or values. The pre-development landscape character and/or landscape values remain evident but materially changed.

<sup>18</sup> Ecosystem Factors in the assessment of naturalness (After Sukopp 1971 and van der Maarel (1975).

<sup>19</sup> Landscape and Visual Effects Assessment Methodology, Appendix A, Boffa Miskell, 5 April 2018

<sup>20</sup> Supplementary Statement of Evidence of Bridget Mary Gilbert for Queenstown Lakes District Council, Topic 2-Rural Landscapes, Annexure 2: Guidelines for the Assessment of Landscape and Visual Effects, 29 April 2019

High	Major modification or loss of most key elements, features, characteristics and/or values. Little of the pre-development landscape character remains and amounts to a significant change in the landscape character and/or landscape values.
Very High	Total loss of key elements, features, characteristics and/or values. Amounts to a very significant change in landscape character and/or landscape values.

## Visual Effects

*Table 4: Criteria and Terminology Applied to the Assessment of Visual Effects*

Criteria	Definition
Distance	The greater the distance, the less detail is seen.
Elevation	Where a viewpoint is lower than the proposed development, it is more likely to be viewed against the sky increasing its impact.
Size	The greater the proportion of the view is occupied by the development or activity, the greater the impact. Colour and form can also increase or diminish impact by drawing the eye or providing camouflage.
Context	The degree to which the development is in character with the context, whether urban or rural.
Weather Conditions	The clarity of the air and the angle and direction of the sun at different times of year affect visibility. Haze may be frequently present especially in views towards the mountains.
Activity	Where movement and light reflection change with movement, this draws the eye and increases visual impact.
Change	The degree of change in the view.

*Table 5: Viewer Sensitivity and Magnitude of Change<sup>21</sup>*

Contributing Factors		Higher	Lower
Nature of the Viewing Audience	Susceptibility to change	Views from dwellings and recreation areas where attention is typically focussed on the landscape.	Views from places of employment and other places where the focus is typically incidental to its landscape context. Views from transport corridors.
	Value attached to views	Viewpoint is recognised by the community such as an important view shaft, identification on tourist maps or in art and literature. High visitor numbers.	Viewpoint is not typically recognised or valued by the community. Infrequent visitor numbers.
Magnitude of Change	Size or scale	Loss or addition of key features in the view. High degree of contrast with existing	Most key features of view retained. Low degree of contrast with existing landscape elements (i.e. in terms of

<sup>21</sup> Landscape and Visual Effects Assessment Methodology, Appendix A, Boffa Miskell, 5 April 2018

		landscape elements (i.e. in terms of form scale, mass, line, height, colour and texture). Full view of the proposed development.	form scale, mass, line, height, colour and texture. Glimpse / no view of the proposed development.
	Geographical extent	Front on views. Near distance views; Change visible across a wide area.	Oblique views. Long distance views. Small portion of change visible.
	Duration and reversibility	Permanent. Long term (over 15 years).	Transient / temporary Short Term (0-5 years).

**Table 6: Visual Amenity Effects Rating Scale<sup>22</sup>**

Magnitude/Degrees	Use and Definition
Very Low	Negligible loss of or modification to key elements, features and/or characteristics of the baseline. Visual influence of new elements is barely discernible.
Low	Very little material loss of or modification to key elements, features and/or characteristics. New elements integrate seamlessly into the pre-development visual environment.
Moderate-Low	Minor loss of or modification to one or more key elements, features, and/or characteristics. New elements are not uncharacteristic within the visual environment and do not disturb the pre-development visual amenity.
Moderate	Partial loss of or modification to key elements, features, and/or characteristics. The pre-development visual amenity remains evident but is changed.
Moderate-High	Modifications of several key elements, features and/or characteristics. The pre-development visual amenity remains evident but materially changed.
High	Major modification or loss of most key elements, features and/or characteristics. Little of the pre-development visual amenity remains and amounts to a significant change in visual amenity values.
Very High	Total loss of key elements, features and/or characteristics, which amounts to a very significant change in visual amenity.

## Adverse Effects

**Table 7: Determining the Nature of Effects<sup>23</sup>**

Nature of Effect	Use and Definition
Adverse (negative)	The proposed development would be out of scale with the landscape or at odds with the local pattern and landform which results in a reduction in landscape and / or visual amenity values.
Neutral (benign)	The Proposed development would complement (or blend in with) the scale, landform and pattern of the landscape maintaining existing landscape and / or visual amenity values.

<sup>22</sup> Supplementary Statement of Evidence of Bridget Mary Gilbert for Queenstown Lakes District Council, Topic 2-Rural Landscapes, Annexure 2: Guidelines for the Assessment of Landscape and Visual Effects, 29 April 2019

<sup>23</sup> Landscape and Visual Effects Assessment Methodology, Appendix A, Boffa Miskell, 5 April 2018

Beneficial (positive)	The proposed development would enhance the landscape and / or visual amenity through removal or restoration of existing degraded landscape uses and / or addition of positive elements or features.
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*Table 8: Minor Effects for Notification Determination and Non-complying Activities*

Very Low	Low	Moderate-Low	Moderate	Moderate-High	High	Very High
Less than minor	Minor		More than minor		Significant	