

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER OF

the Resource Management Act 1991

AND

IN THE MATTER OF

of proposed Private Plan Change 51
to the Queenstown Lakes District
Plan

**STATEMENT OF EVIDENCE OF BEN ESPIE
(LANDSCAPE ARCHITECT) FOR PENINSULA BAY JOINT VENTURE**

Dated 1 August 2016

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INTRODUCTION

1. My name is Benjamin Espie. I reside in Queenstown. I hold the qualifications of Bachelor of Landscape Architecture (with honours) from Lincoln University and Bachelor of Arts from Canterbury University. I am a member and former Chairman of the Southern Branch of the New Zealand Institute of Landscape Architects. Since November 2004 I have been a director of Vivian and Espie Limited, a specialist resource management and landscape planning consultancy based in Queenstown. Between March 2001 and November 2004 I was employed as Principal of Landscape Architecture by Civic Corporation Limited, a resource management consultancy company contracted to the Queenstown Lakes District Council (QLDC).
2. The majority of my work involves advising clients regarding landscape and visual amenity issues related to the Resource Management Act 1991 and the landscape provisions of various district and regional plans. I also prepare effects assessments and evidence in relation to development proposals. The primary objective of these assessments and evidence is to ascertain the effects of proposed development in relation to visual amenity and landscape issues.
3. Much of my experience has involved providing landscape and visual amenity assessments in relation to resource consent applications and plan changes, including advising on the avoidance, remediation or mitigation of the effects of proposed plan provisions or activities in rural areas, both to District Councils, and to private clients. I have compiled many assessment reports, and given evidence in the Environment Court, relating to the landscape and visual amenity related aspects of proposed regimes of District Plan provisions to provide for development in the rural areas of a number of districts.
4. I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2011, and agree to comply with it. I have complied with it in the preparation of this evidence. This evidence is within my area of expertise and I confirm I have not omitted

to consider material facts known to me that might alter or detract from the opinions I have expressed.

5. This evidence relates to the landscape and visual amenity effects that would result from the approval of proposed Plan Change 51 (PC51) that effectively seeks to extend the residential activity of the Peninsula Bay suburb into an area that is currently zoned Open Space Zone (OSZ). The details of PC51 will be explained in the evidence of other witnesses and will be discussed further subsequently in this evidence.

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT REPORT

6. I prepared a Landscape and Visual Effects Assessment Report in relation to PC51 dated 22nd September 2015 (my assessment report), which accompanied the private plan change request. My assessment report sets out the landscape and visual amenity related aspects of the existing environment, describes the proposed plan change and sets out the parts of the relevant statutory documents that relate to an assessment of landscape and visual amenity issues. My assessment report then goes on to address the landscape and visual amenity related effects of the proposed plan change and to relate those effects to the relevant statutory documents. My assessment report also discusses some of the relevant history of the site in relation to landscape matters. I do not wish to amend or resile from any of the findings or conclusions of my assessment report.
7. I describe some of the planning history of Peninsula Bay in my assessment report. In summary,
 - i. Prior to 2004, the area that is now the Peninsula Bay Low Density Residential Zone (LDRZ) was zoned Rural General Zone. In 2004, proposed Variation 15 sought to rezone the land to allow for residential development. Proposed Variation 15 was

ultimately examined and decided by the Environment Court¹. I was the QLDC's landscape witness in those proceedings. The details of what was proposed by Variation 15 evolved as it went through the application and hearing process. By the time of the final iteration of Variation 15, the QLDC (and myself as a witness) supported a configuration of development that included a number of individually located house sites in the northern area that is currently OSZ (including 11 house sites within what is now identified as the outstanding natural landscape (ONL)). For a number of reasons, not all related to landscape and amenity issues, the Court found that the purpose of the RMA would best be served by rejecting proposed Variation 15 in its entirety and hence the Peninsula Bay site remained in Rural General Zoning.

- ii. An important finding of the Environment Court's decision regarding Variation 15 is that it identified the extent of the ONL that includes Lake Wanaka. The Court heard extensive evidence on this issue from three landscape witnesses (myself included) and there was considerable cross examination on this matter. Landscape categorisation within any district must necessarily be done at a very large scale. All three landscape witnesses involved in the Variation 15 proceedings effectively agreed that two landscapes meet in the vicinity of Peninsula Bay; one being the dramatic landscape of Lake Wanaka and its immediate context and the other being the pastoral land that surrounds Wanaka. The Court found that the very northern part of the Peninsula Bay site is within the ONL that includes Lake Wanaka and that most of the Peninsula Bay land (which at the time was pasture land with Rural General zoning) was part of the visual amenity landscape that took in the rural land surrounding Wanaka town. It also found that the southern

¹ Environment Court decision C010/2005, Infinity Group vs. QLDC.

boundary line of the ONL (the ONL line) follows the crest of a rounded ridgeline that runs roughly east west across the Peninsula Bay site. This ONL line is shown in orange on Appendix 1 to this report.

- iii. In late 2005 through 2006, Variation 25 was proposed by the QLDC which put in place the zoning that is now in the Plan. I was engaged by the QLDC to provide advice in relation to landscape and amenity issues. In relation to the relevant northern area of Peninsula Bay, Variation 25 proposed some LDRZ extending northwards to touch the ONL line. No specific dwelling locations or design controls were proposed; development that would have been enabled would have been the same as development within any LDRZ in the district (700m² minimum lot size and 7 or 8m building height restriction depending upon the gradient of the individual site). Obviously, this type of development is quite different to what would be enabled under the current proposal. The visual assessment work undertaken at that time suggested that these northernmost areas of proposed LDRZ could adversely affect views from the north. My advice was that this area of proposed LDRZ should therefore be excluded from the rezoning and ultimately this advice was followed such that the current zoning configuration in the Plan was put in place.
- iv. With reference to the history provided above, I note the following with respect to the proposed PC51 development configuration (as notified):
 - The building platforms proposed within Lots 4 – 6 of the plan change as notified and Lots 20 – 22 are located within the AA5a development areas that were proposed by Variation 15 and were supported by the QLDC (including myself as a witness).
 - The strip of lots proposed to the north of the existing LDRZ (proposed Lots 1 - 3, 7 – 19 and 23 – 26) are very largely

located within the AA1 development area that was proposed by Variation 15 and was supported by the QLDC (including myself as a witness).

- Currently proposed Lots 1 – 3 and 7 – 16 are largely located within the part of the LDRZ proposed by Variation 25 that I advised against and which was ultimately deleted. The current proposal however includes specific measures (reduced density, reduced maximum building heights and new areas of protected vegetation) to ensure that built form will be only very minimally visible from the north. The zoning proposed by Variation 25 for this area did not include those measures.

8. The findings of my assessment report regarding the landscape and visual amenity effects of PC51 (as notified) can be summarised as follows:

- i. The proposed plan change will result in an additional strip of large residential lots lining the south-facing slopes of the low, rounded ridge that lies to the north of the current LDRZ. These lots will accommodate dwellings that generally gain views to the south and west. Further north, there will then be an additional six larger lots (Lots 4 – 6 and 20 – 22) that will be more elevated and will be close to, or north of, the crest of the rounded ridgeline. The views from dwellings on these six lots will primarily be to the west over Roy's Bay.
- ii. The six northernmost lots that are located near the crest of the rounded ridgeline are partially within the ONL that includes Lake Wanaka. This ONL land has a high natural character and is significantly valued by the community. The south-facing slopes on which most of the development will be located are not within the ONL but are visually natural and attractive and are likely to be valued by the local Peninsula Bay community as an open reserve-like space.

- iii. The Peninsula Bay area in general and the plan change area in particular are generally visually displayed to the west and south-west. These areas are seen as part of the suburban fabric of Wanaka from western parts of Wanaka town, parts of the Waterfall Creek to Damper Bay area and from Roy's Bay. The relevant land is generally part of the mid-ground of views, backed by distant mountain peaks. For observers on the lake to the north of the relevant area, the steep, rocky cliffs that lie to the immediate north of the Peninsula Bay site form a scenic part of their surroundings.
- iv. In terms of landscape character, the proposal will see the boundary between residential land use and open space moved to the north by approximately 150 metres. Open space and natural character will be reduced within the plan change area. These characteristics are particularly valued within the identified ONL area and hence for this area there will be a substantial character effect. Notwithstanding this point, the effect on the ONL has been well mitigated, particularly by avoiding the most prominent and valued parts (i.e. the parts that are experienced from the lake) and by the areas of native revegetation that will bolster natural character. On the south facing slopes that are outside the ONL, the degree of effect on landscape character will be less.
- v. In relation to visual effects, I consider that effects on the views and visual amenity of potential observers will be negligible to slight, with the exception that the very northernmost properties of the existing Peninsula Bay LDRZ will be affected to a substantial degree; their northern outlook will change considerably. I consider that the most sensitive observers, in terms of potential visual effects, are those on the lake surface to the north of the plan change area. There will be very little visual change for these observers, effects will be of a slight degree.

- vi. Overall, I consider that in relation to landscape and visual effects the proposed plan change will have particularly localised effects only. The views of immediately neighbouring properties within the Peninsula Bay LDRZ will be affected and the character of a small part of the ONL will change to accommodate three clustered dwellings.
9. Since the completion of my assessment report, PC51 has been subject to public submissions and has been reported on (in relation to landscape issues) by Dr Marion Read. In this evidence I will address issues that have been raised by submitters or Dr Read.
10. Also since the completion of my report there have been some amendments made to PC51 in recognition of some of these identified matters. Some of the amendments that have been made relate to the planning mechanisms that will be used to regulate the development that will be enabled; I will not comment on these. Other amendments change the outcomes that are sought by PC51. These will be described in detail in the evidence of other witnesses. I summarise below the amendments that have been made that are most relevant to landscape issues:
- Proposed Lots 5 and 6 and their building platforms have been deleted. Consequently, more land will remain in the current OSZ.
 - Proposed Lots 4 and 7 to 12 have been reduced in size and the building platform within Lot 21 has been reduced in size. Consequently, the only lots that extend into the identified ONL are parts of Lots 4, 20, 21 and 22. The only proposed buildable area within the ONL is the Lot 4 building platform which I comment on in paragraph 23 below.
 - There have been consequential changes made to the proposed Landscape Concept Plan and the proposed recreational trails. Additionally, a strip of vegetation maintenance and

enhancement is proposed within the eastern boundaries of proposed Lots 23 and 24.

- A restriction has been placed on planting exotic vegetation within Lots 4 and 20 to 26 such that no exotic species that achieve a mature height of more than 2 metres may be planted within these lots.
- Additional restrictions have been placed on the external finishes of future buildings in that the external finishes of all buildings must have a light reflectivity value of 36% or less. In addition to this, the external finishes of all buildings within Lots 4 and 20 to 26 must be within the range of natural greens, browns and greys.
- The mechanisms relating to the installation and maintenance of the proposed revegetation planting have been amended and all revegetation planting must be maintained by the developer for 5 years following planting.

LANDSCAPE AND AMENITY ISSUES THAT HAVE BEEN RAISED BY PUBLIC SUBMISSIONS

11. 200 submissions have been received in opposition to PC51. Of the opposing submissions;
 - 115 of them are identical, having the format and wording of submission 27. These submissions primarily relate to recreation and public access/ownership, however, mention is made of outstanding natural beauty.
 - Another 13 of them are identical, having the format and wording of submission 64. Again, these submissions primarily relate to recreation, public access, the experience that is had when on the subject site and to the purpose of the OSZ.
12. While the submissions are dominated by perceived recreational effects, a number mention landscape issues; sometimes in a broad, general way

and sometimes in a more specific way. My assessment report sets out a systematic analysis of landscape issues and potential landscape effects. For the reasons set out in that report (and summarised above), I find that the landscape and visual effects of PC51 will be particularly localised; a small area of land will have its character changed and significant visual effects will be contained to a small catchment.

13. The landscape issues that are raised in submissions can be summarised as follows:

- The OSZ is an important buffer between the lake edge and the residential development within Peninsula Bay and therefore should be retained in its current state.
- The ONL should be preserved in its current state and PC51 will destroy it. It is not capable of absorbing the proposed development.
- Development should be kept away from the edge that rolls over towards the lake so that views from the lake will not be adversely affected.
- The development that PC51 would enable would be inconsistent with some relevant landscape related provisions of the Operative and/or Proposed District Plans.

I address each of these issues below.

The OSZ as a buffer

14. Moving north from the existing zone boundary, the land of the existing OSZ rises to the rounded ridgeline that is marked by the ONL line as shown on the Concept Scheme Plan (attached to this evidence as Appendix 1). North of this rounded ridgeline, the land descends to the top of the lakeside escarpment, which very roughly coincides with the northern boundary of the subject site (which is also the northern edge of the OSZ). Looking towards this area from the south (i.e. from the suburban area of Peninsula Bay), I agree that the south-facing slopes of

the OSZ (i.e. the area outside of the ONL) forms something of a visual buffer, as can be seen on the photographs that form Appendix 2 of this evidence.

15. Appendix 1 also shows the existing zone boundary. Currently the existing LDRZ remains unbuilt in the area on both sides of Infinity Drive and much of Minaret Ridge, although I understand that many of these lots have been sold. Once this area is developed in accordance with its existing zoning, it will form a relatively dense residential neighbourhood. Looking at the photographs in Appendix 2, I consider that once the existing LDRZ is developed and contains houses, there will be relatively little visibility of the OSZ area from the suburban area of Peninsula Bay, excepting from the very northernmost lots. Therefore, I consider that in a visual sense, the OSZ area only acts as a buffer for the existing lots of the LDRZ that are on the northern side of Infinity Drive (which can be seen in Appendix 1). As discussed in my assessment report, owners of these lots are the observers who are most affected by the proposal in a visual sense. I also note that these lots slope towards the south. I consider it very unlikely that future dwellings on these lots would be oriented to the north.
16. Leaving aside visual issues, I agree that the existing OSZ acts as a buffer in relation to natural character between the suburban area and the lake edge. If PC51 proceeds, this buffer will still exist but it will be narrower. The amended buffer area will take in the land that slopes towards the lake. This land has the highest natural character and is the area identified as being part of the ONL. The natural character of the lake, its margins, the steep lakeside escarpment and the north-facing gentle slopes at the top of the escarpment will continue to be protected by the OSZ provisions.
17. In relation to landscape planning principles, an urban (or suburban) edge can often appropriately be a "hard edge"; a line of abrupt character change between a residential area and an area of high natural character. There is not necessarily any merit in providing a buffer between one pattern and another. Under PC51 there would be a slightly

soft or feathered edge in which the northernmost lots are larger, more separated and contain considerable native ecology. As a design method, I consider that this is appropriate and there is no identifiable need to preserve a buffer space between the residential area and the ONL. The line that will form the northernmost edge of development will be a line that divides the exposed north-facing landform from the more contained south and west facing landform and in this sense the line will be an identifiable and logical topographic edge.

The ONL should be preserved

18. The landward edge of the ONL can be seen in Appendix 1. The building platform of Lot 4 is within the ONL. With reference to the Appendix 1 plan, PC51 will create approximately 4,200m² of private land within the ONL. Of this, 700m² will potentially be able to be built on (the Lot 4 building platform) and approximately 2,500m² will be covered in enhanced native vegetation.
19. When considering a proposed plan change, the consistency of the proposed zoning with the district-wide parts of the District Plan is an important consideration. Section 4 of the Operative District Plan sets out the district-wide objectives and policies including those that give direction in relation to the treatment of the different categories of landscape. The relevant ONL in this case is correctly identified as a district wide ONL (ONL-DW). The relevant Policy is:

4.2.5 (2) Outstanding Natural Landscapes (District-Wide/Greater Wakatipu)

- (a) *To maintain the openness of those outstanding natural landscapes and features which have an open character at present.*
- (b) *To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.*

- (c) *To allow limited subdivision and development in those areas with higher potential to absorb change.*
 - (d) *To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.*
- 20. The corresponding Policies within the Proposed District Plan (hearings on which are ongoing) are:
 - 6.3.4.1 *Avoid subdivision and development that would degrade the important qualities of the landscape character and amenity, particularly where there is no or little capacity to absorb change.*
 - 6.3.4.2 *Recognise that large parts of the District's Outstanding Natural Landscapes include working farms and accept that viable farming involves activities which may modify the landscape, providing the quality and character of the Outstanding Natural Landscape is not adversely affected.*
 - 6.3.4.3 *Have regard to adverse effects on landscape character, and visual amenity values as viewed from public places, with emphasis on views from formed roads.*
 - 6.3.4.4 *The landscape character and amenity values of the Outstanding Natural Landscape are a significant intrinsic, economic and recreational resource, such that large scale renewable electricity generation or new large scale mineral extraction development proposals including windfarm or hydro energy generation are not likely to be compatible with the Outstanding Natural Landscapes of the District.*
- 21. The Operative District Plan divides the ONLs of the district into district wide ONLs and Wakatipu Basin ONLs. The Wakatipu Basin ONLs are covered by a separate policy that is more stringent and includes the desirability that built development is "*reasonably difficult to see*". This more stringent policy does not apply in relation to the current proposal.

22. The policies quoted above that are applicable to the relevant ONL obviously do not seek that development is entirely excluded from ONLs. They provide for development within ONLs under certain circumstances. I consider that development enabled by PC51 will sit relatively comfortably with these policies in that:

- The part of the ONL in which development will be enabled is not open in character and are not widely displayed. It is considerably covered in mature kanuka-dominated vegetation that is proposed to be maintained and enhanced. Openness will not be reduced.
- The visual analysis work that has been done shows that the activities that PC51 will enable will be well hidden when viewed from the north. They will be seen in views from the west but will be immediately adjacent to large areas of suburban development and hence will be inconspicuous. The activities will be visually absorbed into existing patterns of development. The parts of the relevant ONL that have no ability to visually absorb development (the steep north-facing slopes) will not be affected by PC51.
- The activities that PC51 will enable within the ONL will not be easy to perceive from public places or roads.

23. The vast majority of the PC51 area is not within the ONL. The only built development within the ONL that will be enabled by PC51 is within the Lot 4 building platform. This platform is located in a particular part of the ONL that is relatively low in natural character (as can be seen in Photograph 3 of my Appendix 2). No remnant kanuka is present in this location and considerable nearby earthworks have modified the landform. The building platform is located on a relatively flat terrace with slightly rising ground to the north, meaning that the platform location reads as being part of the non-ONL land that continues to the south. I consider that this is a part of the ONL with a particularly high capacity to absorb change. Overall, I consider that the activities that PC51 will enable that are within the ONL are small in scale, visually

inconspicuous, will provide ecological enhancement and are in a specific part of the ONL that has significantly more capacity to absorb change than most. I therefore find that they are in accordance with the Operative and Proposed District Plan Policies.

Development at the northern edge of Peninsula Bay that is potentially visible from the north

24. The issue of the visual effects of development as perceived from the north (i.e. from Lake Wanaka) is examined in depth in my assessment report. As mentioned above, the part of the ONL that is perceived from the Dublin Bay / Clutha Outlet area is particularly sensitive to change. I gave advice and input into the design process that led to proposed PC51. A long and iterative design process was followed in order to achieve a final design that very much minimises any visibility of built form from the north. Appendix 6 of my assessment report includes a viewpoint map, photographs and digital model views of the site from a number of viewpoints on the lake².
25. The importance of minimising any visibility from the north is due to the nature of the existing environment. When viewed from the west (i.e. Roy's Bay and the areas west of Wanaka town) the entire Peninsula Bay suburban area is often visible in combination with the Beacon Point Road and Penrith Park neighbourhoods. In this context, the additional residential development that PC51 will enable will be a minor addition to the mass of existing suburban development that can be seen in these views. The development will be immediately adjacent to existing suburban development and zoning. It will often be behind (and partially screened by) development within the Mount Gold Place part of the Penrith Park neighbourhood. The development enabled by PC51 will be particularly inconspicuous in this context, will not contrast in any way

² The digital images of Appendix 6 of my assessment report include Lots 5 and 6 and their building platforms which have now been deleted from the proposal.

with the existing patterns of the landscape and will not alter or degrade the landscape character that is experienced.

26. From the Bull Island / Dublin Bay / Clutha Outlet part of the surface of Lake Wanaka, visibility to the main suburban areas of Wanaka (including the Peninsula Bay area) is not available. As one moves east from Beacon Point towards Dublin Bay, there is visibility of the large dwellings on Mount Gold Place and Beacon Point itself. However, visibility to these too is lost once one gets to a point approximately a kilometre east of Bull Island. Views to the surrounding land from this part of Lake Wanaka are of a much more natural character. Visibility of built form is minimal and a more remote atmosphere is experienced. The rocky escarpment face at the northern extreme of the Peninsula Bay area forms part of this visual character. The experience of being on this part of the lake is much more susceptible to degradation. Any significantly visible residential development would alter the natural, peaceful nature of the current experience. In this regard I agree with the submissions that seek to absolutely minimise visual effects as experienced from the north and I consider that the proposal achieves this (even more so since proposed Lots 5 and 6 have been deleted).
27. As is evidenced by Appendix 6 of my assessment report, visibility of built form enabled by the proposal will only begin to become available to viewers that are in the vicinity of Bull Island and north of this. Digital model views from Viewpoints 13 – 15 illustrate the degree of visibility. The coloured building envelopes that have been modelled represent the maximum extent of the buildable area of each lot and the maximum allowable building heights. In reality, a future building on a given lot will not fill the entire building envelope. Additionally, the restriction of external finishes of buildings to reflectivity values of less than 36% and within the range of natural browns, greys and greens will mean that buildings are visually recessive and blend with the immediately surrounding vegetation. This surrounding vegetation will be considerably bolstered by proposed revegetation work and this will be evident in these views. Mixed indigenous vegetation will considerably fill areas that currently read as patches of open grassland. This will go

some way to increasing the wild quality of these views and will assist in screening future built form.

28. A viewer will be at least 1.1 kilometres from the zone change area in order to gain the visibility shown on images 13 to 15 of Appendix 6 of my assessment report. The parts of built form that are potentially seen are particularly small, will be darkly coloured and will be surrounded and visually backed by dark coloured mixed native vegetation. I consider that the scale of visual change will be very small; the composition of existing views will alter only very slightly. To many observers, I consider that the change will be difficult to notice; the Peninsula Bay area will continue to read as a rough, rocky, lakeside escarpment topped by the rough texture of native vegetation. As a viewer moves further north, the Peninsula Bay land becomes increasingly inconspicuous as the scene becomes broader and is dominated by The Peninsula and the Mount Burke Station area.
29. Overall, I agree that the ONL land as experienced from the Dublin Bay / Clutha Outlet area is sensitive and that inappropriate development should be avoided here. I consider that the PC51 design appropriately responds to this issue in that very little effect will be experienced by observers on the lake to the north of the plan change area.

Inconsistency with relevant landscape related provisions of the Operative and/or Proposed District Plans

30. A few submissions mention specific provisions of the Operative and/or Proposed District Plan and opine that PC51 would not be consistent with these provisions. Some of the discussed provisions relate to landscape matters and some do not. Below, I will comment on the relevant provisions mentioned by submitters that do relate to landscape matters.
31. I make the general point that PC51 seeks to alter the zoning over the proposed development area so that it is no longer OSZ. Therefore, in my understanding, we cannot expect that the outcomes that are sought for the Plan Change area will accord with the intentions of the OSZ, with the exception of the land that will remain OSZ which are addressed by

Ms Taylor in her evidence, and the adjoining OSZ land. If the sought outcomes did accord with the OSZ for the plan change site itself then there would be no need or desire by the requestor to change the zoning. I understand that the relevant assessment to make is whether the outcomes that PC51 will bring about are consistent with the district wide provisions of the District Plan and are consistent with the Act.

Operative District Plan provisions

4.2.5 *Objective: Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.*

Policy 1(b): To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.

Policy 2(b): To avoid subdivision and development in those parts of the outstanding natural landscapes with little or no capacity to absorb change.

Policy 2(d): To recognise and provide for the importance of protecting the naturalness and enhancing amenity values of views from public roads.

32. As discussed in my paragraphs 22 and 23 above, I consider that the outcomes that PC51 will bring about are consistent with the above provisions. Given that the proposed design has been careful to locate development on the south-facing slopes immediately adjacent to existing development and in specific locations where visibility from the north will be very minimal, I consider that the area over which PC51 will enable development can correctly be termed "an area with greater potential to absorb change". The most valued and visually displayed parts of the ONL (the north-facing slopes) will remain unaltered. Development will be very minimally visible from public roads. Only a

very small part of the proposed development is within the ONL. Overall, as set out in my assessment report, visual and landscape effects have been well mitigated.

Policy 6(b): To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.

Policy 6(c): To avoid remedy and mitigate the adverse effects of urban subdivision and development where it does occur in the other [i.e. non-Wakatipu] outstanding natural landscapes of the district by maintaining the open character of those outstanding natural landscapes which are open at the date this plan becomes operative.

Policy 8(a): to ensure that the density of subdivision and development does not increase to a point where the benefits of further planting and building are outweighed by the adverse effect on landscape values of over domestication of the landscape.

33. PC51 will enable one building platform inside the identified extent of the ONL. Policy 6 (c) provides for this while seeking to maintain openness.
34. As has been discussed, the specific locations in which private lots would be enabled within the ONL are not particularly open; they are relatively enclosed by vegetation and landform. The part of the ONL that is broadly open and visually displayed takes the form of the north facing slopes that descend to the lake edge. These slopes will remain in their current state and zoning and will not be affected by PC51 (other than by the creation of public tracks).
35. Policy 8(a) seeks to appropriately balance the benefits of planting with the adverse effects of domestication. Again, I consider that the adverse effects of domestication in the case of PC51 have been well mitigated. Mr Bramley addresses and quantifies the benefits of planting that will result from PC51. In relation to my area of expertise, I do not see that the adverse effects of the domestication that PC51 will bring are of such a degree that they require compensation by way of planting vegetation,

or that they will outweigh the benefits of the revegetation work that is proposed.

7.1.2

Policy 1.5: To maintain a distinction between the urban and rural areas in order to assist in protecting the quality and character of the surrounding environment and visual amenity

Policy 2.1: To contain the outward spread of residential areas and to limit peripheral residential or urban expansion.

Policy 2.2 To limit the geographical spread and extent of rural living and township areas. Where expansion occurs, it should be managed having regard to the important District-wide objectives.

36. These Policies relate to the edges of urban areas. I consider that both the existing zoning and the situation that is proposed by PC51 will maintain a distinction between the urban (or suburban) area of Peninsula Bay and the surrounding rural land. However, in the proposed situation, the suburban edge will be moved to the north. This will still result in a defined edge between the suburban area and the rural land. This edge takes the form of the proposed zone boundary that can be seen in Appendix 1 to this evidence. Under the existing situation, the current zone boundary represents an abrupt change between LDRZ development and open space. Under the proposed situation, the change will be slightly less abrupt in that the density of residential development will decrease towards the northern edge of the new LDRZ, creating a softer or more feathered edge. Notwithstanding this, there will be a clear distinction between suburban and rural land uses.
37. Policies 2.1 and 2.2 seek to limit and contain the spread of residential areas but clearly do not prohibit this. Where expansion does occur, it should accord with the relevant district wide provisions. In relation to these policies, I consider that PC51 will create some spread beyond existing residential boundaries. However, as has been set out, I

consider that the area of expansion will be contained and will accord with the relevant district wide provisions that relate to landscape.

Proposed District Plan provisions

38. One submission³ comments on how the development enabled by PC51 would sit in relation to the QLDC's notified Proposed District Plan. The submission focusses on the district wide Objectives and Policies of Sections 3 and 4 of the Proposed District Plan. It is my understanding that submissions on these Sections of the Proposed District Plan have been heard by the QLDC's Commissioners but no decisions have been issued yet. I understand that many submissions seek significant changes to the Objectives and Policies of these Sections. Therefore, no certainty can be had regarding the final form of these provisions.
39. Notwithstanding the above, I make comments below on the landscape related provisions of the Proposed District Plan that have been raised by submissions.

Objective 3.2.2.1 Ensure urban development occurs in a logical manner:

- *to promote a compact, well designed and integrated urban form;*
 - *to protect the District's rural landscapes from sporadic and sprawling development.*
40. These policies are similar to the operative policies relating to urban edges discussed above. Clearly, PC51 will extend urban (or suburban) form somewhat. I do not believe that the extension can be described as sporadic (scattered or irregular). It will extend up to an edge that has been carefully formulated through considerable iterative design work focussed on mitigating effects on landscape character and minimising visual effects. The term "sprawl" in an urban design or town planning

³ Submission number 162 lodged by Forest and Bird.

sense generally is used to mean expansion that is uncontrolled and/or un-designed. Again, I make the point that the expansion of residential land use that is proposed by way of PC51 has been carefully designed and will be tightly controlled. I consider that in a design sense, the overall objective of ensuring that urban development occurs in a logical manner will be achieved.

Objective 3.2.5.1 Protect the natural character of Outstanding Natural Landscapes and Outstanding Natural Features from subdivision, use and development.

Policy 3.2.5.1.1 Identify the district's Outstanding Natural Landscapes and Outstanding Natural Features on the District Plan maps, and protect them from the adverse effects of subdivision and development.

41. I understand that the use of the term "protect" in these provisions is the subject of a number of submissions. In any event, the Policy is more specific than the Objective in that it seeks that ONLs are protected from the adverse effects of subdivision and development. As set out in my assessment report, there will be some adverse effects on landscape character and visual amenity as a result of PC51 but these will be well mitigated and significantly localised.

Objective 3.2.5.3 Direct new subdivision, use or development to occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.

Policy 3.2.5.3.1 Direct urban development to be within Urban Growth Boundaries where these apply, or within existing rural townships.

42. All development that will be enabled by PC51 is within the identified Urban Growth Boundary. As has been discussed, PC51 has been carefully configured in order to avoid development in areas with little or no capacity to absorb change without detracting from landscape and visual amenity values (i.e. the exposed, north-facing slopes). Development will only be enabled in locations with the potential to absorb change.

Objective 4.2.1 Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Policy 4.2.1.1 Land within and adjacent to the major urban settlements will provide the focus for urban development, with a lesser extent accommodated within smaller rural townships.

Policy 4.2.1.5 Urban development is contained within or immediately adjacent to existing settlements.

Policy 4.2.1.6 Avoid sporadic urban development that would adversely affect the natural environment, rural amenity or landscape values; or compromise the viability of a nearby township

43. As set out in relation to the operative provisions, the development that PC51 will enable will have effects on rural amenity and landscape values that have been considerably mitigated by the specifics of design; particularly that the new development will be seen in the immediate context of existing suburban development and will be very minimally visible from the north. In this regard the proposed development will also generally accord with Policies 4.2.1.1 and 4.2.1.5 in that new development will be directly adjacent to existing residential zoning. These policies direct that new development should be located in such areas.

Objective 4.2.2 Urban Growth Boundaries are established as a tool to manage the growth of major centres within distinct and defensible urban edges.

Objective 4.2.3 Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.

44. I have not listed the various policies that relate to the above two objectives. In essence, these provisions seek that urban development is

contained within the identified urban growth boundaries for the life of the District Plan. All of the development enabled by PC51 is within the urban growth boundary that is identified in the Proposed District Plan.

Objective 4.2.6 Manage the scale and location of urban growth in the Wanaka Urban Growth Boundary.

Policy 4.2.6.1 Limit the spatial growth of Wanaka so that:

- *The rural character of key entrances to the town is retained and protected, as provided by the natural boundaries of the Clutha River and Cardrona River.*
- *A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity.*
- *Ad hoc development of rural land is avoided.*
- *Outstanding Natural Landscapes and Outstanding Natural Features are protected from encroachment by urban development.*

45. The urban growth boundary as set out in the Proposed District Plan seeks to limit the spatial growth of Wanaka in order to achieve the above goals. PC51 will obviously have no effect in relation to the entrances to Wanaka. As discussed in my paragraph 36, the edge between the suburban area and the rural area that is created by PC51 will be such that each area has very distinct character, albeit that the edge will move north from its current location. The edge will remain entirely inside the identified urban growth boundary.

46. The above policy seeks to use the urban growth boundary to prevent ad hoc development of rural land. When read in conjunction with the previously mentioned policies that seek to provide for urban development in locations that are immediately adjacent to existing development, clearly this policy favours outcomes such as that which is proposed by PC51; where new development extends existing suburban

areas in a way that does not extend beyond the identified urban growth boundaries; thereby discouraging urban or suburban development in the rural zones that lie beyond the urban growth boundaries.

47. As mentioned above, clearly PC51 will extend a small area of residential land use into the identified ONL. As I have set out in my report and in this evidence, I consider that the effects of this have been well mitigated.

Policy 4.2.6.2 Ensure that development within the Wanaka Urban Growth Boundary:

- *Supports increased density through greenfield and infill development, in appropriate locations, to avoid sprawling into surrounding rural areas*
- *Provides a sensitive transition to rural land at the edge of the Urban Growth Boundaries through the use of: appropriate zoning and density controls; setbacks to maintain amenity and open space; and design standards that limit the visual prominence of buildings*
- *Facilitates a diversity of housing supply to accommodate future growth in permanent residents and visitors*
- *Maximises the efficiency of existing infrastructure networks and avoids expansion of networks before it is needed for urban development*
- *Supports the coordinated planning for transport, public open space, walkways and cycleways and community facilities*
- *Does not diminish the qualities of significant landscape features*
- *Rural land outside of the Urban Growth Boundary is not developed until further investigations indicate that more land is needed to meet demand.*

48. In relation to landscape issues raised by the above policies, the PC51 proposal involves a carefully designed edge to the Peninsula Bay suburban area. The design of the edge has been guided by the desire to keep development on the south facing slopes of the rounded ridgeline at the northern end of the site so as to keep new development in the same visual catchment as existing development. The edge of the extended residential area will still be entirely inside the urban growth boundary. Iterative and careful design work to absolutely minimise the visibility of built form from the north has been a key part of arriving at the final design of PC51. This means that the most significant and widely appreciated part of the ONL (i.e. the lakeside escarpment and slopes that are displayed to the north) will not be affected by PC51. Overall, in relation to edge treatment and the protection of significant landscape features, I consider that PC51 accords with the above policies.
49. In relation to the broader scale issues raised by the above policies (providing density and diversity inside the urban growth boundaries, coordinating and maximising the efficiency of infrastructure), these issues are not squarely landscape issues, however PC51 will generally accord with these policies.

Overall comment regarding consistency with landscape related District Plan provisions

50. As can be seen from my comments above, I do not consider that PC51 is discordant with the landscape related district wide provisions of either the Operative or Proposed District Plans. All development will remain inside the identified urban growth boundary. A small area of some residential lots will extend onto the ONL, and that part of the ONL has a higher capacity to absorb change due to visual containment and lower natural character. The more open, sensitive and displayed parts of the ONL will remain unchanged. The expansion that will be enabled has been carefully configured to create a logical edge that maintains clear distinction between the suburban area and the rural area. In design terms, I do not consider that the growth could be described as sporadic or ad hoc.

LANDSCAPE AND AMENITY ISSUES THAT HAVE BEEN RAISED BY DR MARION READ

51. Dr Marion Read prepared a report dated 7th June 2016. Her report ultimately concludes that the landscape and visual effects of the proposal are generally adverse and inappropriate. For the purposes of commenting on Dr Read's findings, I will use the following headings:

- Landscape categorisation
- Landscape character effects
 - The value of the site as part of the larger moraine landform
 - The value of the site in relation to the Peninsula Bay urban area
 - The value of the site in relation to the lake outlet
- Visual effects
 - Effects on occupants of the Peninsula Bay suburban area
 - Effects on users of the Dublin Bay to Deans Bank Track
 - Effects on users of the lake surface
 - Effects on users of the current OSZ
- Proposed vegetation
 - Reliance on vegetation to screen views from the north
 - Species diversity
 - Management of planting and maintenance

Landscape categorisation

52. Dr Read opines that the landscape categorisation line (the ONL line) decided upon by Environment Court decision C010/2005 should be moved to the south such that all of the current OSZ is within the ONL. The Proposed District Plan proposes that the ONL line should be moved to that location, on Dr Read's advice. PBJV has lodged a submission opposing this.
53. In paragraph 7(ii) above, I give a brief description of how the Court arrived at its decision regarding the location of the ONL line. The Court was considering the evidence of three landscape experts and the site at that time was entirely undeveloped and was zoned Rural General. The evidence presented to the Court covered all relevant aspects of landscape categorisation including consideration of geomorphological and ecological patterns as well as human use and modification patterns. Ultimately, the Court found that the ONL that includes Lake Wanaka also included (in the vicinity of the site) the steep lakeside escarpment as well as the north-facing slopes of the rounded moraine hummocks at the northern end of the Peninsula Bay site.
54. At the time the Court made the above finding, it was considering Variation 15. However, as would be expected, the consideration of the landscape categorisation of the relevant area was a precursor to the consideration of the merits of the proposed variation. The evidence on which the Court made its categorisation decision centred around describing the character and quality of the landscape and where a categorisation line should be drawn as a matter of fact and opinion, rather than solely within the context of discussing the proposed variation.
55. Dr Read opines that the line identified by the Court is incorrect and that the ONL line should be further to the south. By way of justification for this, she sets out that her revised ONL line across the Peninsula Bay site would be consistent with her opinion of the ONL line as it crosses the Sticky Forest site to the east and that all land north of her line is of consistent landscape character and quality.

56. I disagree with Dr Read's view that the ONL line should be moved from the location determined by the Court because:

- The Court arrived at its decision via a thorough, robust, public process that involved input from a number of parties. Extensive expert landscape evidence and associated cross-examination informed this process and the C010/2005 decision is a final decision. .
- Through the Variation 25 process, which occurred some two years later, all parties (including the QLDC) agreed with and relied upon the ONL line as determined by the Court.
- The ONL that was identified by the Court in its C010/2005 decision was the landscape of Lake Wanaka and its immediate context. All witnesses agreed on this. One witness (myself) considered that, in the vicinity of the Peninsula Bay site, the Lake Wanaka ONL extended up to the top of the steep lakeside escarpment but no further. Another witness (Ms Di Lucas) considered that the Lake Wanaka ONL extended further south so as to take in the north-facing slopes of the rounded moraine hummocks. No witness claimed that the Lake Wanaka ONL extended further south again to take in land that slopes to the south or extends onto the flats of the Peninsula Bay terrace land. I do not consider that this south-facing land can be said to be part of the landscape that includes the lake; it is part of another landscape, being the flatter rural land that surrounds Wanaka town. Moreover, in the relevant vicinity, this landscape contains very extensive urban development.
- The line determined by the Court is a distinct topographical line. It follows the crest of a line of hills. To the north of this line, landform slopes towards the lake. To the south of this line landform slopes towards Wanaka town. Dr Read's line is not a distinct topographical line.

- An observer to the north of the line determined by the Court feels that they are within the landscape of the lake due to aspect and views. An observer to the south of this line feels they are part of a domesticated landscape. In this sense, the line determined by the Court is genuinely a line between two landscapes. This is not the case in relation to Dr Read's line.

57. For all of the above reasons, I consider that the ONL line as determined by the Court is correct.

Landscape character effects

The value of the site as part of the larger moraine landform

58. At paragraphs 4.3.3 to 4.3.5 of her report, Dr Read discusses effects of PC51 on the Wanaka moraine landform. As she points out and as is shown in her Figure 2, the urban development of Wanaka town has spread over most of the large, horseshoe-shaped moraine landform over the last three decades. This is not unusual. In general terms, moraine landforms of this sort are relatively subtle areas of hills close to lakes. In this district, Hawea, Frankton and Kingston are built over moraine landforms. As Dr Read points out, *"the portion of the moraine to which this plan change proposal applies is a very small part of the overall feature"*⁴ and that the *"identified effects would be very limited in scale and scope in terms of the entire moraine as a landscape feature"*⁵. Notwithstanding this, Dr Read goes on to find a significant adverse effect in relation to this landform since the relevant area is currently generally unmodified.

59. I disagree with Dr Read in this regard. As she points out herself, the western part of the plan change area has been significantly earthworked. Additionally, vegetation has been modified to the point that reintroducing natural bio-diversity would (in Dr Read's opinion)

⁴ Report of Dr Read entitled "Proposed Plan Change 51, Peninsula Bay, dated 7th June 2016, paragraph 4.3.4.

⁵ Ibid, paragraph 4.3.5.

significantly change its appearance. While the plan change area has important natural character, it is not unmodified. Additionally, PC51 would leave the northernmost part of the moraine (the part that faces the lake) in the OSZ and would considerably increase its natural vegetative character. The area that would be modified by PC51 is immediately adjacent to suburban development and suburban and urban development covers the rest of the moraine landform in any event. I cannot see that the part of the moraine landform that faces to the south and west has any more value than any other part of the landform that has already been covered by urban development. The part that faces the lake does have more value (it has been correctly identified as being part of the ONL) and this part will be preserved and enhanced by PC51.

The value of the site in relation to the Peninsula Bay urban area

60. In her paragraph 4.4.2, Dr Read gives the opinion that there will be a moderate adverse effect on the character of the Peninsula Bay suburban area in that the south-facing slopes at its northern end will change from being relatively natural open space to being built, thereby reducing the naturalness of the setting of the suburban area. I generally agree with this point and have said as much in my assessment report. However, I consider that this effect is particularly localised, only affecting the very northern part of the existing suburban area.

The value of the site in relation to the lake outlet

61. In her paragraph 4.5.1 and 4.5.2, Dr Read discusses the effects of PC51 on the Lake Wanaka Outlet area. She notes that Lots 4 to 6 and 13 to 26 are within the outlet “*character area*”. Her main concerns relate to vegetation, in that the species mix that is proposed to enhance native biodiversity and recreate a pre-human ecosystem will appear visually unusual, and also that there are no restrictions proposed on exotic vegetation within the lots that would be enabled by PC51.
62. I consider that Dr Read is drawing a long bow to say that any of the proposed lots are within the Lake Wanaka Outlet vicinity (Lots 5 and 6 have been deleted in any event and the building platform of Lot 21 has

been truncated). All of these lots and all built form enabled within them will be entirely invisible from the outlet area. They will be behind landform, over the lip of the lakeside escarpment. They will not affect the landscape character or experience of the outlet area itself.

63. I agree that it is possible that particularly high colourful exotic vegetation within lots enabled by PC51 could be visible from the outlet area. As mentioned in my paragraph 10, a restriction is now proposed in relation to exotic planting within the relevant lots.
64. I comment below on the species mix proposed in relation to native revegetation. For current purposes, I consider that recreating pre-human vegetation will positively increase natural character. Over time, a noticeably diverse (in terms of colours and textures) area of native vegetation will emerge. This may be perceptible from the outlet area but only to a slight degree. In any event, I do not consider that visibility of this burgeoning native vegetation will be in any way adverse.
65. Overall, I consider that there will be negligible effects on the outlet area.

Visual effects

Effects on occupants of the Peninsula Bay suburban area

66. In section 5.4 of her report, Dr Read discusses the visual effects of PC51 as experienced from the existing suburban areas of Peninsula Bay. In her Appendix 1 she sets out the part of the Peninsula Bay suburban area that is potentially affected in terms of views. I generally agree with her Appendix 1 but would add that occupiers of approximately the southern half of her marked area will have their views to the plan change area very significantly blocked by dwellings that are enabled by the current zoning.
67. Dr Read goes on to describe the degree of visual effect on occupiers of the relevant part of the existing Peninsula Bay suburban area. I discuss these effects in paragraphs 46 to 49 of my assessment report. I conclude that for the northernmost lots within the existing suburban area, the effect on views and visual amenity will be of a substantial

degree. In this regard I agree with Dr Read, however, I believe that she casts her net too widely. Given development that is enabled by the existing zoning, I consider that only the existing lots on the immediate south side of Infinity Drive (16 lots in total)⁶ can be said to be substantially affected in a visual sense. The effects on the other lots within the shaded area of Dr Read's Appendix 1 will be much less; views of the plan change area will be very considerably screened by development enabled by the current zoning. It should be noted that on Dr Read's Appendix 1, all of the shaded area is within the existing LDRZ. Therefore, there is always going to be a row of dwellings lining the northern side of Infinity Drive, whether PC51 proceeds or not. The dwellings enabled by PC51 will be behind these (although floor levels will be more elevated by approximately 2 to 3 metres).

68. Overall, I consider that only 16 lots are potentially substantially affected in a visual sense by PC51. I am told that for at least the last two years, the plan change requestor has been making it clear to purchasers that PC51 is being actively pursued.

Effects on users of the Dublin Bay to Deans Bank Track

69. I consider that Dr Read accurately describes the visual amenity that is available from the Dublin Bay to Deans Bank Track. She points out that a number of elements of development on the southern side of the Clutha are visible from this track, including the buildings of the motor camp and parts of dwellings within the Mount Gold Place area of the Penrith Park Zone. I agree that parts of the PC51 site are visible from approximately 1 kilometre of the track and that for approximately 200 metres of the track some parts of buildings within proposed Lots 4, 5 and 6 would be potentially visible. Lots 5 and 6 have now been deleted from the proposal. Any views to parts of the Lot 4 building would be at distances of approximately 1 kilometre or more. The parts of a building that may

⁶ Numbers 64, 66, 68, 70, 71-73, 78, 80, 82, 84, 90, 92 and 94 Infinity Drive, and numbers 1 and 2 Avalanche Place.

be visible would be of dark, visually recessive colours and would, in my opinion, be considerably less noticeable than buildings enabled by existing zoning within the Mount Gold Place part of the Penrith Park Zone. I consider that the visual effects of a building within proposed Lot 4 on users of this track would be minimal; it would be difficult to notice.

70. Dr Read expresses concern that if all vegetation was removed from proposed Lots 23 and 24, then this could open inappropriate visibility to proposed Lots 23 to 26 from this track. I understand that it was never intended that these lots gain views towards the outlet area. PC51 has now been amended to include the protection and enhancement of existing native vegetation along the northeastern boundaries of proposed Lots 23 and 24 in order to prevent this potential visual effect from eventuating.

Effects on users of the lake surface

71. I cover the issue of visibility from the lake surface extensively in my assessment report. Dr Read does not disagree with my description of the degree of visibility, however, she raises some concerns regarding the potential colour of buildings and the appearance of proposed vegetation. As set out in my assessment report, visibility of development enabled by PC51 from the north will be very limited and only available to particularly distant observers. Future buildings within the PC51 area will be much less visible than buildings enabled by the existing Penrith Park Zone. Additionally, Lots 5 and 6 have now been deleted from the proposal and additional restrictions on the colours of buildings have been included. Visibility from the north will be very minimal. I will discuss the appearance of vegetation below.

Effects on users of the current OSZ

72. In her paragraph 5.8.3, Dr Read discusses visual effects of development enabled by PC51 on current recreational users of the OSZ. In my understanding, all of the OSZ is still privately owned by the requestor. Recreational users of this area are therefore there at the pleasure of the requestor.

73. I agree with Dr Read's point that future users of the recreational trails within an amended OSZ would have some degree of awareness of residential activity. Lots 5 and 6 have been deleted from the proposal since the time of Dr Read's report. As can be seen from the amended proposed Landscape Concept Plan, all future dwellings enabled by PC51 would be considerably separated from the OSZ by vegetation. Additionally, such dwellings are separated by elevation, a recreational user generally being lower and at least 30 metres or so to the north of any building platform. While a recreational user that walks to the southern edge of the OSZ will have awareness of residential activity, I consider that in general terms, the amenity that users of the OSZ experience will be very high and will be very much dominated by the vista to the north. I agree with Mr Greenaway's evidence that the amenity experience of future users of the OSZ will be a high value one.

Proposed vegetation

Reliance on vegetation to screen views from the north

74. In her paragraphs 6.22 and 6.54, Dr Read gives the opinion that proposed vegetation to the north of Lots 5 and 6 (particularly Lot 6) that inhibits views to the north would be unreliable as a mitigation measure. Both Lots 5 and 6 have been deleted from the proposal. The other northern building platforms of PC51 do not gain a view to the north regardless of vegetation. They are to be cut into landform, with rising ground to their north, such that they gain views to the lake surface to the west and southwest but not to the north.

Species diversity

75. At a number of points in her report, Dr Read makes the point that the proposed native revegetation planting is considerably more diverse in terms of species than native vegetation that currently exists on site and hence it will appear visually unusual and will therefore create adverse visual effects. I agree that future vegetation proposed by PC51 (once it reaches a certain degree of maturity) may appear different to existing

vegetation but I do not consider that this will cause any adverse effect on views or on an observer's appreciation of visual amenity.

76. Existing vegetation within the plan change area is described in Dr Bramley's evidence but generally consists of stands of mature kanuka surrounded by exotic grass. While the kanuka (and native tussock grasses) are native remnants, the site is far from a pre-human state. The proposed vegetative treatment seeks to re-establish a diverse native ecosystem to replicate the biodiversity that would have existing in pre-human times.
77. Momentarily leaving aside visual issues, this will amount to a considerable increase in natural character within the area being revegetated; the area will demonstrate patterns and processes that represent a much less human-modified state than the current situation. In terms of visual effects this proposed revegetated state will still appear to an observer as a rough-textured, evergreen, olive-drab or mid-green coloured pattern (as the areas of kanuka do) but I agree that it will appear more varied in terms of height, form and (in a detailed way) colour and texture. However, I cannot see that this amounts to an adverse effect. Observers that see this vegetation at close quarters (future users of the OSZ) will undoubtedly appreciate that the patterns they see are more diverse, more natural and more visually interesting than the current patterns. I consider that for most observers this will amount to an improvement in visual amenity. In terms of landscape and visual effects, it would be bizarre (in my opinion) to be embarrassed about significantly improving the biodiversity and natural character of an area simply because it will look different to what is there now. If we were to follow that logic, we might never enhance the biodiversity of any area for fear that it would change its visual appearance.

Management of planting and maintenance

78. In her paragraphs 6.4.1, 6.5.2, and 6.5.3, Dr Read points out some concerns regarding the implementation and maintenance of the proposed native revegetation planting. The plan change has been amended so that the majority of the planting is now outside the lots and

to require the developer to maintain the plants for 5 years. The mix of species is a level of detail that will be addressed in the future at the resource consent stage.

Summary in relation to issues raised by Dr Read

79. Overall, I consider Dr Read's appraisal of PC51 to be unduly negative and lacking balance. Specifically, I can see no credible justification for moving the ONL line from the location determined by the Environment Court.
80. In terms of landscape character effects, I consider that Dr Read's findings of adverse effects on the large moraine landform surrounding Wanaka and on the Lake Wanaka Outlet vicinity are overstated. I agree that there is an adverse landscape character effect on the immediate setting of the northern Peninsula Bay suburban area but I consider that this effect is localized and of considerably less significance than Dr Read affords it.
81. In terms of visual effects, I agree that there will be adverse visual effects on the very northernmost lots of the existing LDRZ but I do not consider that this effect will be as broad as Dr Read describes. This sort of effect is inevitable if land adjacent to an existing zone is ever going to be rezoned. Future users of an amended OSZ will be aware of nearby residential activity but I consider that their experience will be very much dominated by the aspect to the north. I consider that visual effects as experienced from the lake surface to the north and from the Dublin Bay to Deans Bank Track will be minimal.

CONCLUSIONS

82. My assessment report (dated 22 September 2015) sets out my professional opinion regarding proposed PC51. My assessment report concluded that the landscape character of the plan change area itself would be substantially changed but this change would be confined in area. Additionally, visual effects would be minimal except for effects on observers occupying land on the north side of Infinity Drive.

83. Under PC51 as amended, approximately 4,200m² of private residential lots may be created within the ONL. Only one dwelling would be enabled within the ONL and this is in an area capable of absorbing such change. The provisions of both the Operative and Proposed District Plans do not seek to entirely exclude development from ONLs.
84. I consider that the development enabled by PC51 will sit well with the provisions of the Operative and Proposed District Plan in relation to urban expansion and district wide issues. An area that is within the urban growth boundary and that is immediately adjacent to existing urban development will have residential development enabled on it. A carefully designed edge between the urban and rural environments will be evident and the most open, sensitive and valued parts of the ONL will remain in their current state. Effects on both landscape character and visual amenity have been well mitigated by the proposed design.
85. A small part of the development enabled by PC51 will encroach into the identified ONL. Section 6(b) of the Act states that the protection of outstanding natural landscapes from inappropriate subdivision, use and development is a matter of national importance. I understand that the overall assessment of whether the proposed subdivision, use and development are appropriate or inappropriate must be done in a way that considers matters that are outside my expertise. However, in relation to landscape matters, I consider that PC51 will not diminish the relevant ONL or a reasonable person's perception of it.
86. Overall, I consider that the northern end of the Peninsula Bay area is a vicinity that requires careful treatment. PC51 responds to this situation very well in that important views from the north will be very minimally affected and the sensitive, open and displayed north facing slopes will remain in their current, relatively natural state.
87. It is my view that PC51 can be supported from a landscape perspective.

Ben Espie (Landscape Architect)

vivian+espie

August 2016

Appendix 1

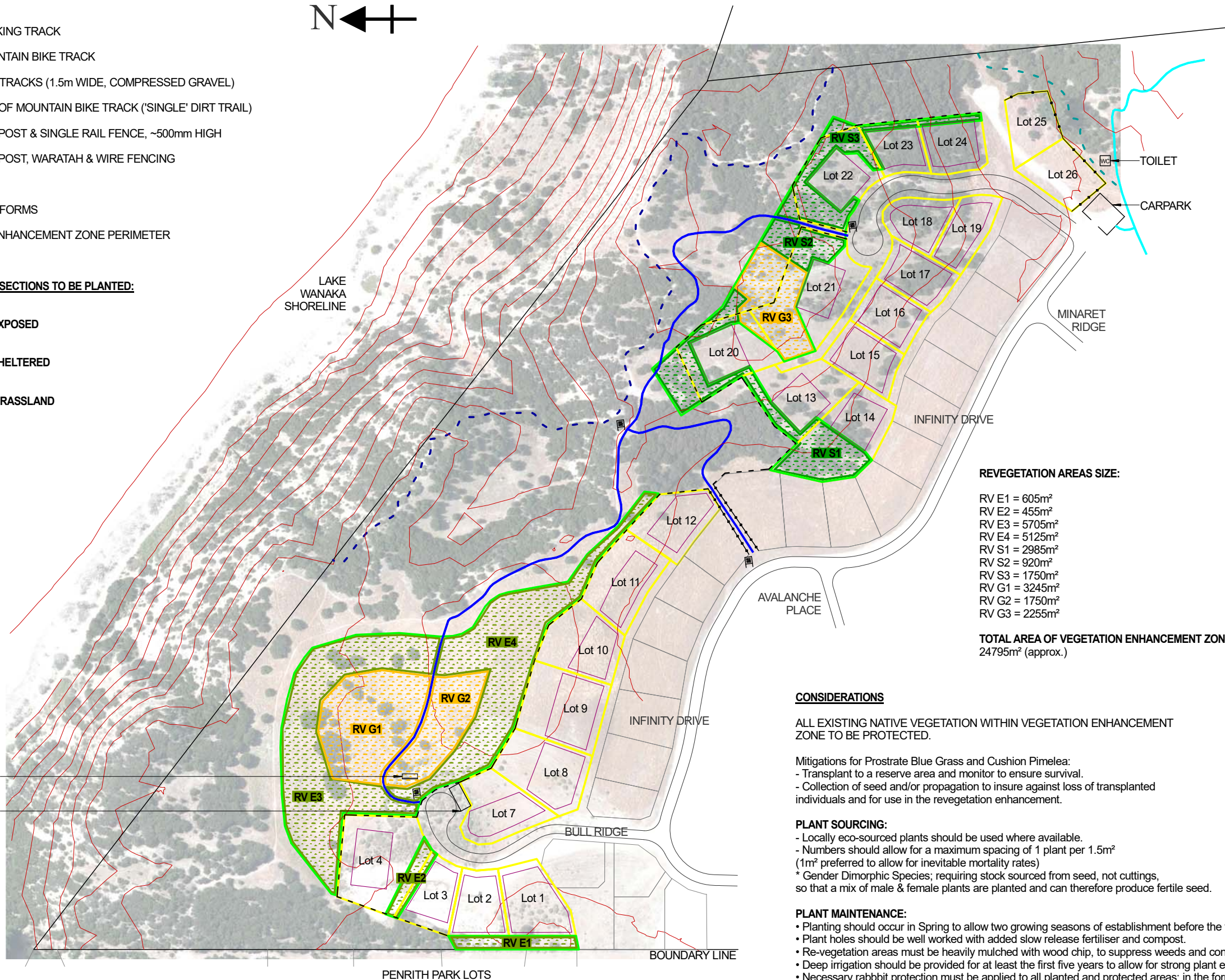
- KEY**
- EXISTING WALKING TRACK
 - EXISTING MOUNTAIN BIKE TRACK
 - NEW WALKING TRACKS (1.5m WIDE, COMPRESSED GRAVEL)
 - NEW SECTION OF MOUNTAIN BIKE TRACK ('SINGLE' DIRT TRAIL)
 - MACROCARPA POST & SINGLE RAIL FENCE, ~500mm HIGH
 - MACROCARPA POST, WARATAH & WIRE FENCING
 - TRACK SIGNS
 - BUILDING PLATFORMS
 - VEGETATION ENHANCEMENT ZONE PERIMETER

REVEGETATION SECTIONS TO BE PLANTED:

- SECTION 'E' - EXPOSED
- SECTION 'S' - SHELTERED
- SECTION 'G' - GRASSLAND

VIEWPOINT:
TIMBER BENCH SEAT
WITH DEDICATION PLAQUE

CARPARK



**SPECIES LIST FOR REVEGETATION SECTIONS 'E':
(EXPOSED TO SUN, FROST & WIND)**

Carmichaelia petriei
*Coprosma intertexta**
*Coprosma rugosa**
Corokia cotoneaster
Fuscopora cliffortioides
Griselinia littoralis
Hebe salicifolia
Leonochebe cupressoides
Melicytus alpinus
Olearia avicenniifolia
Olearia hectorii
Phormium cookianum
Phyllocladus alpinus
*Pittosporum tenuifolium**
Plagianthus regius
Chionochloa rigida
Chionochloa macra
Kunzea species -ecosourced from region

**SPECIES LIST FOR REVEGETATION SECTIONS 'S':
(SHELTERED AMONGST KANUKA, SHADY)**

*Aristotelia serrata**
*Coprosma lucida**
*Fuchsia excorticata**
Fuscopora fusca
Hoheria glabrata
*Podocarpus laetus**
*Pseudopanax colensoi**
Sophora microphylla
*Coprosma propinqua**
*Coprosma intexta**
*Coprosma crassifolia**
*Coprosma virescens**
Carmichaelia petriei
Olearia lineata
Teucrium parvifolium
Kunzea species -ecosourced from region

**SPECIES LIST FOR REVEGETATION SECTION 'G':
(TUSsock GRASSLAND)**

Hebe subalpina
Muehlenbeckia axillaris
Teucrium parvifolium
Festuca novae-zelandiae
Poa colensoi
Poa cita
Pimelea sericeovillosa
Anthosachne solandri
Melicytus alpinus
Carmichaelia petriei
*Coprosma petriei**
*Coprosma propinqua**
Kunzea species -ecosourced from region

REVEGETATION AREAS SIZE:

RV E1 = 605m²
RV E2 = 455m²
RV E3 = 5705m²
RV E4 = 5125m²
RV S1 = 2985m²
RV S2 = 920m²
RV S3 = 1750m²
RV G1 = 3245m²
RV G2 = 1750m²
RV G3 = 2255m²

TOTAL AREA OF VEGETATION ENHANCEMENT ZONE:
24795m² (approx.)

CONSIDERATIONS

ALL EXISTING NATIVE VEGETATION WITHIN VEGETATION ENHANCEMENT ZONE TO BE PROTECTED.

Mitigations for Prostrate Blue Grass and Cushion Pimelea:

- Transplant to a reserve area and monitor to ensure survival.
- Collection of seed and/or propagation to insure against loss of transplanted individuals and for use in the revegetation enhancement.

PLANT SOURCING:

- Locally eco-sourced plants should be used where available.
- Numbers should allow for a maximum spacing of 1 plant per 1.5m² (1m² preferred to allow for inevitable mortality rates)
- * Gender Dimorphic Species; requiring stock sourced from seed, not cuttings, so that a mix of male & female plants are planted and can therefore produce fertile seed.

PLANT MAINTENANCE:

- Planting should occur in Spring to allow two growing seasons of establishment before the first winter.
- Plant holes should be well worked with added slow release fertiliser and compost.
- Re-vegetation areas must be heavily mulched with wood chip, to suppress weeds and contain moisture.
- Deep irrigation should be provided for at least the first five years to allow for strong plant establishment.
- Necessary rabbit protection must be applied to all planted and protected areas; in the form of rabbit proof fencing, individual plastic sleeves around plants and poison programs.

CLEARANCE: ALL PINUS, PSEUDOTSUGA & CYTISUS ON SITE TO BE REMOVED.

SITE:

**PENINSULA BAY
NORTH END
PROPOSED PLAN CHANGE**

PLAN:

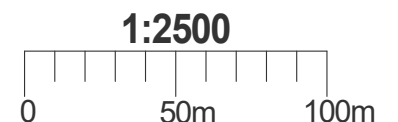
FOR:

**LANDSCAPE CONCEPT
INFINITY INVESTMENTS**

1 August 2016

REVISION:

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Drawing to scale when printed on A3 sheet

Appendix 2



PHOTOGRAPH 1: From Avalanche Place looking east towards the PC51 area. The dwellings on the far side of Infinity Drive are within the existing LDRZ. Building profile poles can be seen depicting the maximum height of dwellings that would be enabled by PC51.

EVIDENCE OF BEN ESPIE – APPENDIX 2. All photographs were taken on 27 July 2006 with a variable focal length camera. All photographs are intended to illustrate points made in the text of my evidence and to depict the existing situation. They are not intended to in any way visually simulate the appearance of the proposed situation.



PHOTOGRAPH 2: From within proposed Lot 7 looking east across the PC51 area. The more maintained lawn area on the right of the photograph (immediately on the near side of Infinity Drive) is within the existing LDRZ. The northern corners of existing lots within the LDRZ are marked by blue-topped stakes. The rough foreground area and the sweeping green mid-ground area are where proposed lots 7 to 12 are located.

EVIDENCE OF BEN ESPIE – APPENDIX 2.



PHOTOGRAPH 3: From within proposed Lot 7 looking west across proposed Lots 2, 3 and 4. The proposed Lot 4 building platform is at the extreme right of the photograph. The grey building in the centre of the photograph is within the Penrith Park Zone.

EVIDENCE OF BEN ESPIE – APPENDIX 2.



PHOTOGRAPH 4: From within proposed Lot 10 looking west across the PC51 area. The more maintained lawn area on the left of the photograph (immediately on the near side of Infinity Drive) is within the existing LDRZ. The rougher grassed foreground and mid-ground area is where proposed lots 7 to 9 are located.

EVIDENCE OF BEN ESPIE – APPENDIX 2.