

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

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 13 –  
Queenstown  
Annotations and  
Rezoning Requests

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**STATEMENT OF EVIDENCE OF MARION READ  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**LANDSCAPE**

**24 May 2017**

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## TABLE OF CONTENTS

1.	INTRODUCTION .....	1
2.	SCOPE .....	3
3.	EXECUTIVE SUMMARY .....	4
4.	BACKGROUND.....	5
5.	FRANKTON, LADIES MILE AND THE SOUTH FACE OF FERRY HILL: SUBMISSIONS 8, 399, 408, 501, 698, 717, 751, AND 847 .....	6
6.	GLENDA DRIVE: SUBMISSIONS 344, 418, 488, AND 720 .....	13
7.	URBAN FRINGE – FRANKTON ROAD, QUEENSTOWN HILL: SUBMISSIONS 318, 347,318, 434 AND 790.....	17
8.	URBAN FRINGE – BOBS PEAK: SUBMISSION 574.....	22
9.	URBAN FRINGE – GORGE ROAD AND ARTHURS POINT: SUBMISSIONS 349, 450, 495, 527, 624, 642, AND 716 .....	26
10.	FERRY HILL AND LAKE JOHNSON: SUBMISSIONS 338, 393, 396 AND 501(3) .....	37
11.	PENINSULA HILL: SUBMISSIONS 48, 425, 429, 501(2), 533, AND 661 .....	45
12.	KINGSTON HIGHWAY: SUBMISSIONS 328, 361, 431, 447, AND 715.....	54
13.	KINGSTON: SUBMISSIONS 689, 826 AND 848 .....	72
14.	GLENORCHY ROAD: SUBMISSIONS 168, 243, 298, 694, 712, AND 811 .....	76
15.	GLENORCHY: SUBMISSIONS 519, 677, AND 764 .....	81
16.	ISOLATED RURAL SITES: SUBMISSIONS 393, 478 AND 607.....	86
17.	GIBBSTON VALLEY: SUBMISSIONS 331 AND 827 .....	93

**Appendix 1** – Memorandum regarding ONL boundary at Ladies Mile

**Appendix 2** – Modified BDG Plan showing proposed zone extension (submission 429)

## **1. INTRODUCTION**

- 1.1** My full name is Marion Read. I am the principal of my own landscape planning consultancy, Read Landscapes. I have been in this position since June 2013.
- 1.2** I hold a Bachelor of Landscape Architecture with Honours from Lincoln University, a PhD in Landscape Architecture also from Lincoln University, and a Masters of Resource and Environmental Planning from Massey University. I have ten years' experience in landscape planning. In addition I have a Bachelor of Arts from Otago University and a Certificate of Proficiency in Landscape Revegetation from Massey University. I am a member of the New Zealand Institute of Landscape Architects and the New Zealand Planning Institute.
- 1.3** I have been engaged by the Queenstown Lakes District Council (**QLDC**) to provide evidence in relation to landscape matters regarding proposed zoning changes within the Queenstown area and challenges to the location of the boundaries of the Outstanding Natural Landscapes and Features within that area.
- 1.4** I have been providing QLDC with expertise in relation to landscape issues since 2005. I have been involved in a number of plan changes, including PC19 (Frankton Flats), PC26 (Wanaka Airport), PC28 (Trails), PC39 (Arrowtown South), PC41 (Shotover Country), PC44 (Hanley Downs), PC45 (Northlake), PC50 (Queenstown Town Centre) and PC51 (Peninsula Bay North). In addition I provided QLDC with a report regarding the proposed urban boundaries of Queenstown and Wanaka, which I believe helped inform Plan Changes 20, 23 and 30.
- 1.5** I have provided landscape evidence on behalf of both QLDC and applicants with regard to plan changes and resource consent applications at numerous Council hearings. I have appeared in the Environment Court as a landscape witness on behalf of QLDC on numerous occasions regarding both resource consents and plan changes. I am familiar with the rural areas of the District having lived in the area for five years and now worked intensively and extensively

within the area for eleven. I have been involved in aspects of the preparation of the PDP for some years.

**1.6** In relation to the PDP, I have to date prepared five statements of evidence on behalf of the Council, for the Strategic Directions and Landscape chapters (in Hearing Stream 1), for the Rural chapters (in Hearing Stream 2) and for Jacks Point (in Hearing Stream 9), for the Ski Area Sub Zone mapping hearing (in Hearing Stream 11), and for the Upper Clutha mapping hearing (in Hearing Stream 12).

**1.7** I have now been engaged by QLDC to provide evidence in relation to the impacts of potential rezonings in the Queenstown Urban – Business and Industrial (1A), Queenstown Urban – Frankton and South (1B), Queenstown Urban – Central, West and Arthurs Point (1C), Queenstown Urban – Jacks Point Zone Extension (1D), and Rural (2) groups, specifically with respect to landscape matters.<sup>1</sup>

**1.8** Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

**1.9** The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are the Right of Reply versions of the Stage 1 chapters including the following which are all included in the Council's Bundle of Documents (**CB**):

- (a) Chapter 3 Strategic Direction [**CB3**];
- (b) Chapter 4 Urban Development [**CB4**];
- (c) Chapter 6 Landscape [**CB6**];
- (d) Chapter 7 Low Density Residential [**CB7**];
- (e) Chapter 8 Medium Density Residential [**CB8**];
- (f) Chapter 16 Business Mixed Use [**CB13**];

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<sup>1</sup> I have not considered the submissions of N T MacDonald (409), Reavers NZ Ltd (710), Queenstown Park Limited (#806) and Remarkables Park Limited (#807), which are addressed in the evidence of Ms Mellisop.

- (g) Chapter 21 Rural **[CB15]**;
- (h) Chapter 22 Rural Residential and Lifestyle **[CB16]**;
- (i) Chapter 23 Gibbston Character **[SSB90]**;
- (j) Chapter 41 Jacks Point **[SSB92]**;
- (k) Chapter 12.4 Rural Visitor Zones of the ODP;
- (l) my evidence provided in the Strategic Direction hearing dated 19 February 2016 **[CB38]**;
- (m) my evidence provided in relation to the Rural chapter 21, dated 6 April 2016 **[CB47]**;
- (n) my evidence provided in relation to the Upper Clutha hearing stream, dated 17 March 2017 **[SSB103]**; and
- (o) the relevant Planning Maps.

**1.10** I have attached to this evidence the following:

- (a) Appendix 1 – Memorandum regarding ONL boundary at Ladies Mile; and
- (b) Appendix 2 – modified BDG Plan showing proposed zone extension (submission 429).

**1.11** In this Evidence, where I refer to a provision number, I am referring to the 'reply' provision number that is Council's final position as put forward in an earlier Stage 1 hearing.

## **2. SCOPE**

**2.1** This evidence relates to submissions regarding mapping in the Queenstown, Glenorchy and Kingston areas. I have addressed these submissions by broad geographical area, as this is logical from a landscape perspective. The submissions have been further categorised in a fine grained manner in the s42A reports (Business and Industrial (1A), Queenstown Urban – Frankton and South (1B), Queenstown Urban – Central, West and Arthurs Point (1C), Queenstown Urban – Jacks Point Zone Extension (1D) and Rural (2)).

**2.2** The submissions primarily relate to the appropriate identification of the boundaries of Outstanding Natural Landscapes (**ONL**) and

Outstanding Natural Features (**ONF**); and to proposals to rezone Rural land to other zonings.

- 2.3** I have taken a view on each of the site specific zoning request as to whether, in terms of landscape effects, the relief sought should be granted in full, in part, or not granted at all.
- 2.4** In assessing the site specific submissions, I have considered the likely effects on the landscape of allowing the rezoning, or the alteration to the ONL/ONF boundary. I have done this in the terms of the general provisions of the PDP, in particular Chapter 3 Strategic Directions, Chapter 4 Urban Development and Chapter 6 Landscape. In addition I have considered the provisions of specific zones when necessary. These assessments have been undertaken using the assessment methods provided by the “Guidelines for Visual and Landscape Impact Assessment”.<sup>2</sup>

### **3. EXECUTIVE SUMMARY**

- 3.1** In conclusion I have provided evidence relating to a total of fifty nine submissions. The key findings from my evidence are that:
- (a) I consider that the relief requested by the following submitters could be granted in full: 48, 318, 328, 344, 347, 349, 391, 418, 429, 434, 450, 501(2), 519, 533, 595, 661, 689, 716, 720, and 790. My assessment of these submissions concludes that the relief sought would have no, or insignificant, adverse effects on the character and quality of the landscape or on the visual amenity provided by important views;
  - (b) I consider that the relief requested by the following submissions could be granted in part: 8, 396, 425, 478, 494, 495, 527, 574, 607, 712, 715, and 764. The majority of these submissions request zone changes to all or part of a site. My assessment of these submissions has concluded that granting part of, or a variation on the relief sought would have no or insignificant adverse effects on the character and

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<sup>2</sup> The Landscape Institute & Institute of Environmental Management and Assessment. (2013). Guidelines for Landscape and Visual Impact Assessment. Routledge: London.

quality of the landscape or on the visual amenity provided by important views. In most instances parts of the submissions I recommend accepting entail limiting the proposed zone change to a portion of the area requested for rezoning, rather than the full area, so as to avoid adverse effects on the character and quality of the landscape or on visual amenity. In several instances a lack of sufficient information regarding mitigation measures has resulted in my taking a conservative position which could be altered on receipt of further evidence and information from submitters;

- (c) I consider that the relief requested by the following submissions should not be granted: 168, 243, 298, 331, 338, 361, 393, 396, 399, 408, 431, 447, 455, 488, 501(3), 501(4), 624, 642, 677, 694, 698, 717, 751, 811, 826, 827, 847, and 848. My opposition to these submissions is based on a number of reasons. In the case of requests to move ONL boundaries, a number of submissions request an alteration to its location but do not indicate an appropriate location or provide any cogent justification. In other cases my assessment has concluded that the relief requested would have an adverse effect on the character and quality of the landscape, or on the visual amenity provided by important views. In the case of submission 361 my opposition is partly based on a lack of sufficient information and my opinion could change if further evidence and information was provided.

#### **4. BACKGROUND**

- 4.1** As I have noted in previous evidence presented in this plan review process, the landscapes of the District are among the most spectacular in the country, and are highly valued by residents and tourists alike. They therefore form an important basis for the District's economy as well as a setting for the townships of Queenstown, Glenorchy and Kingston.
- 4.2** This evidence focuses on a number of areas surrounding Lake Wakatipu and as each has its own character and qualities I will

discuss each in turn as I examine the submissions relating to that area.

**4.3** I do not address submissions on the fringe of the Wakatipu Basin which are in areas which have been subject to the Wakatipu Basin Land Use Planning Study (**WBLUPS**). I do address submissions on land adjacent to the study area, however, and note that submission 338 is partially within the WBLUPS area, and that part of submission 501 also relates to land within the WBLUPS area.

**4.4** My responses to submissions are organised, as much as possible, in geographically proximate groupings, which divide the submissions into those around the fringes of Queenstown, and those in the rural areas.

**5. FRANKTON, LADIES MILE AND THE SOUTH FACE OF FERRY HILL: SUBMISSIONS 8, 399, 408, 501, 698, 717, 751, AND 847<sup>3</sup>**

**Landscape context**

**5.1** These submissions relate to the area of land and landscape on the northern side of the Frankton Ladies Mile road. They encompass an area of land which extends from the electricity substation east to Ferry Hill Drive. Ferry Hill Drive runs along the western boundary of the Quail Rise Zone. This area is identified in the map below. Under the PDP a portion of this land is notified as Medium Density Residential (**MDR**) (this land was Rural General in the ODP). It is also the case that the notified boundary between the **ONL** of Ferry Hill and Queenstown Hill bisects this proposed zoning.

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3 Section 42A Reports 1A (698) and 1B (8, 399, 408, 501, 698, 717, 751, and 847)

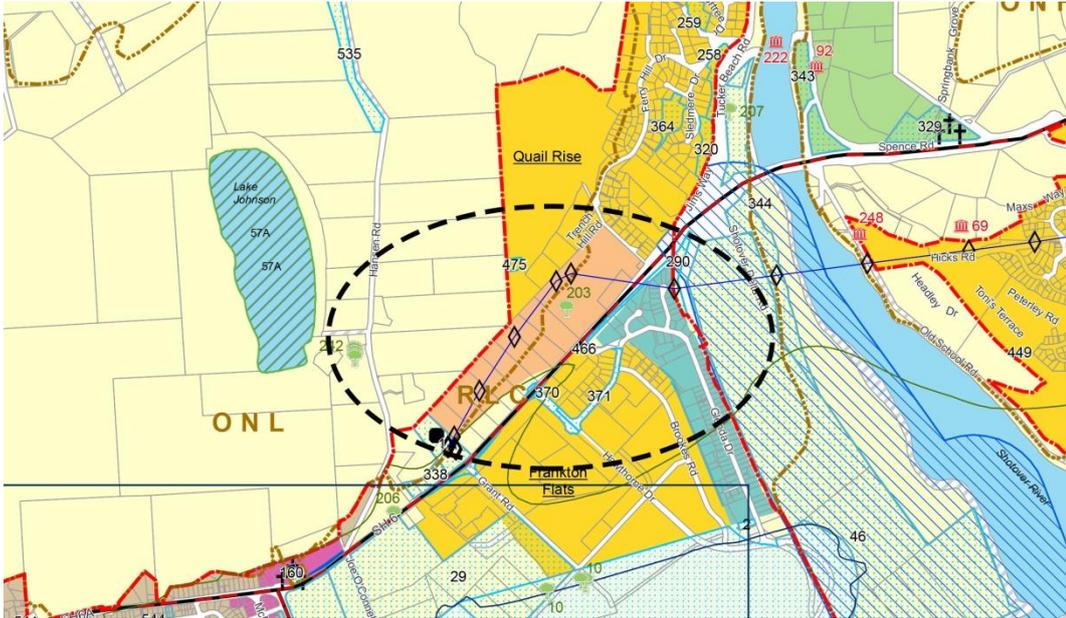


Figure 1: Area which is the focus of this group of submissions identified by the black ellipse

- 5.2** This area of land forms the edge of the Frankton Flats where it abuts the hills to the north. Geologically speaking this is the boundary between the schist landform of Ferry Hill and K Number 2 (the otherwise unnamed knob) to the west of Lake Johnson, and the silt and gravels of the archaic flood plain of the Shotover River which was established at this level when the lake level was higher. The land is edged by State Highway 6 along its south eastern margin. Hansen Road ascends to Lake Johnson at its western end.
- 5.3** The flat land edged by the highway is the location of a number of developments including several dwellings; an engineering factory; an electricity substation (on a designation); and a contractor's yard. At this time, however, the majority of the land is open pasture. It is divided, at irregular intervals, by hedgerows which run at right angles to the highway. At the northern end of this area, and adjacent to one property opposite Grant Road, large hedges along the road boundary obscure views into and across these sites.
- 5.4** In the central portion of this area no hedges exist. This open pastoral area provides persons travelling along the Highway with open views of Ferry Hill, when travelling north east, and of the unnamed knob when travelling south west. These views are of high aesthetic value

and are important in locating the areas of development within their natural, scenic context.

- 5.5** The location of the boundary between the ONL of Ferry and Queenstown Hills was discussed in the “Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features”<sup>4</sup> which I undertook for Council and formed the basis of the landscape boundaries in the notified PDP. While noting that this was not a landscape assessment from first principles I determined that the putative landscape line identified on the Appendix 8A maps of the ODP was located appropriately.
- 5.6** Submitter **751** has included in their submission a copy of a landscape assessment undertaken by Boffa Miskell in support of a resource consent application (RM151046) to the north of the area under discussion. This report contains a number of inaccuracies and misapprehensions. At paragraph 3.3.9 the report states, “*The Site is located on the southern toe of an area of alluvial outwash, sandwiched between two hard-rock roche moutonnées.*” This is incorrect, the entire feature of Ferry Hill, K Number 2 and the vicinity of Lake Johnson being a single schistose feature of different geological origins than the immediately adjacent Queenstown Hill.
- 5.7** The report continues to state that, “*The current ONL line in the district plan does not make sense on the ground.*” The ONL boundary in the PDP runs along the intersection of the alluvial Frankton Flats and the elevated schistose hillside. The flat land between the boundary and the State Highway has been identified as Other Rural Landscape as it is a remnant of the Visual Amenity Landscape of the Frankton Flats but is too small to be a landscape in its own right. Eschewing the use of a clear topographical feature to locate the boundary of a landscape the report has already assessed as having “moderate to high natural science values”; “holding reasonably high aesthetic value”; “moderate to high legibility values”; “moderate transient values”; and “moderate to high shared and recognised values”, the report then determines that a better boundary for the ONL of Ferry Hill is a water race and

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4 See [CB68], and also my later report "Post review amendments" at [CB69].

that all of the flank of the hill below is Other Rural Landscape. I consider this analysis to be flawed, and the conclusion to be unsupportable.

**5.8** I note that Mr Denney, Council's reporting landscape architect on the same consent application, made similar criticisms of the Boffa Miskell report and stated, "*The defining line of change in landscape character occurs where the flats meet the slopes of the upland area*".

**5.9** As well as the location of the landscape boundary, this area of land is also subject to a number of other significant constraints, in particular the Airport's Outer Control Boundary and the high voltage power lines which run to the substation located in the western portion of the area. These follow along on the lower slopes of the hill but cut across the site at its more eastern end where they head off to the east across Margaret Place, the sewerage works and the Shotover River.

**Submissions 8, 399, 408, 501(4), 698, 751, 847: Location of the landscape boundary<sup>5</sup>**

**5.10** As noted above the landscape boundary is considered to be located appropriately. This position is supported by Submitter **8**.

**5.11** Submissions **408**, and **698** request that the ONL boundary be moved north off their properties. Neither submitter provides any information to indicate where they consider the ONL boundary should be appropriately located.

**5.12** Submission **399** requests that the ONL boundary be moved to follow the northern boundary of their property which is adjacent to the electricity substation. The boundary is an arbitrary location, in landscape terms, which does not relate to any landscape feature.

**5.13** Submission **751** requests that the ONL boundary be moved to the location proposed by Boffa Miskell in the resource consent hearing for RM151046 discussed above. As noted above, I consider the boundary proposed in that report to be based on a flawed analysis, and to be arbitrary and inappropriate.

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5 Section 42A Reports 1A (698) and 1B (8, 399, 408, 501, 751, 847).

**5.14** Submission **847** requests that the ONL boundary be moved further upslope but does not identify where they consider the boundary to be appropriately located, nor do they request it be removed from their property (145 Frankton Ladies Mile). I am familiar with this site. The location of the boundary of the ONL has been at issue before. I attach as **Appendix 1** a memorandum I wrote in 2012 regarding the appropriate location of the boundary and note that this is the location of the notified boundary. I continue to consider that it is appropriately located.

**5.15** Submission **501(4)** requests that the ONL boundary be moved further upslope so that it bisects Lots 2, 3, and 4 DP 469901. These lots are within the Quail Rise zone. No cogent landscape reasons are provided for this adjustment, nor evidence to support it. In my opinion the submitter's proposed location is arbitrary and does not relate to any landform, change in character or change in quality. Consequently I consider that the relief requested should not be granted.

**5.16** As a consequence of this analysis it is my position that the boundary of the ONL is appropriately located as notified and that the relief requested by submissions **399, 408, 501(4), 698, 751, 847** should not be granted.

**Submissions 8, 391, 399, 408, 455, 717, 751, 847: Variations to zoning**

**5.17** All of these submissions, except submission **8**, are seeking alternatives to the notified MDR zoning including industrial zoning and various forms of mixed use.

**5.18** Submission **8** is concerned that the MDR zoning proposed between Quail Rise and the Electricity Substation will diminish the amenity of the residents in Quail Rise. Additional traffic through Quail Rise appears to be a significant concern to the submitter and I understand that Ms Banks discusses traffic both in terms of access and effects in her evidence.

**5.19** With regard to other amenity effects, it is the case that there would be a significant interface between the Quail Rise zone and the MDR along the north western and north eastern boundaries of this area. Ferry Hill Drive follows the north eastern boundary and Trench Hill Drive part of the north western. In the case of Ferry Hill Drive, low density residential development exists on its north eastern side. In Trench Hill Drive, a series of larger lots are arrayed along the hillside. I consider that it would be appropriate to provide a buffer of LDR adjacent to these roads, approximately one section deep, so as to ensure that current residents, who have a rural outlook currently, do not have it replaced with MDR development directly across the road.

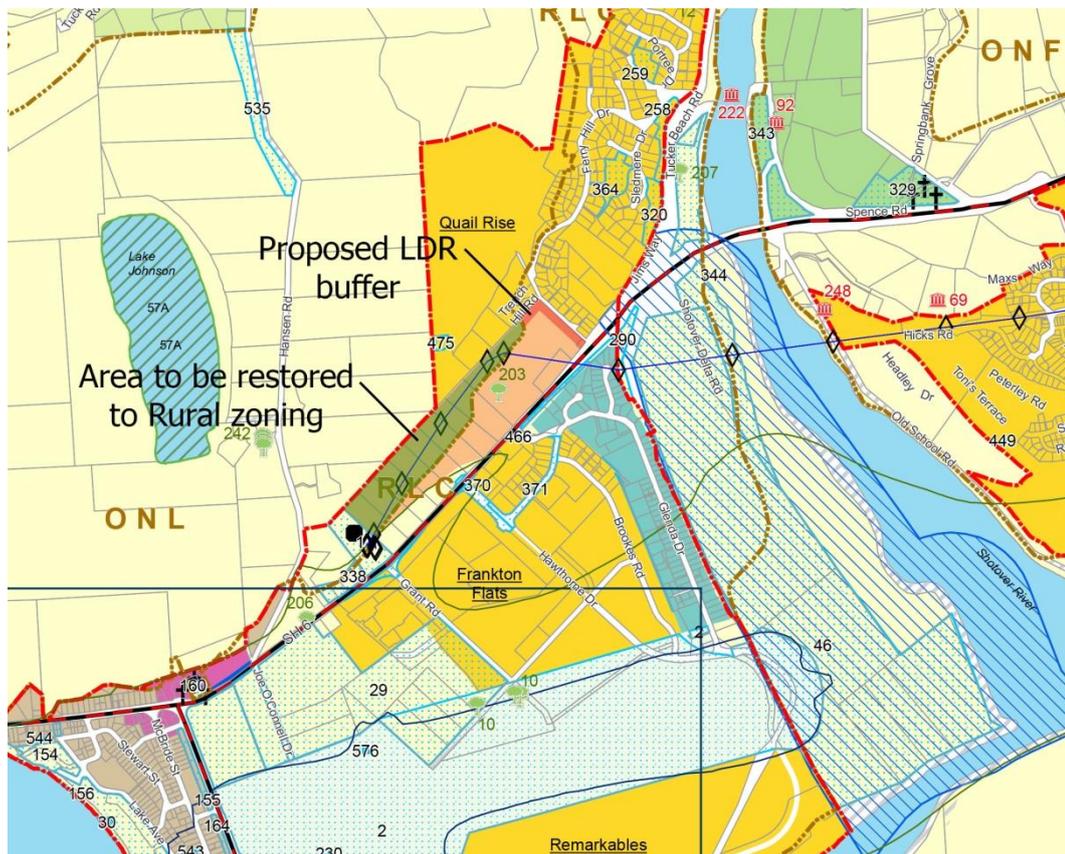


Figure 2: Extract from PDP planning Map 31a showing area to be restored to Rural and proposed LDR buffer adjacent to Quail Rise.

**5.20** Submission 8 also requests, by implication rather than directly, that the MDR zoning should be removed from the areas within the ONL. In the main the areas within the ONL are the slopes of the hillside rising from the flats. These have high aesthetic value and form an important part of the context of the Frankton Flats. The boundary, where it is located along the foot of the slope, is highly coherent in a

landscape sense. The location of the boundary becomes less coherent to the north east where the line climbs the hillside, principally so as to exclude the development areas within Quail Rise from within the ONL. MDR zoning on the slopes above the ONL line would detract from the quality and character of the ONL, and the boundary would have to be moved to exclude the urban development. This would diminish the coherence of the ONL as a whole. Consequently I agree with the submission that the notified MDR zoning should be removed from the ONL and that land restored to Rural zoning. As a consequence I consider that the relief requested by the submission could be granted in part.

**5.21** Submissions **391, 399, 408, 455, 717, 751, and 847** are all seeking variations to the notified MDR zoning including LDR, industrial zoning and various forms of mixed use. I consider that there are two overarching concerns which need to be considered in this area. These are avoiding inappropriate development impinging on the ONL as notified and safeguarding the amenity of the residents of the Quail Rise zone along its margin. Consequently development should not be facilitated within the ONL. That is, Rural zoning should be pulled back to the ONL boundary as notified. Impinge not only means 'encroach on' in a spatial sense, however, but also means 'make an impact or have an effect on'<sup>6</sup>. Consequently, it is not only activities within the ONL which may detract from its character and quality but also activities outside of it which may have an adverse effect. In my opinion the activities anticipated within this area should be ones which will have the least adverse effect, or impinge to the least degree on the adjacent ONL. Consequently, I consider that either LDR or MDR would be most appropriate in this area to the south of the ONL boundary as they are the urban zoning types which require the most attention to amenity. Also I consider that there should be the provision of some sort of buffer (LDR zoning possibly) adjacent to Quail Rise. Consequently I do not consider that the relief requested by submissions **399, 408, 455, 717, 751, and 847** should be granted. I consider that the relief requested by submission **391** could be granted.

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6 Compact Oxford Dictionary (1996). P498.

## **Submission 501(4): Location of the Urban Growth Boundary (UGB)**

**5.22** Submission **501(4)** requests that the UGB should be moved south to follow the ONL boundary across the Quail Rise zone on Ferry Hill so as to protect the higher slopes from urban type development. Policy 6.3.1.6 of the PDP states: *'When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise degradation of the values derived from open rural landscapes'*. Consequently it would appear that the Plan anticipates avoiding activities where the effects would impinge on ONLs to an undesirable extent. As discussed above, this can be both spatial, in the sense of proposed development within an ONL/ONF, or aesthetic, in the sense of proposed development adjacent to an ONL/ONF. Locating the UGB so that it coincides with the ONL boundary is, in my opinion, appropriate in this location and I consider that the relief requested by the submission could be granted.

## **6. GLENDA DRIVE: SUBMISSIONS 344, 418, 488, AND 720<sup>7</sup>**

### **Landscape context**

**6.1** This cluster of submissions relates to land located on the Frankton Flats between the State Highway to the north and the Airport Designation to the south. The land is essentially flat, and is the location of the (operative) Glenda Drive Industrial A zone. Small areas of land around the fringes of this zone remain zoned Rural in the PDP and these submissions generally relate to the uplifting of that zoning.

### **Submissions 720 and 344**

**6.2** Submission **720** refers to Lots 1, 3, 5, 6, and 7 DP333539. Submission **344** refers to Lot 1 DP 333539. Both submissions request the replacement of Rural zoning with Industrial A zoning. As they are spatially adjacent and requesting the same relief I will deal with both submissions together.

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7 Section 42A Report 1A



Figure 3: Extract from PDP planning Map 31a showing Lots subject to submissions 344 and 720

- 6.3** The land to which the submissions refer comprises a row of lots along the northern fringe of the (operative) Industrial A zone. The northern, and in the case of Lot 1 western, extent of these lots is zoned Rural in the PDP. This forms a narrow strip within the lots of between approximately 5 and 12m in width. The western extent within Lot 1 is wider, approximately 36m extending between the edge of the Industrial zone and the property boundary. Outside of these sites, between them and the boundary of the State Highway 6 road corridor, is a further strip of Rural zoned land approximately 10m in width. This land is covered by Designation 290 and is a recreation reserve.
- 6.4** The land within Designation 290 incorporates areas of tree planting and for part of its extent, between Glenda Drive and the intersection with Tucker Beach Road, is the location of a cycle lane. The land follows the natural topography, while the road corridor drops into a cutting approximately 100m past the Glenda Drive / State Highway 6 intersection. As a result of the combined effects of topography and vegetation within this reserve land, industrial buildings are relatively well screened from the State Highway. (This is not the case from the western end of Quail Rise, but views from this vicinity are dominated by the Remarkables and the Shotover Delta, although they also, from some perspectives, include the sewerage works.) Consequently, the retention of the Rural edge to the (operative) Industrial A zone along State Highway 6 is of little mitigation benefit.
- 6.5** I understand that the Industrial zones are to be reviewed in a later stage of the Plan review. Under the operative provisions the construction of buildings is a controlled activity with control being

retained by Council, “in respect of landscaping, external appearance, location of offices and showrooms, and visual impact”. In addition the maximum building height is 6m. It appears that there is no setback required when the adjacent land is zoned Rural, nor is there any control regarding the storage of materials or equipment. I note that a storage shed has been located directly on the boundary of Lot 7 DP333539 (apparently without resource consent) and that the storage of goods outside the buildings within the Rural portion of these sites is a common occurrence.

- 6.6** While the shed on Lot 7 is visible from State Highway 6 it is mostly obscured by the intervening topography. Vegetation, in the main, obscures stored materials and vehicles from view. Consequently the effects of rezoning this land Industrial A would be similar to those of the actual uses to which it is currently put. Consequently I consider that the land along the northern margin of these lots could be rezoned Industrial A.
- 6.7** The Area within Lot 1 located at the western end of this series of lots and adjacent to Glenda Drive, is currently the location of the Placemakers’ car park. Retaining this area as Rural zoning when the bulk of the Frankton Flats was zoned Rural General prior to Plan Change 19 may have made sense, providing a buffer between development within the Industrial zone and the rural landscape. Now that the adjacent land to the west is zoned Frankton Flats Special Zone, which anticipates dense commercial, residential and industrial development, the need for this buffer has elapsed. Consequently I consider that the land at the western margin of these lots could be rezoned Industrial A.
- 6.8** Submission **720** also requests that an area of land between the boundary of Lot 1 and the new alignment of Glenda Drive be rezoned Industrial. This encompasses an area of 1360m<sup>2</sup> which forms a narrow strip along the western end of Lot 1 and a wider and roughly triangular area to the south of the lot. This area of land is currently within the road reserve but has been established as a lot in its own right. I can see no significant effects of this proposed rezoning on the wider landscape.

- 6.9** Consequently, I consider that the relief requested by submitters **344** and **720** could be granted in full.

#### **Submission 418**

- 6.10** Submission **418** relates to Lot 2 DP 394343. This land, close to the southern margin of the Glenda Drive Industrial A zone and located on the western side of that road, is zoned Rural in the PDP. The submission requests that it be rezoned Industrial A.

- 6.11** Hawthorne Drive runs (or will run) along the southern boundary of the subject site. The land to the north, , is partially zoned Rural and the part so zoned is covered by Designation 2 which is the Airport's designation. The land to its west is also zoned Rural and is, in the main, covered by Designation 2 as is a corner of the subject area. Thus, while the area is currently surrounded by open space zoned Rural, it is not 'rural' land in the sense of being used for rural activities. Consequently I cannot identify any adverse effects which would accrue to the wider landscape from the rezoning of this site, and I consider that the relief requested could be granted in full.

#### **Submission 488**

- 6.12** Submission **488** also relates to an area of land located at the southern end of the Glenda Drive Industrial A zone. It comprises two lots, Lot 1 DP 391483 which is partially zoned Rural and partially zoned (operative) Industrial A, and Lot 2 DP 391483 which is entirely zoned Rural. The submission requests that both lots be rezoned Business Mixed Use zone (**BMU**).

- 6.13** The southern boundary of Lot 2 abuts an area of land subject to Designation 2, and which is immediately adjacent to Hawthorne Drive. The western boundary of the Lots runs along Glenda Drive. The eastern boundary of these lots extends to and just over the edge of the terrace escarpment which drops to the flood plain of the Shotover River and which is identified as an ONL in the PDP. This is particularly the case for the boundary of Lot 2 which is further east

than that of Lot 1. Lot 2 is partially covered by Designation 46 which provides for the sewage works.

**6.14** It is the case that all of the lots along the top of this terrace have a Rural zoned area along the edge of the terrace. This is important in providing space to mitigate the adverse visual effect of development in the Industrial zone on views from the east, and this is now of increased importance as a consequence of the development of the Shotover Country zone on the eastern side of the river.

**6.15** The Business Mixed Use Zone, Chapter 16 of the PDP ( **[CB13]**), permits buildings up to 12m in height and allows for buildings up to 20m in height as a restricted discretionary activity. This is significantly higher than the 6m height limit of the Industrial A zone. From a landscape perspective the construction of buildings even up to 12m in height in this location would appear very odd and would detract from the amenity of the townscape. They would be apparent at some distance and would have an adverse effect on the visual amenity of residents in Shotover Country to the east.

**6.16** Consequently I consider that the relief sought by the submission should not be granted.

## **7. URBAN FRINGE – FRANKTON ROAD, QUEENSTOWN HILL: SUBMISSIONS 318, 347,318, 434 AND 790<sup>8</sup>**

### **Submissions 318 and 434**

**7.1** Submissions **318** and **434** appear to be duplicates. The submissions request that an area of land adjacent to the intersection of Marina Drive and Frankton Road be rezoned from Rural to LDR. The site encompasses three lots, Lots 6 and 7 DP 345807 and Lot 10 DP 345807 with a total area of 0.5516ha. Lot 10 is the location of a dwelling. The site is excluded from the adjacent ONL of Queenstown Hill. The submission also requests that the UGB be extended to include this site within the boundary. This site is identified in the following extract from PDP planning map 33.

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8 Section 42A Reports 1A (790), 1B (434) and 1C (347)



Figure 4: Extract from PDP planning Map 33 showing site subject to submissions 318 and 434 in green.

**7.2** The subject site comprises a slight knob which protrudes from the surrounding slopes. It is more or less triangular in shape and is modified, being the location of one dwelling and the access road to further development upslope within the existing LDR. The existing dwelling is within the higher part of the site, the apex of the triangle. The two other lots are adjacent to Frankton Road.

**7.3** The subject site contributes little if anything to the character or amenity of the wider rural landscape in this vicinity. It is my opinion that development within the site would not impinge on the adjacent ONL to any significant extent. Consequently I consider that the relief requested by the submission could be granted.

#### **Submission 347**

**7.4** This submission relates to the land contained within Lot 1 DP 411971 which is identified on the following map. The zoning of the site under the PDP is a mix of Low Density Residential and Rural.

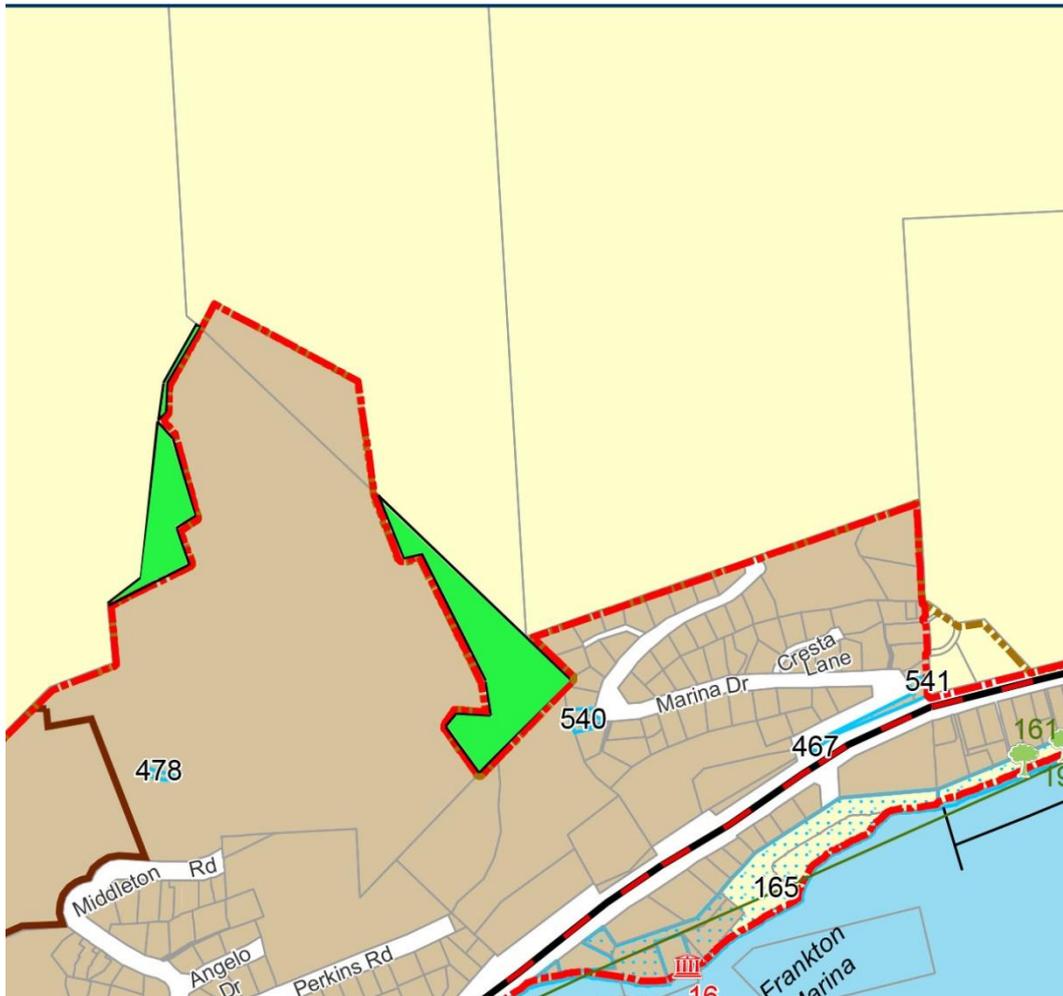


Figure 5: Extract from PDP planning Map 33 showing areas of Lot 1 DP 411971 for which submission 347 requests LDR zoning highlighted in green

**7.5** The subject site occupies a part of the steep, glaciated southern face of Queenstown Hill. It is an irregular shape which rises to a point at its most northern, and elevated, extent. It encompasses a knob which protrudes from the hillside, and is largely bounded on its eastern side by an unnamed creek which runs through a gully. This creek enters the Lake through the marina at Sugar Lane. In the past the site and its surrounds have been heavily infested with wilding conifers but these have been largely cleared on the site as development has been undertaken. On adjacent land the conifers above approximately 590m have been sprayed.

**7.6** The majority of the subject site is zoned LDR. There are two areas within the site which are zoned Rural under the PDP. These are along the north western boundary and in the eastern corner. The zone boundaries in these locations do not appear to relate to the

underlying topography or any other landscape feature. The western area comprises approximately 5000m<sup>2</sup> and the eastern approximately 1.5ha.

- 7.7** Extending the zone boundary to be contiguous with the western boundary of the property would, in my view, better reflect the underlying topography.
- 7.8** The LDR boundary in the eastern area appears to have been located so as to provide some protection to the creek, its margins and the gully in which it is located. Further upslope, however, the zone boundary follows the creek, rather diminishing any positive effect, and downslope the creek and its margins are within LDR zoning. I understand that subdivision in proximity to the creek would trigger a requirement for the identification of marginal strips which would protect the character and quality of the creek and its corridor. Consequently I can see no reason why this corner of the submitter's property should not be zoned LDR.
- 7.9** The submission also requests that the **UGB** be moved to incorporate the land to be rezoned LDR. For the same reasons as set out above in relation to the rezoning to LDR, I have no objection to the movement of the UGB.
- 7.10** I consider that the relief requested by the submission could be granted in full.

#### **Submission 790**

- 7.11** This submission relates to a Lot located on the elevated southern 'corner' of Queenstown Hill. It is partially zoned MDR and partially zoned Rural and is upslope of MDR zoning along the western half of its lower boundary and LDR along the eastern half of its lower boundary. It is also a recreation reserve established by Designation 171. I understand it is also subject to the Queenstown Commonage Reserve Management Act 1876. The submission requests that the areas of Rural zoning be uplifted and replaced with MDR and that the ONL boundary and UGB be altered to reflect this. This is illustrated in the following image from the PDP planning maps.

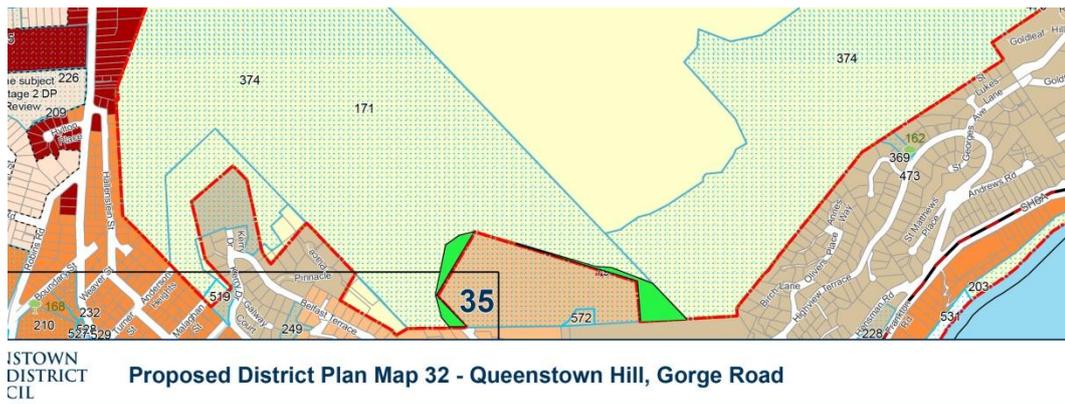


Figure 6: Extract from PDP map 32 showing the site subject to submission 790 and identifying the areas for which MDR zoning is requested in green.

**7.12** The site is located on a prominent face of Queenstown Hill, protruding above the existing and currently anticipated areas of development in this vicinity. It is bounded along its upper margin by the power line corridor that runs along the upper slopes of Queenstown Hill above the Frankton Arm and Queenstown township. It is currently densely vegetated with wilding conifers, as is its context to both the north east, along the Frankton Arm, and the west, above Queenstown. The areas of the site notified Rural are identified as being ONL in the PDP maps and outside of the UGB.

**7.13** It is my opinion that the development of the notified area of MDR within this site will have a significant adverse effect on the landscape context of Queenstown township while its predominant surrounding zoning remains Rural. This is because:

- (a) the notified MDR zone facilitates the development of a patch of relatively dense development in a location where it will breach the skyline in many views from within the township;
- (b) it will extend much higher up the hillside than the surrounding development; and
- (c) it will reduce the 'natural' context of the township which is very important to its character.

**7.14** The areas which it is requested be rezoned MDR comprise land at the western boundary of the lot; a sliver along the northern boundary; and an area at the eastern end of the lot. Together these comprise

1.57ha. It is my opinion that including these areas within the MDR would not result in any significant adverse effects above and beyond those which are already facilitated by the existing zoning.

**7.15** The submission also requests that the ONL boundary and Urban Growth Boundary be moved to reflect the proposed rezoning. This is simply logical. It is my opinion that the relief sought by the submission can be granted.

## **8. URBAN FRINGE – BOBS PEAK: SUBMISSION 574<sup>9</sup>**

**8.1** This submission relates to the area of land immediately adjacent to and west of Queenstown township. This land rises steeply from the lake terrace deposits on which the more elevated portion of the Town Centre zone is located. It culminates in a knob, known as Bobs Peak, which is the glaciated termination of a spur extending down from the ridge between Bowen Peak to its north and Ben Lomond to its north west. The mountainside is clad with a mixed conifer forest, mainly Douglas fir, which predominantly dates from the aerial topdressing of seed in the 1960s. Some residual areas of indigenous beech forest remain, mainly on the western flanks. The higher reaches remain tussock clad but only remain free of Douglas fir as a result of active wilding conifer control.

**8.2** The Skyline Gondola; a restaurant and function centre; an all-season luge with an associated chairlift; a bungy jumping operation; and a zipline operation are all located on the face of this spur. The Gondola, restaurant and luge operations are within an area cleared of conifer vegetation. The zipline operation, in contrast, is dependent on the presence of these trees to provide the structure for its lines. Powerlines ascend the mountainside, also through a corridor cut through the conifer cover.

**8.3** The mountainside is zoned Rural in the PDP, and it abuts the Town Centre zone at its foot. This south eastern face of the mountain is subject to three designations (221, 248, and 373). The first two are recreation reserve designations and do not have any specific

conditions. The third, 373, is a forestry designation and has a complex raft of conditions controlling forestry activities and detailing the consultation requirements for any harvesting operations.

**8.4** The gondola and the restaurant / function centre are prominent but long established features in the landscape of the Queenstown township. The luge development is also prominent, particularly in views from the north east, but generally in that it is located within a clear area surrounded by the wilding conifer forest.

**8.5** Submission **574** requests the establishment of a new Rural subzone which they have entitled the 'Commercial Tourism and Recreation Sub zone'. They request that this subzone be applied to six contiguous areas which are illustrated in the submission. These are:

- (a) section 1 SO 22971 Block XX Shotover SD. This is the location of the upper gondola terminal, the existing restaurant and function centre and the luge structures including the chairlift;
- (b) two areas contiguous with the western and north western boundaries of this lot which contain part of the access road and the firefighting water supply;
- (c) two overlapping areas contiguous with the south eastern boundary of Section 1, one a small rectangular area which encompasses the bungy platform, the other a larger rectangular area encompassing a 150m side corridor centred on the gondola infrastructure; and
- (d) an area at the base of the gondola which encompasses S 143 SO 22971 Block XX Shotover SD plus a portion of the mountainside. S 143 is zoned Town Centre zone in the PDP, and the balance of this area is zoned Rural. This area encompasses the lower gondola terminal plus a car parking area.

**8.6** In summary the provisions of the proposed zone which have relevance to landscape matters are:

- (a) buildings to be a controlled activity up to 10m in height in the 'Bobs Peak' area of the sub zone with location, external appearance and size, associated earthworks, access and landscaping and provision of water supply, sewage treatment and disposal, electricity and communication services as matters of control;
- (b) buildings in excess of 10m in height in the 'Bobs Peak' area of the subzone are to be restricted discretionary with discretion limited to external appearance, visual prominence from both public places and private locations, and dominance on the Commercial Tourism and Recreation Sub Zone;
- (c) buildings up to 17.5m in the 'Lower Terminal area' are to be a restricted discretionary activity with discretion limited to dominance on the streetscape; and effects on the amenity, privacy and shading of surrounding properties;
- (d) chairlifts to be a controlled activity up to 15m in height with external appearance including reflectivity, location and alignment, visual prominence from both public places and private locations and lighting as matters of control;
- (e) gondola cable ways to be a controlled activity with location, external appearance, lighting and associated earthworks as matters of control;
- (f) forestry activities to be a controlled activity with hours of operation, health and safety, traffic generation, associated earthworks and landscape rehabilitation as matters of control;
- (g) commercial and commercial recreation activities to be permitted; and
- (h) the same dispensation as for the Ski Areas to apply regarding landscape classifications.

**8.7** It is my understanding that the proposed rules regarding passenger lift systems outside of Ski Area Sub Zones (Rule 21.4.19) in the Rural Chapter of the PDP would not apply to the future gondola and chairlift development 'overlay' referred to in this submission. I do, however, consider that a similar rule would be appropriate, and that restricted discretionary status would be appropriate.

- 8.8** The proposed rules regarding buildings in the Bobs Peak area of the sub zone are justified in the submission on the basis that the existing buildings are so prominent in the landscape that the cumulative effect of more would be insignificant. I disagree. The current buildings are prominent but they are still dominated by the surrounding landscape which retains its legibility and natural character. While I consider that some degree of liberalisation of controls over development in this area to facilitate commercial recreation in this location are appropriate I consider the proposal to make further buildings a controlled activity to be a step too far. I consider that restricted discretionary status for buildings up to 10m in height would be more appropriate given the prominence and visual significance of the site, and a combination of the proposed matters of control from proposed rule 21.5.53 and 21.5.54.1 would be adequate. I consider that buildings over 10m in height should be fully discretionary.
- 8.9** The proposed rules regarding buildings in the area described as the 'Lower Terminal' make buildings of up to 17.5m a restricted discretionary activity. This area is partially zoned Town Centre zone with a maximum building height of 15m, and partially zoned Rural. In the Rural zone buildings, other than farm buildings, are restricted to 8m or less. The location of this site at the most western extent of the lake terrace deposits hard against the mountainside means that this site can absorb built form of greater height than elsewhere within the township without an adverse effect on the landscape of the vicinity. I consider that the 17.5m height limit proposed by the submission can be appropriately absorbed in this area .
- 8.10** The submission requests that forestry activities within the sub zone be a controlled activity. The control of wilding conifers in the Queenstown area is a very serious issue from a landscape, and ecological, perspective. I am supportive of any measures which might contribute positively to the control of these pest species. Simply felling them is not adequate however. Landscape mitigation should be required to include revegetation with suitable indigenous species from the local area, and ongoing control of conifer regrowth. I note that the current area kept clear of conifers to facilitate the

gondola is approximately 25m wide, and that the proposal would allow for further clearance within a corridor 150m wide. I consider that the clearance of this full corridor, particularly if revegetated with appropriate indigenous vegetation, would have a number of positive effects including exposing the natural topography which is obscured by the Douglas fir; displaying indigenous vegetation in an area with high visibility and high public use; and demonstrating the processes entailed in indigenous revegetation.

**8.11** Of most concern is the request by the submitter to amend Implementation Method 6.4.1.3 to exempt the proposed Commercial Recreation and Tourism subzone from the application of the landscape assessment matters. The landscapes of the District are widely recognised as one of its primary resources. I am sympathetic with the idea of a Commercial Recreation sub zone, or similar, and consider it an idea of merit for wider application than just the site subject to this submission. I consider, however, that the management of the character and quality of the wider landscape should remain a primary consideration. The establishment of permitted, controlled and restricted discretionary activities within the sub zone would facilitate recreational activities and their associated infrastructure while retaining the management of the overarching quality of the landscape as a priority. Any activity which is beyond the purpose of the sub zone should be subject to the landscape assessment matters as with the Rural zone generally.

**8.12** In conclusion, I consider that the Commercial Recreation Subzone proposed by the submitter has merit. I consider that some aspects of the relief sought could be granted including the spatial extent of the proposed Subzone.

**9. URBAN FRINGE – GORGE ROAD AND ARTHURS POINT: SUBMISSIONS 349, 450, 495, 527, 624, 642, AND 716<sup>10</sup>**

**Submission 624**

**9.1** Submission 624 seeks to, “Shift southern reach of the ONL overlay affecting Gorge Road back to its previous location”.

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10 Section 42A Reports 1C (349, 450, 494, 495, 527, 642, and 717) and 2 (624)

**9.2** The putative boundary of the ONL was located, on the Appendix 8A map appended to the ODP, at a point further north than that of the notified line in the PDP. The line was moved in the PDP so as to incorporate the Council reserve which had previously been excluded. Both of these locations are to the south of the submitter's property, which is entirely located within the ONL in both scenarios. The locations of the two lines are shown in the following extract from PDP planning map 32.

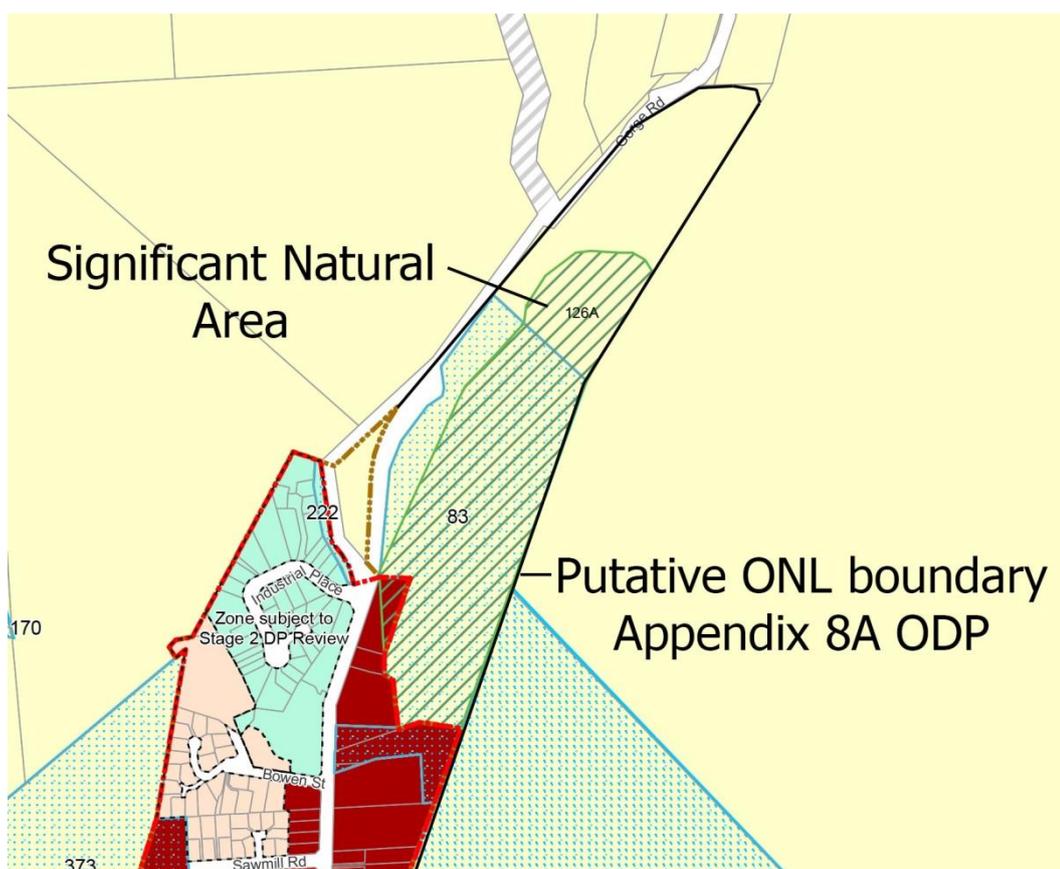


Figure 7: Extract from PDP planning map 32 showing area included within ONL. The submitter's property is located immediately to the north of the putative ONL boundary.

**9.3** The reserve is the location of an extensive significant natural area as identified in the PDP. It has high natural and aesthetic qualities and ones which contrast dramatically with the cliffs to the south and the mountainsides of both sides of the gorge. As an extensive open area with high natural character it is appropriate to include it within the ONL.

**9.4** I continue to consider that the location of the ONL boundary in The Gorge is appropriate. Consequently I do not consider that the relief sought by the submitter should be granted.

## **Arthurs Point Landscape Context**

- 9.5** The Arthurs Point area comprises a hard schist rock peninsula around which the Shotover River flows; the eastern facing mountain slopes of Bowen Peak to the west of the Shotover River; and the lower slopes of Mount Dewar to the east and to the north of the Shotover River. The mountains and peninsula are schist and a platform to the north of the peninsula has been formed by glacial till which the river has eroded along the western side, creating a set of river terraces. The topography of this area is complex, the river passing through a narrow gorge around the western end of the peninsula with steep cliffs dropping precipitously to the river. Bluffs of 60 to 80m follow the river along much of its true left through this area. The ecology of the vicinity is highly modified, with wilding conifers both enclosing the area to its north on Mount Dewar, and being located within it on Larchmont and on the slopes to the river corridor. Some indigenous vegetation is present within the river corridor and on the slopes of Bowen Peak, in particular, but conifers dominate. It is a highly dynamic landscape with the river changing its level and flows; the autumn colours of the larches and poplars, in particular; and the presence of snow on the surrounding peaks in winter. Despite the invasion of conifers it has moderately high natural character, and high aesthetic value. It is highly expressive of its glacial and fluvial origins.
- 9.6** The area described above includes residential and other development within areas of Low Density Residential (**LDR**) zoning and (operative) Rural Visitor zoning. This zoning is identified, on Map 39 of the PDP, as being located within an area of ONL. On the basis of the characteristics and qualities described above, I consider that this is the appropriate classification for the areas zoned Rural.
- 9.7** Of particular importance in this landscape is the corridor of the Shotover River. Its gorge around the peninsula and its corridor to the east is a spectacular landscape feature in its own right. Consequently I consider it important that the remaining natural character and high scenic value of this feature is maintained. The integrity of the slopes of Mount Dewar is also important as they

contain the development on the platform to the north of the river.

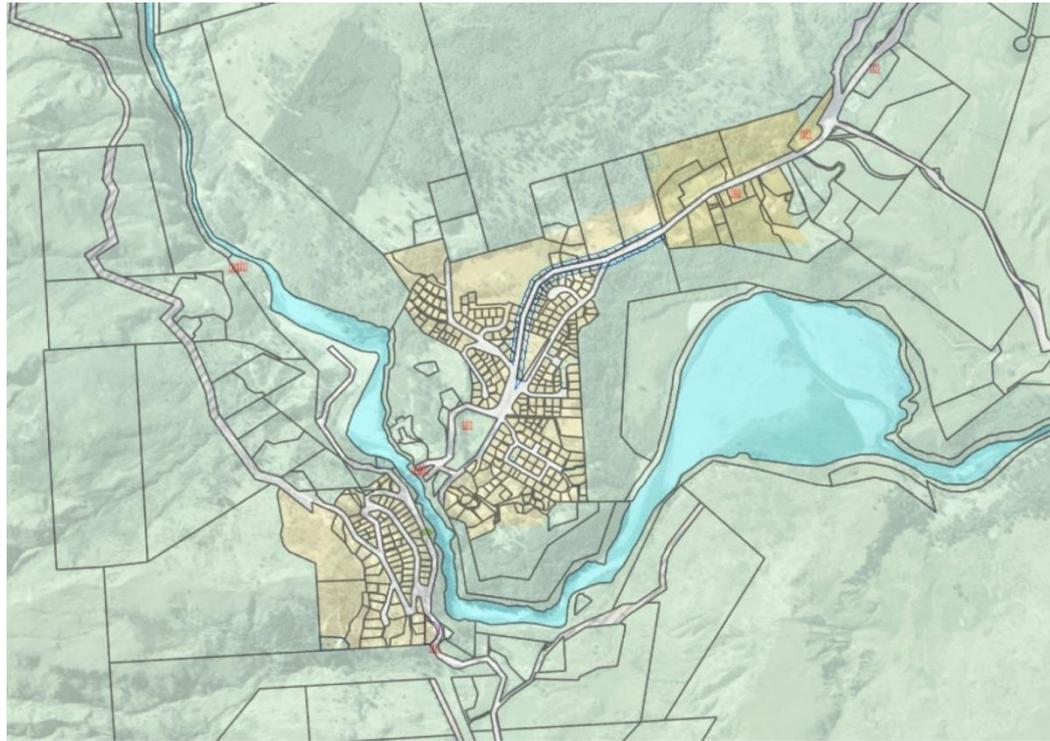


Figure 8: Aerial photograph of the Arthurs Point area with ODP zoning indicated. Pale yellow is LDR, darker yellow is RVZ and green is Rural General

**9.8** In the following section I will address the submissions in groupings made by their proximity to one another.

#### **Submissions 349 and 716**

**9.9** These submissions relate to an area of river terraces that step down from the platform described above to the Shotover River to the west. The highest of these terraces are zoned for LDR development in the PDP and are the location of the Morning Star Terraces subdivision. The land falls steeply from this terrace to another before dropping again to the river below. This upper terrace is vegetated largely by grasses with exotic trees and some exotic weeds present. The lower slopes are the location of the Department of Conservation offices, two residential dwelling sites, and the Shotover Jet service and public buildings.

**9.10** Submission **716** requests that all of the area indicated in the following image be rezoned Rural Visitor Zone. This area is primarily Crown Land managed by the Department of Conservation but encompasses

two areas of privately owned land, Sec 133 Block XIX Shotover SD and Lots 1 and 2 DP 25724. This comprises a total area of 10.2ha.

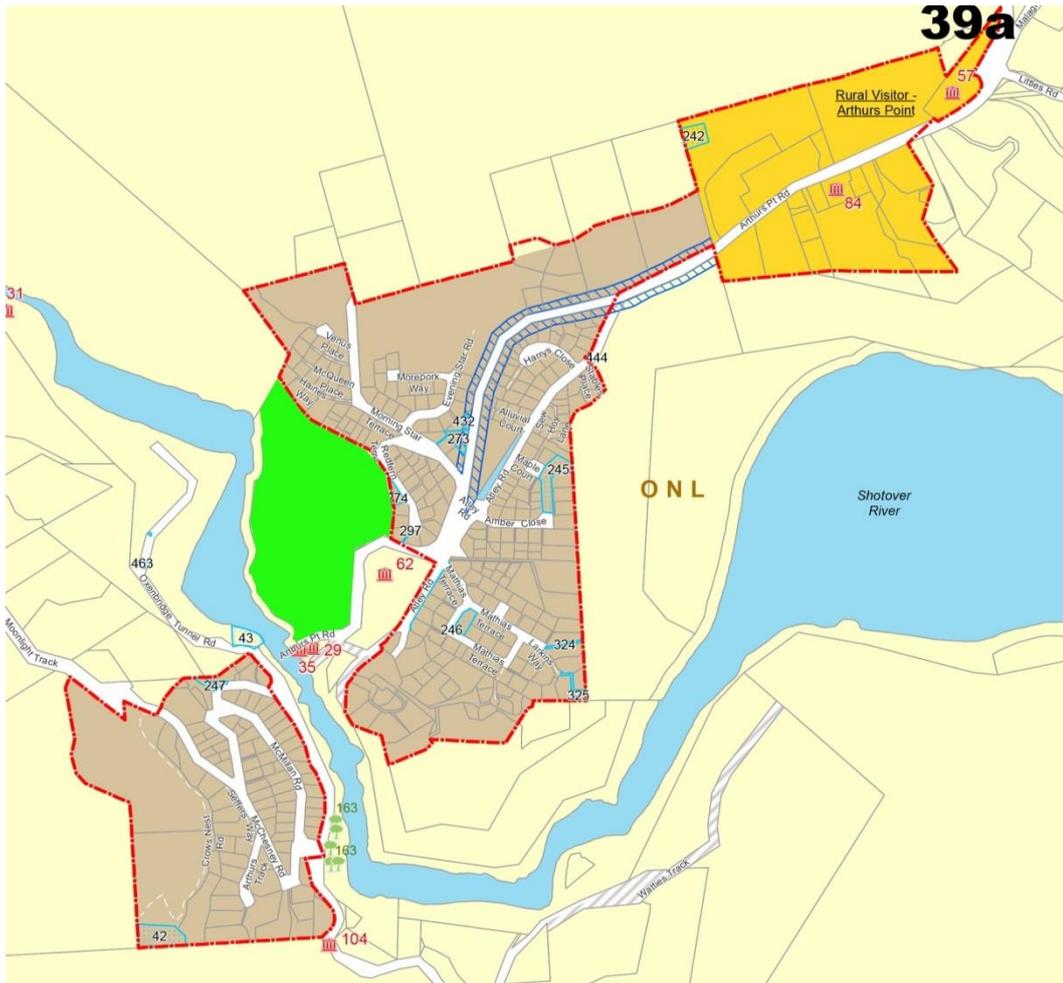


Figure 9: Extract from PDP planning map 39a showing area subject to submission 716 in green.

**9.11** Submission **349** requests that all of Lots 1 and 2 DP 25724 be rezoned LDR. This comprises an area of 0.6ha which is subsumed by the larger area which is the focus of Submission **716** and which is also identified on the image below.



Figure 10: Extract from PDP planning map 39a showing area subject to submission 349 in green.

**9.12** The larger area of land is reasonably discrete. It is enclosed to the south by the Arthurs Point Road, to the east by a high terrace escarpment and to the west by the Shotover River. To the north the area tapers to a point being enclosed by a steep escarpment descending to the river. The lower portion of the site is the location of a number of buildings associated with the Department of Conservation and the Shotover Jet tourism operation. While the further development of the site in the terms of either the RVZ or the LDR could be considered to have an adverse effect on the visual amenity of the residents of dwellings to the west, I consider that in terms of the overall outlook from this side of the river the effect would be small. It is my opinion that the rezoning of this land to either Rural Visitor Zone (**RVZ**) or Low Density Residential (**LDR**) would have little adverse impact on the broader landscape.

## Submissions 642 and 495

**9.13** Submissions **642** and **495** refer to adjacent properties at the eastern end of the Arthurs Point (operative) Rural Visitor Zone. These properties are identified on the illustration below. The lower reaches of both properties are zoned Rural in the PDP and the eastern half of Lot 2 DP 24233 is also zoned Rural and part of the wider ONL.

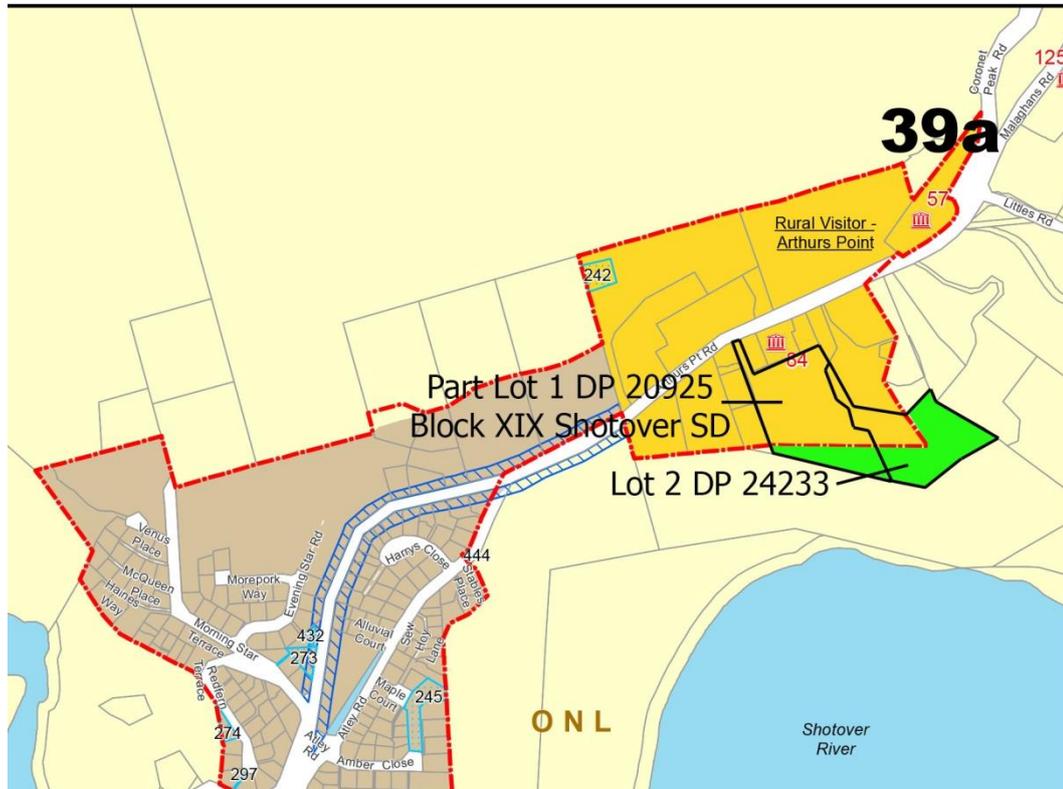


Figure 11: Extract from PDP planning map 39a showing subject sites and area subject to submissions 495 and 642 which is highlighted in green

**9.14** The land which is the focus of submission **642** (Part Lot 1 DP 20925 Block XIX Shotover SD) is accessed down a leg in from Arthurs Point Road. It drops steadily to the south before dropping precipitously to the Shotover River below. The location of the change in gradient is approximately the location of the RVZ boundary. Consequently incorporating the lower part of this lot into the RVZ would facilitate development on this escarpment and within the ONL. Such development would compromise the integrity of the terrace escarpment, and of the river gorge feature, and diminish its natural character and aesthetic value. I consider that this would have a

significant adverse effect on the character and quality of the Shotover River Corridor ONL and consequently I oppose the relief sought.

- 9.15** The land which is subject to submission **495**, Lot 2 DP 24233, is similarly accessed by a leg in driveway. It is located on a spur which is enclosed to the south by the same slope as the adjacent property to its south west, and by another river terrace escarpment to the south east. The majority of the site is relatively flat declining slightly to the south east. The lots to the north and to the east of the property are zoned Rural. Extending the RVZ into the south western corner of the subject site would extend it over the escarpment into the Shotover River corridor. I consider that the possible development that this would facilitate would have a significant adverse effect on the character and quality of that feature and of the broader ONL, similarly to the adjacent land subject to submission **642** discussed above.
- 9.16** This same sort of development on the more level parts of the site, however, would not have these adverse effects as they would be restricted to the more modified and more level terrace surface where they would simply read as a continuation of the existing development. Consequently I consider that the relief sought could be granted over the portion of the site identified in the aerial below. I have not considered any adverse effects which might accrue to the neighbouring properties, either Lot 3 DP 300462 or Lot 3 DP 24262 Block XIX Shotover SD in coming to this conclusion.

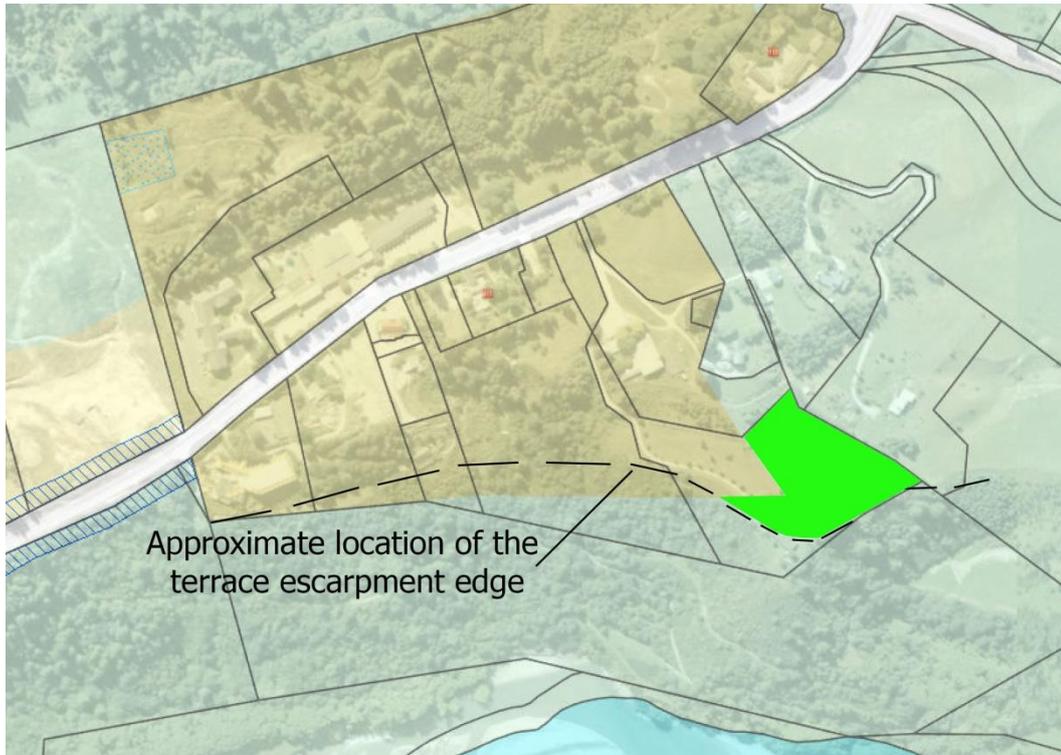


Figure 12: Aerial from Council's GIS showing ODP zoning and area considered acceptable for rezoning RVZ highlighted in green.

### Submissions 527 and 494

**9.17** These submissions relate to adjoining blocks of land on the hillock which forms the southern extent of the Arthurs Point peninsula. The high point is located on the boundary of Lot 2 DP 398656. Land to the north and north west of the subject land is zoned LDR and is the location of existing residential development. The subject land forms a raised edge to this development, and it too rises to the north east. To the south it drops precipitously to the Shotover River below. The site is heavily vegetated with wilding larches, making estimations of visibility difficult. Submission **527** proposes that a portion of Part Section 1 SO 24074 and Lots 1-2 DP 307630 be rezoned LDR. This land comprises an area of 6.6ha. Submission **494** proposes that all of Part Section 1 SO 24074 and Lots 1-2 DP 307630 plus Lot 2 DP 398656 be rezoned LDR. Lot 2 DP 398656 comprises 0.7ha. These properties are identified in the illustration below.



Figure 13: Extract from PDP planning map 39a showing properties subject to submissions **494** and **527**

- 9.18** Lot 2 DP 398656 is located on the northern side of the summit of the high point of the knoll. An existing dwelling plus a second partially constructed dwelling are located on a terrace area overlooking the LDR development on a lower level to the north. A steep escarpment drops to the north in front of this terrace. In my opinion development would need to be kept to the north of the summit of this knoll so that it did not have an adverse effect on the integrity of the river corridor. Consequently I consider that locating the zone boundary along the southern border of Lot 2 DP 398656 to be too far south. The more northern reaches could be rezoned, however, and developed in accordance with the LDR without significant adverse effect. Submission **527** requests that the border of the LDR zone be located at the boundary of the neighbouring property. This is down slope towards the river to both the north east and south and consequently I do not consider that this would avoid adverse effects on the river corridor.
- 9.19** Part Section 1 SO 24074 and Lots 1-2 DP 307630 wraps around Lot 2 DP 398656. Submission **494** requests that part of Part Section 1 SO 24074 and Lots 1-2 DP 307630 located to the east of Lot 2 DP 398656 be rezoned LDR. The majority of this part of the site is hummocky, rather than flat or hilly. The area proposed to be rezoned follows the drive to the dwellings on Lot 2 DP 398656. This driveway is located on land sloping down to the south east and the river corridor. I consider that this location is too far to the east to ensure

that adverse effects on the river corridor would not occur. The more westerly land, however, could absorb LDR development without significant effects.

- 9.20** As a consequence of this analysis I consider that a part of the relief requested by each of submissions **527** and **494** could be granted.

#### **Submission 450**

- 9.21** The property subject to submission **450** is located adjacent to the operative RVZ on the northern side of Arthurs Point. The site, Lot 1 DP 12913, comprises an area of 4.2ha. It is split zoned; the lower portion, which slopes gently up to the north, is zoned LDR. The more northern portion which slopes steeply up the face of Mt Dewar, is zoned Rural. The submission proposes that the portion of the site zoned LDR be rezoned HDR.

- 9.22** From a landscape perspective, the important issue on this side of Arthurs Point is to ensure that development is not allowed to sprawl up the hillside into the ONL. Rezoning the lower portion of the site HDR would not result in this occurring, and it would have very little impact on views of the mountainside from Arthurs Point Road. Consequently I consider that the relief requested could be granted.

**10. FERRY HILL AND LAKE JOHNSON: SUBMISSIONS 338, 393, 396 AND 501(3)<sup>11</sup>**

**Landscape context**

- 10.1** This cluster of submissions relates to the land along the northern side of Ferry Hill extending west to the base of Sugar Loaf. This land is steep in places and, in its lower reaches, steps down to the Shotover River in a series of terraces. The more elevated land is improved pasture with areas of willows and poplars associated, in the main, with water courses. The lower parts of the area, particularly the river corridor and closed landfill, are weedy.
- 10.2** A portion of this area (classified RLC in the PDP) has been addressed in the Wakatipu Basin Land Use Planning Study (**WBLUPS**). This area, and parts of submissions relating to this area, are excluded from consideration in this evidence.
- 10.3** The proposed zoning of this area in the PDP is Rural. Submitters seek a mix of alternative zones including Rural Residential (RR) which allows for subdivision to 4000m<sup>2</sup>; Rural Lifestyle zoning, which allows for subdivision to 1ha in area, providing the average on the property being subdivided remains 2ha; and Low Density Residential. Building platforms are required to be identified as a part of the subdivision within RL zones.

**Submission 338**

- 10.4** Submission **338** claims that the ONL line in the PDP planning maps does not reflect the location identified in C169/2000<sup>12</sup> and considers that the boundary should be reinstated in that location. The first thing to note is that the Court in that case dealt with the location of the landscape boundary on Ferry Hill only. It did not give any consideration to the location of the boundary to the west of Hansen Road. The line as it is located on Ferry Hill accurately reflects the line adopted by that decision and further considered in a later decision,<sup>13</sup> which located the line immediately adjacent to Hansen Road. The

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11 Section 42A Reports 1B(338, 396, 476, and 501) and 2 (393)

12 *Waterston v Queenstown Lakes District Council* EnvC Christchurch C169/2000, 5 October 2000.

13 *H.I.L. Ltd v Queenstown Lakes District Council* [2014] NZEnvC 177.

location of the line on the western side of Hansen Road as drawn on the Appendix 8A map appended to the ODP was only ever approximate. The line as it has been drawn, and as it was presented in the Read Landscapes report, has been carefully located so as to follow landscape features, except where it is located following the Rural Residential zone boundary.

- 10.5** Consequently, I do not support the relief proposed by the submitter.
- 10.6** Submission **338** further requests the rezoning of approximately 80ha of land on the northern slopes of the land between Ferry Hill and K No 2, the otherwise unnamed hill to its west. The eastern half of this area slopes reasonably steeply from the vicinity of Lake Johnson down to the north and is edged by a steeply sided gully which contains the outlet of that lake. To the west of this area are located two terrace areas, one at approximately 400masl and the other at approximately 360masl. These are separated by another significant gully. Areas to the south of these terraces on elevated slopes, to the south east within the eastern gully system, and between the two terraces on an escarpment dropping to the east are identified as a Proposed Escarpment Protection Area on the plans provided by the submitter, but no detail has been provided at this time explaining what is intended within this area. The majority of this land is located within the ONL, the two lower terraces being outside of it.

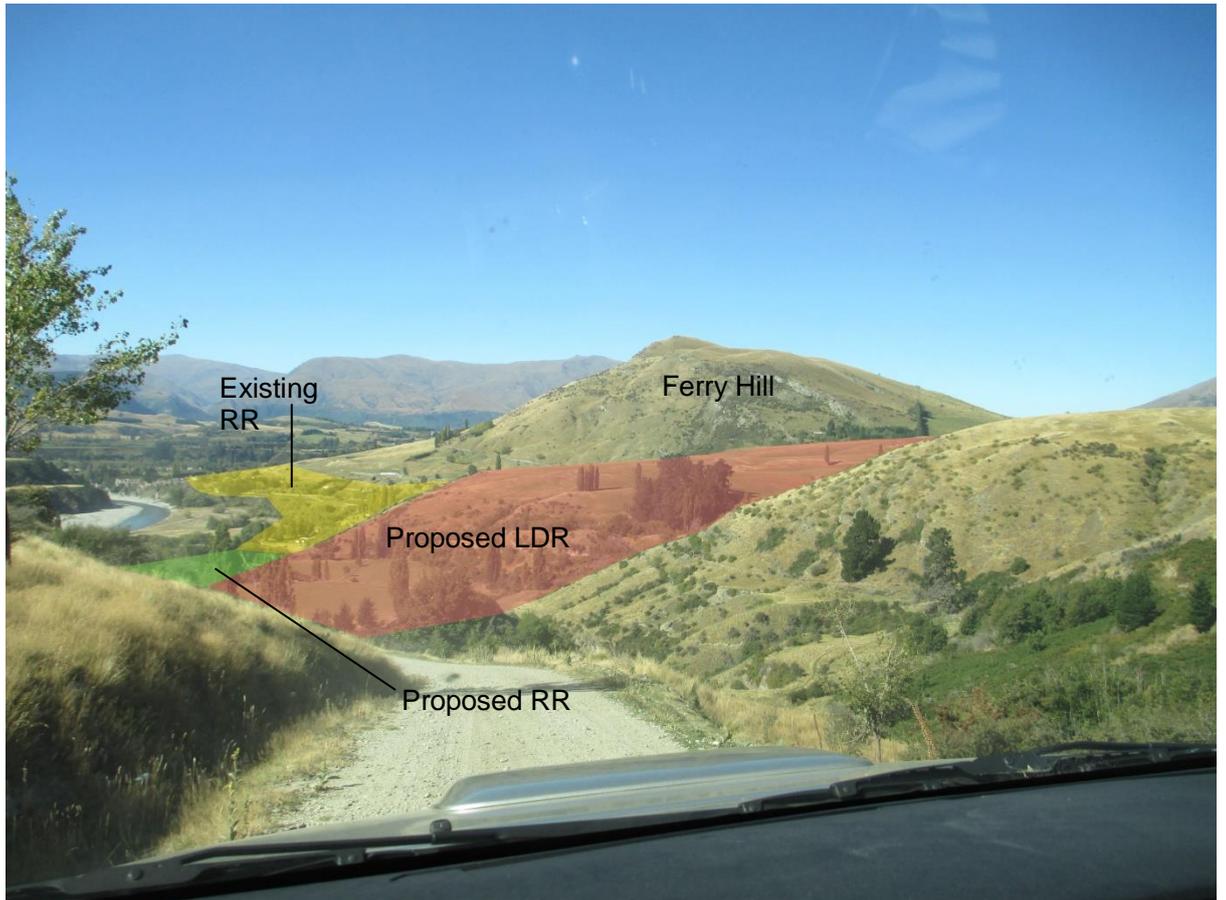


Figure 14: View from Queenstown Hill Looking east to Ferry Hill. Proposed zoning is outlined (approximately)

**10.7** The higher reaches of the submission area are glacial in origins, underlain by schist.<sup>14</sup> This area comprises gently rolling terrain clad with improved pasture. Steeper slopes have patches of indigenous vegetation and the deeply incised gullies are filled with willows and other shrub vegetation. Poplars are present. On the lower, steeper escarpments, which drop to the terraces, pasture remains dominant but significant numbers of indigenous and exotic shrubs are present. A group of conifers are present close to the creek that exits Lake Johnson, and a row of widely spaced poplars is spread across the landscape. The character of this part of the landscape is open and pastoral. It forms a part of the ONL which encloses the Wakatipu Basin and which provides it with a highly valued rural backdrop.

**10.8** This higher portion of the subject site provides high visual amenity to views from the north. The Remarkables form a back drop to many of

14 Turnbull, I M. (2000). Geology of the Wakatipu Area. Institute of Geological and Nuclear Sciences: Lower Hutt

these views, as does Cecil Peak. This means that these are important and valued views from within the Wakatipu Basin.

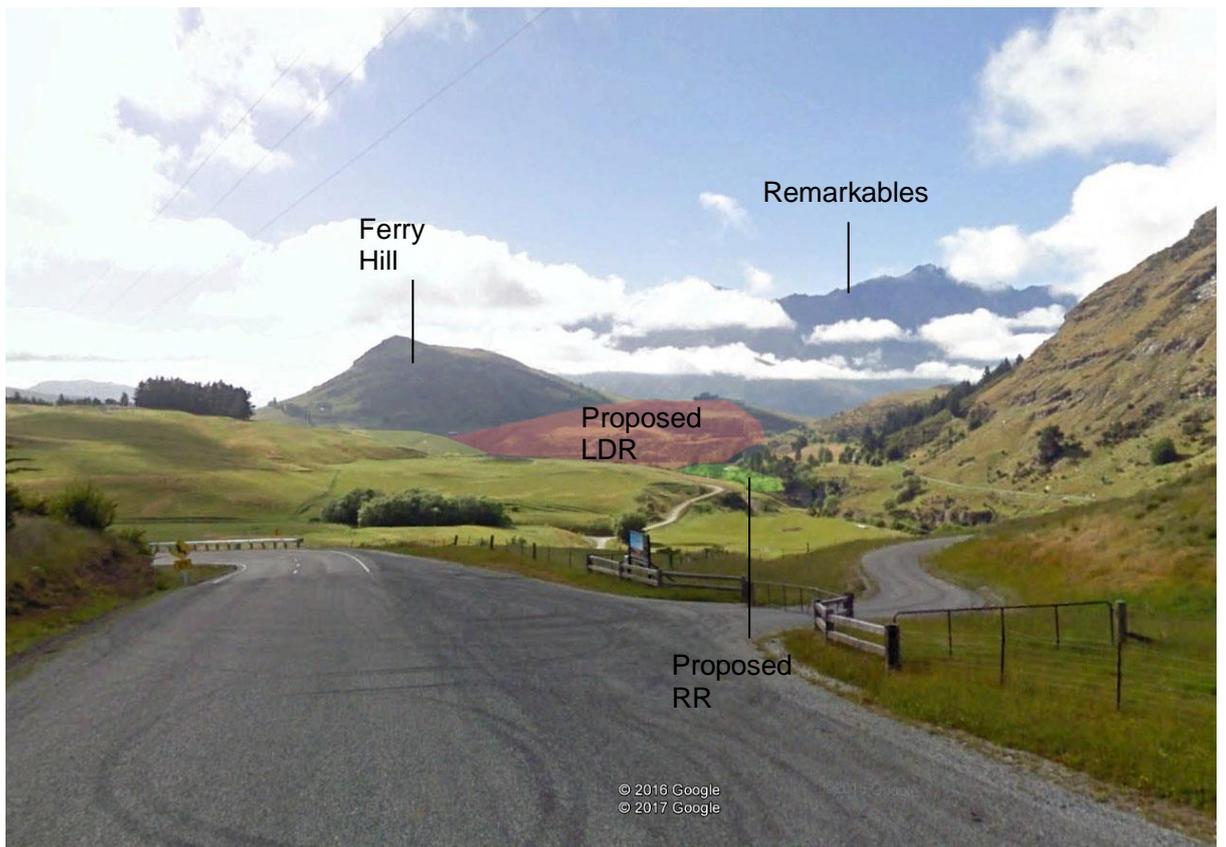


Figure 15: Google Earth street view from Littles Road showing subject site.

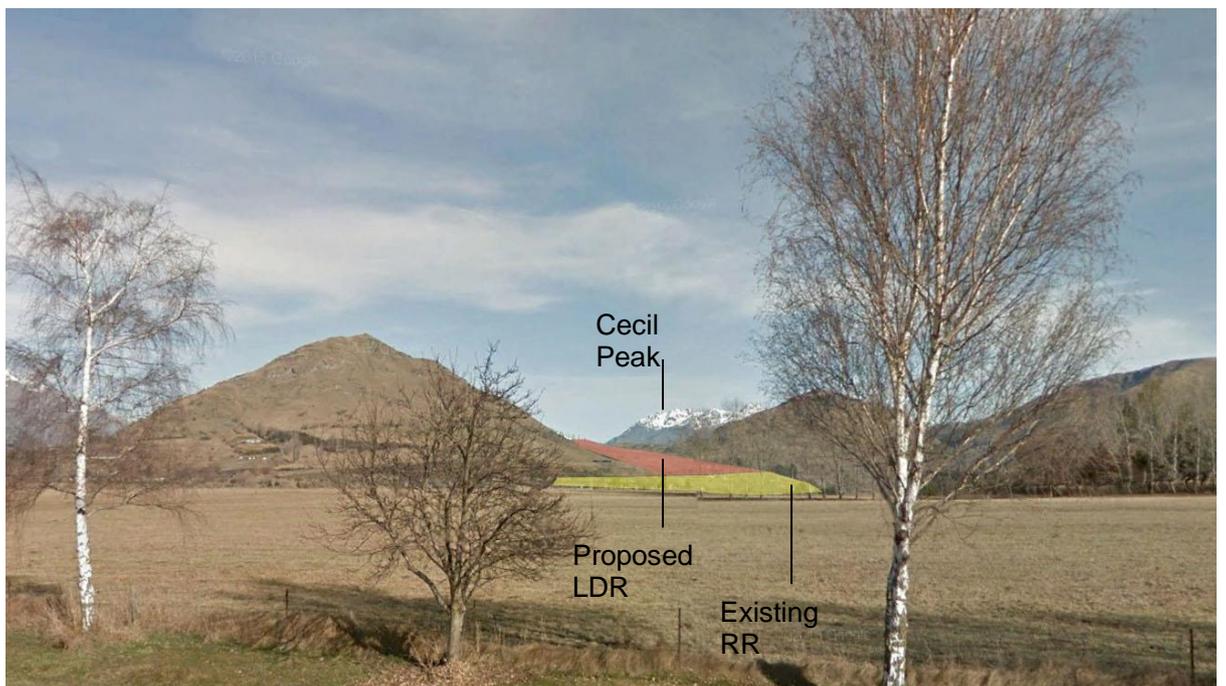


Figure 16: Google Earth street view from Domain Road showing subject site.

- 10.9** In my opinion the establishment of LDR development in this vicinity would introduce urban development into the elevated rural context of the Wakatipu Basin from which the Basin gains much of its aesthetic amenity and rural feel. It would detract significantly from the overarching quality of the ONL which encloses the Wakatipu Basin and would have significant adverse effects on the character and quality of the landscape and on the visual amenity of public and private views. Consequently I consider that the zoning of this part of the site should remain Rural.
- 10.10** In addition to the zoning, an access road is proposed which would extend from Ladies Mile in Frankton over the southward spur of Ferry Hill. It is intended to take this from the roundabout with Hawthorne Drive. I understand that Council anticipates a road being constructed across the Flats in this location, to connect to Hansen Road in one direction and Quail Rise in the other. The road proposed by this submitter would extend to the north from this road, passing above and to the east of Lake Johnson and then winding down slope to the western end of the proposed LDR zone. In my opinion the road proposed by the submitter would have significant adverse effects on the ONL from both the Wakatipu Basin side of the landform and also from the Frankton side where the landforms provide an important back drop to urban development.
- 10.11** The lower areas, the terraces, are a mix of glacial and alluvial deposits which have been deposited and then eroded by the Shotover River and by tributary creeks. The two terraces onto which it is proposed to apply LDR zoning are areas of relatively flat pasture, contained by a combination of topography and tall exotic vegetation, mainly poplars with conifers and eucalyptus around the margins on the steeper enclosing escarpments. These terraces are contained within the area identified as RLC in the PDP and are consequently a part of the area considered by WBLUPS, and will not be commented on further here.
- 10.12** Consequently, I consider that the relief requested relating to the higher land within the ONL should not be granted.

## Submission 396

- 10.13** Submission 396 requests that land contained within Lots 1 and 2 DP486552, which is bisected by the ONL boundary on Ferry Hill, should be rezoned RR. This land is partially zoned RL and partially Rural in the PDP and is illustrated on the plan below .

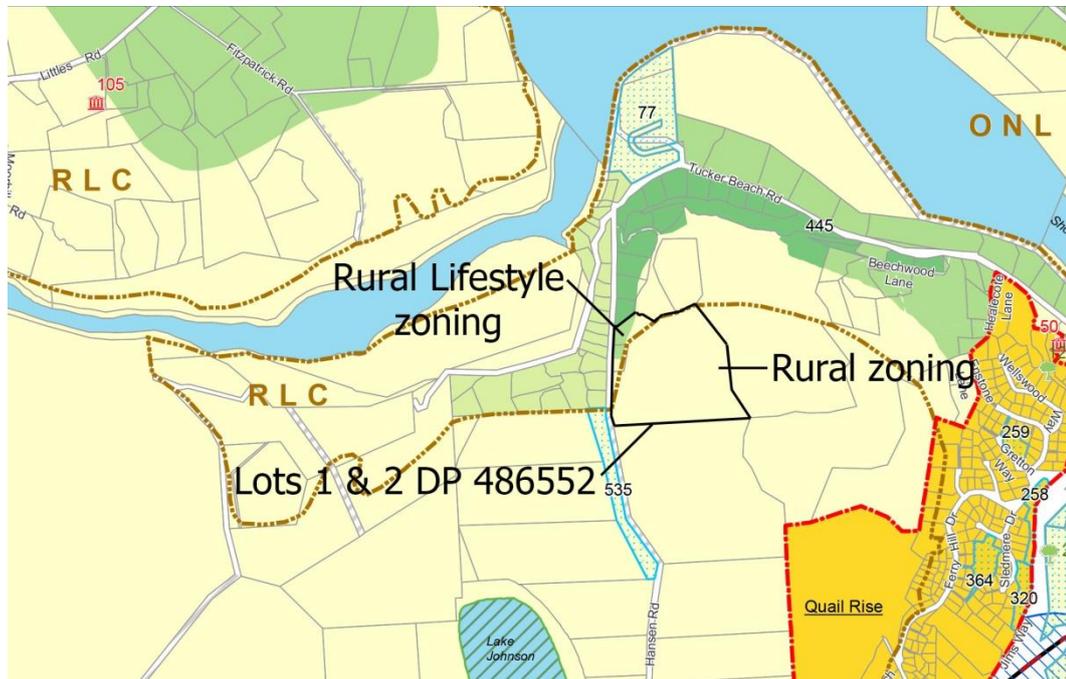


Figure 17: Extract from PDP planning Map 31 showing Lots 1 & 2 DP486552 subject to submission 396.

- 10.14** An area of 0.69ha, comprising a part of each lot and adjacent to Hansen Road, is zoned RL. Given that the minimum lot size in the RL zone is 1ha with an average of 2ha, this zoning is curious.
- 10.15** The balance of the area, part of each lot, is zoned Rural, and the ONL boundary bisects Lot 2. Two areas of R zoned land comprise a triangle of land immediately adjacent to Hansen Road of 0.32ha and an irregularly shaped piece of land to its north of 0.43ha.
- 10.16** This area of land was considered by the Environment Court. The ONL boundary as notified in the PDP was that which was favoured by the Court in its decision (the HIL application discussed above). It is my opinion that the (anomalous) RL zoning could be appropriately replaced with RR zoning with no significant adverse effect on the quality or character of the landscape. Further, the triangular area

between the ONL line, Hansen Road and the boundary of Lot 1 DP486552 could also be so zoned.

- 10.17** The area of Lot 2 DP 486552 to the north of the ONL line would enable development to extend up the slope of the hill to a higher elevation than any currently allowed for on this side of Ferry Hill. I consider that this would have a significant adverse effect on the landscape quality and character and on the visual amenity of residents and visitors to the Wakatipu Basin. It is my opinion that this aspect of the relief sought should be denied.

### **Submission 501(3)**

- 10.18** Submission 501(3) requests that two areas of land close to Lake Johnson be rezoned from Rural to Rural Residential or Rural Lifestyle.

- 10.19** The submitter proposes the rezoning of two areas of land. The first is located to the south west of Lake Johnson within an elevated valley between the hill to the west of the lake and a knob to the lake's south west (K No 2). The second wraps around Lake Johnson encompassing the southern two thirds of its western side, and all of its southern and eastern sides. To the north this proposed area overlaps that discussed in paragraphs 10.4 - 10.12 above with regard to submission **338**.

- 10.20** The new areas proposed by this submitter for rezoning are located adjacent to and into the margins of Lake Johnson. Lake Johnson is accessed by Hansen Road from the Frankton side, and a walking track now links this end of Hansen Road with the northern end of the same road which rises to the south from Tuckers Beach Road. The lake is small (approximately 25ha in area) and almost rectangular with its long axis running almost due north to south. The land rises steeply to the east, south and west of the lake, with a lower, more gentle slope to the north where the outlet is located. While the predominant vegetation in the vicinity is modified pasture, indigenous shrubs are evident, along with some exotic weeds, on the steepest slopes. Willows line the lake margins and Lombardy poplars are present. The character of the vicinity is highly picturesque and rural,

with a strong sense of seclusion and remoteness despite its close proximity to Frankton. It is a popular fishing location and is described by the Otago Fish and Game Council as one of the area's "gems."<sup>15</sup>

**10.21** The areas proposed to be rezoned are quite substantial. The more westerly area is in the vicinity of 25 to 30ha in area and the more easterly area, excluding the land discussed with regard to submission 338, is in the vicinity of 60ha.<sup>16</sup> This could result in approximately 30 dwellings at RL density or 153 at RR density. Either scenario would result in a dramatic and complete change in character of the vicinity of the lake from one of peaceful seclusion to one of semi urban (at Rural Residential density) or peri urban (at Rural Lifestyle density) residential character. In my opinion this would not manage the landscape to protect it from the adverse effects of subdivision, use and development.<sup>17</sup>

**10.22** Two dwellings are present at the southern end of the Lake, both within the area under consideration. I have not visited either of these properties but both have views over Lake Johnson and open land to their north. They are relatively secluded, being located in a dead end road, and have high amenity provided by this and by their highly picturesque landscape setting. In my opinion, development such as that which would be facilitated by the zone change proposed by this submitter would alter the character of the surrounding landscape, and the visual, and other, amenity it provides the residents of these dwellings. I consider that these effects would adverse and very significant extent.

**10.23** It is my opinion that the relief requested by the submitter should be not be granted.

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15 New Zealand Fish and Game Council, Otago Region. "Wakatipu Gems". Pamphlet downloaded 7th April 2017.

16 These areas are very approximate, estimated from Council's GIS mapping.

17 [CB6] Landscape Objective 6.3.1

**11. PENINSULA HILL: SUBMISSIONS 48, 425, 429, 501(2), 533, AND 661<sup>18</sup>**

**Submissions 533 and 661**

- 11.1** These submissions both relate to the same area of land. This is a strip of land located between Peninsula Road and State Highway 6 adjacent to the Kawarau Bridge and extending to the intersection between those two roads. It is approximately 750m long and 100m wide. Under the PDP it is zoned Rural and it is included within the ONL. It is also included within the UGB, that is, it is identified for possible urban expansion. The subject site is clad with a mix of indigenous and exotic species. It has moderately high natural character. It slopes steeply from side to side. The site to the west is zoned HDR and is, in part, the location of the Hilton Hotel.
- 11.2** Submission **533** requests that the site be removed from the ONL and that it be included within the UGB. They further request that it be rezoned HDR. As noted, this site is already within the UGB.
- 11.3** Submission **661** similarly requests that the site be removed from the ONL and that it be included within the UGB. They request that it be rezoned LDR and provide a possible structure plan for the site. As noted, this site is already within the UGB.
- 11.4** In determining the appropriate location of the ONL boundary in my report to Council in 2014, which is as it has been notified in this vicinity, I considered the following:
- (a) all Rural zoned land has to have a landscape classification;
  - (b) there are three options: Outstanding Natural Landscape (or Feature); Visual Amenity Landscape; Other Rural Landscape. The first two are defined in the ODP (under the auspices of which the mapping was undertaken), the third is not;
  - (c) the locations of boundaries in the ODP Appendix 8 maps;
  - (d) Peninsula Hill is identified as an ONL, and the boundary of that ONL on the ODP Appendix 8A maps was located along the LDR zone boundary until it reached this site, where it

followed Peninsula Road until it met State Highway 6, which it followed southwards. The decision which put the boundary in this location does not discuss the location of this boundary at all (C90/2005).<sup>19</sup> The focus of the case was the location of the ONL boundary in the Jacks Point area and the line adopted in that regard happened to continue around Peninsula Hill in this location;

- (e) the Kawarau River was not given any landscape classification in the Appendix 8A maps, despite generally being considered to be an ONF, and being included within the ONL of the Remarkables Range approximately 2km downstream from the Kawarau dam. At the same time the Lake and its margins were also generally considered to be ONL. While I appreciate that the dam affects the flow of the river, it remains unaltered from day to day and flows at a natural rate. The margins of the river in the reach between the dam and the start of the ONL on the ODP Appendix 8A map are indistinguishable from those further downstream. Therefore the entire river should be categorised as part of the ONL. This left the lot in question sandwiched between two ONLs; and
- (f) the natural character of the subject site is moderately high. It has a different vegetative covering to the ONL above, but one which, weeds aside, is probably more similar to the natural vegetation which would be anticipated higher on the slopes which are largely clad with grasses and infested with hawthorn and *Lupinus arboria*. It has none of the 'cloak of human activity' which is the description of a VAL, and is far too small to be a landscape in its own right anyway. Consequently the only other option was Other Rural Landscape. Given the qualities of the site, its inclusion within the ONL is, in my mind, entirely appropriate.

**11.5** It is the case that the subject site abuts HDR zoning to its west and LDR to its south, in the latter case along approximately 50% of its length. It is also bounded by roads on two sides. Consequently, while I consider it appropriately identified as ONL, the contribution

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19 *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* EnvC Christchurch C90/05, 28 June 2005.

which it makes to that ONL in a broader sense is limited, particularly when the development anticipated on the adjacent land is considered.

- 11.6** For these reasons, it is my opinion that the rezoning of this piece of land can be considered appropriate.
- 11.7** Two options have been presented, LDR and HDR. As noted above the site abuts HDR to its west, and is down slope over half of its length from LDR zoned land. I understand that the HDR land immediately adjacent to this site has been subdivided for LDR type development. I am not aware of any land use consents in this existing HDR zoned area however. In my opinion the site could absorb both types of development and the decision as to which type of zoning to apply should be made on bases other than landscape considerations. I note that I do not support the limited LDR development proposed in the Baxter plan included in the submission, considering it to be an inefficient use of the site.
- 11.8** Consequently, I consider that the relief sought by the submitters can be granted.

#### **Submission 48**

- 11.9** This submission relates to a small area of land upslope of the site which was the focus of the previous submissions **533** and **661**. It entails two lots, Lots 3 and 4 DP27200 which encompass a total area of 1.1ha. They are currently zoned Rural in the PDP and are included within the ONL. The submitter seeks that these two lots be rezoned LDR. While the submitter does not request that the ONL boundary be moved, this would be a necessary consequence of rezoning this land.
- 11.10** The more easterly of the two lots has a large and fairly prominent dwelling on it; the more westerly is bare land. The westerly lot almost adjoins the LDR zone, which extends approximately 90 vertical metres up slope. The LDR in this vicinity, and extending to the west around most of Peninsula Hill to a similar altitude, is undeveloped. Downslope of the area is the location of the area of Rural zoned land discussed above.

- 11.11** The submission includes, as supporting documentation, a landscape assessment undertaken in 2000 which was provided in support of the application to construct the house on the more easterly lot. This assesses the lower slopes of Peninsula Hill in the vicinity of this site as VAL (under the ODP). This assessment, and the current submission, both rely on the location of the LDR zoning to support the suitability of the site for the existing dwelling, in the first instance, and in the suitability of the site for rezoning, in the second. I note for completeness that this assessment was undertaken before the Environment Court cases which discussed the minimum size of a landscape (C73/2002),<sup>20</sup> before the *Trident* case<sup>21</sup> which determined that all Rural General zoned land had to have a landscape classification under the QLDC District Plan, and before the decision<sup>22</sup> which identified the landscape classifications of the vicinity and which included this site within the ONL of Peninsula Hill.
- 11.12** There are only two things that distinguish these sites from the ONL upslope and to the east of them, and that is the dwelling and the fact that the empty lot is clearer of regenerating indigenous vegetation and weeds. While only one dwelling currently exists on the eastern of the two lots, the combined land area is such that approximately 16 LDR lots could be created. While Rural zoning continues to exist downslope also, I consider that this would appear as sprawl along the roadway, should the existing LDR zoning be developed. In the meantime, it would appear as an incoherent knot of dwellings in a prominent location on an ONL. Should the land downslope of the subject site be rezoned as either LDR or HDR, the situation would change.
- 11.13** If residential development were anticipated on the land below the subject site, either at LDR or HDR density, then extending the LDR zoning to these lots would have a much diminished effect on the overall landscape. Dwellings on these lots would then be seen behind other buildings rather than a natural landscape. In terms of

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20 *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* EnvC Christchurch C73/2002, 26 June 2002.

21 *Queenstown Lakes District Council v Trident International Limited* HC Christchurch CIV 2004-485-002426, 15 March 2005.

22 *Wakatipu Environmental Society Inc v Queenstown Lakes District Council* EnvC Christchurch C90/05, 28 June 2005.

the landscape character, it would be significantly more urban, even without development of the LDR land above the road.

**11.14** Consequently, from a landscape perspective I consider that submissions **48**, **533** and **661** are interrelated. If the relief requested by submissions **533** and **661** is granted, then the effects of granting the relief requested by submission **48** would be insignificant. If the relief sought by **533** and **661** is not granted, then it is my opinion that the relief sought by submission **48** would have adverse effects of significant extent and which would lead me to consider that it should not be granted.

#### **Submission 429**

**11.15** Submission **429** relates to an area of land in Peninsula Road in close proximity of the sites of Submissions **533**, **661** and **48**. The submission requests the rezoning of a 3.5ha portion of Lot 2 DP 390970. The larger lot is currently zoned LDR and the submitter is seeking HDR zoning over this smaller portion. The area concerned is located immediately adjacent to Peninsula Road. It rises fairly steeply from the road before levelling off somewhat. At approximately the 400m contour the steepness of the slope increases again. I note that the western boundary of Lot 2 DP 390970 is not shown on the Baxter Design Group (**BDG**) plan of the proposed rezoning included in the submission. The land is vegetated with a mix of wilding exotics (notably conifers and hawthorn), grasses and regenerating indigenous vegetation.

**11.16** The land to the immediate north of the site is zoned HDR. The lower north western portion of this HDR zone is the location of the Hilton Hotel. I understand that the balance of the HDR zone upslope and to the east of the hotel has been subdivided to LDR standards, but I am unsure if any development has been consented on this land. As this land is steep, LDR development will have a strong built form, particularly in views across the lake. By this I mean that the trees, gardens and lawns usually characteristic of LDR development are unlikely to be evident.

**11.17** HDR development of the proposed area would be seen as slightly separated from the development downslope, particularly as a 'no build' area is proposed along the northern margin. In my opinion this 'no build' area provides no desirable landscape function and I am uncertain as to why it has been included. Without this break HDR development within this area would appear as a logical continuation of the development on the lower slopes to the north. The surrounding LDR zoning would, when developed, assist in blending this type of development into the landscape. Should the surrounding LDR land remain undeveloped it would continue to provide an attractive backdrop to the development on the lower slopes below the road, and to this area of HDR. This is particularly the case as the area proposed to be rezoned HDR has the most gentle terrain in this vicinity.

**11.18** Consequently, I consider that the relief requested by the submitter could be granted.

#### **Submission 501(2)**

**11.19** Submission 501 relates to the land to the east of the previous two submissions, located on the floor of the Coneburn Valley between the eastern side of Peninsula Hill and the foot of the Remarkables. This area of land is relatively flat, sloping slightly to the west, and is in open pasture, with areas of exotic trees, mainly as shelter belts or in association with water courses. It is classified as Rural Landscape Classification (RLC) in the PDP. The Kawarau River runs across its northern extent and the Jacks Point zone, specifically the Hanley Downs portion of that zone, abuts it to the south. State Highway 6 forms its eastern boundary until that road turns west towards Peninsula Hill. At this point the eastern boundary follows, approximately, the foot of the mountains. The western boundary is the bottom of the Peninsula Hill escarpment. The valley floor runs north – south.

**11.20** The submitter seeks that the Urban Growth Boundary be redrawn to incorporate this area of land within it. They do not seek to rezone any of the land from its existing Rural zoning, so appear to be making the point that this area of land is suitable for future urban development.

**11.21** I concur with the submitter for the following reasons:

- (a) the land is relatively flat, and lies well to the sun;
- (b) the land is located between two nodes of existing development, Jacks Point and Frankton / Kelvin Heights. Future urban development would connect these two enabling more efficient servicing and a more coherent urban form;
- (c) the ONLs of the Remarkables to the east and Peninsula Hill to the west are so dominant that urban development on these flats would not detract from the character and quality of these landscapes;
- (d) the land has excellent views to the north to Coronet Peak, to the east to the Remarkables, west to Peninsula Hill and, from more easterly locations, south to Cecil Peak and Bayonet Peaks. This would assist in ensuring development had high amenity; and
- (e) the development of this valley floor could alleviate the development pressure which exists within the Wakatipu Basin which is a much more sensitive landscape.

**11.22** For these reasons I consider that the relief sought by the submitter should be granted.

### **Submission 425**

**11.23** Submission 425 requests rezoning of a number of areas in the vicinity of Kelvin Heights. This evidence relates to two only, which are requests for extensions to the LDR zoning on Peninsula Hill.

**11.24** Peninsula Hill is identified in the PDP as part of an ONL. The boundary of that landscape follows the boundary of the LDR zone around the western end of the hill. From a landscape perspective, the location of the zone boundary is moderately incoherent, with linear boundaries zigzagging up and down the hillside with little relationship to topography, character, or landscape quality nor, it would appear, to the actual development potential of the land.

- 11.25** The submission is accompanied by a “Site assessment and Recommendations for Amendments to Existing Low Density Zone” prepared by BDG. This describes the purpose of the proposed rezoning of the two areas of Rural land to LDR as being to “better reflect the contour line”. It also comments that moving the ONL boundary would “...give that line a more appropriate siting”. They do not appear to actually suggest a new location. Should rezoning of Rural land occur, the ONL boundary would have to be moved to the new zone boundary.
- 11.26** Two extensions are proposed to the existing LDR zoning. I will deal with each separately.
- 11.27** The first is an area located on the north west facing slope of a spur located above undeveloped LDR land in Peninsula Road. I note that the northern margin of this area, on Peninsula Road, is also subject to this submission and a request for rezoning to MDR and a Local Shopping Precinct;
- (a) the area is a long, relatively narrow strip of land encompassing an area of 6.11ha. It is predominantly pastoral in character, but with scattered indigenous scrub and the odd wilding conifer. A shallow terrace is located within the area with an irrigation dam located on it;
  - (b) currently approximately 1ha of the LDR zone is located above the 400m contour just to the east of the subject area. The area it is proposed to rezone to better reflect the contours, would mean that the LDR zone boundary would extend to approximately 430masl and the area of land above the 400m contour would be increased to approximately 6ha. It is hard to reconcile this with the intent to better reflect the contours of the land; and
  - (c) the existing zone boundary drops to a sharp corner at its south western end. This is particularly incoherent in terms of the topography and contour, and development to this boundary could give rise to adverse effects on the appreciation of the landscape upslope. It is my opinion that the zone boundary would be more coherent, and give rise to

more appropriate development, if it were located along the 400masl contour which would effectively round off this corner of the Rural zone. I have shown this proposed zone extension on a modified version of the BDG plan provided with the submission and attached it to this evidence as **Appendix 2**.

**11.28** The second area is to the south east of the first and located on the south western side of Peninsula Hill;

- (a) a valley runs up the slope of the hill to the north east. It has a rather more domesticated character than the rest of the hill, being the location of a dwelling, in its lower reaches, and clusters of exotic trees. A road winds up through the valley, which used to give access to Deer Park Heights when it was open to the public. The enclosing spur to the north is moderately steep and narrow. The enclosing spur to the south is wide and with a gently rolling topography. It is a relatively prominent area, being visible from much of Queenstown and from Kelvin Heights;
- (b) currently the lower reaches of the hill are zoned LDR. The boundary of the zone cuts across the slope in a straight line from approximately 380masl at its north western end to approximately 470masl at its south eastern. For comparison the highest point of Vancouver Terrace on Queenstown Hill is approximately 500masl. The area it is proposed to rezone LDR encompasses 11.99ha of land occupying the centre of the valley itself and its eastern flank; and
- (c) it is my opinion that there is some merit to the idea of making the LDR boundary in this area more coherent from a landscape perspective. Ideally this would be done by lowering the boundary of the zone so that it only encompassed the lower, less steep slopes. I do not consider that it is necessary, or desirable, however, to rezone a full 11.99ha of land to accomplish this. I have located, on the attached plan (**Appendix 2**) modified from that provided by BDG, the areas which I consider could be appropriately rezoned from Rural to LDR in order to make

the boundaries of the zone more coherent. This would have the effect of providing for some more development on the broader, rolling slopes while making the development area better fit the topography of the site. A better fit with the topography of the hill would better manage the outstanding qualities of the Rural landscape. This is in contrast to the proposed extension along the western flank of the spur, which would significantly impinge on the ONL while not, in my opinion, significantly improving the coherence of the zoning.

**11.29** As a consequence of this analysis I consider that the relief requested by the submitter could be granted in part. I consider that the ONL boundary could be appropriately located along the new zone boundaries in the locations identified.

## **12. KINGSTON HIGHWAY: SUBMISSIONS 328, 361, 431, 447, AND 715<sup>23</sup>**

### **Submission 328**

**12.1** Submission **328** requests that the block of land legally described as Lots 4 & 5 DP 24790 and Sections 42 & 43 Block XII Coneburn Survey District be rezoned RL zone. It is identified on the aerial in **Figure 17** below. The submission also requests amendments to the RL zone provisions and to the subdivision rules (Chapter 27), which are issues which have already been heard in earlier hearing streams. My evidence relies on the Right of Reply version of these chapters in making this assessment.

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23 Section 42A Reports 1B (715) and 2 (328, 361, 447, and 710)



Figure 17: Aerial from Council's GIS identifying the property (by both blue and yellow outlines) which is the subject of submission 328.

- 12.2** The subject site encompasses an area of 10.7299ha in total, but is divided into two by Boyd Road, the western area encompassing approximately 3.7ha and the eastern area approximately 7ha. Two dwellings are present on the site, one located within each area.
- 12.3** The subject site extends over a portion of the valley floor along its south eastern margins. Towards the river it encompasses a terrace escarpment and most of a narrow lower terrace located above the river. This terrace is arguably within the river margins. The notified boundary of the ONL, which incorporates the river corridor, is located along the marginal strip which follows the river edge in this vicinity. Consequently the site is immediately adjacent to the ONL.
- 12.4** Land to the south and east of the subject site is open farmland. The land to the north on the true left of the Kowarau River is within the Remarkables Park Zone. The activity areas of the Remarkables Park Structure Plan for this land encompasses activity area 2a, adjacent to the river, with a maximum building height of 10m, and activity areas 3 and 7 which both allow for buildings up to 21m in height. Consequently the subject site is anticipated to be across the river from a highly urbanised area.

- 12.5** The subject site has been the location of a tree nursery and is currently divided into blocks by substantial shelter planting. Poplars, eucalyptus and clusters of amenity trees are located along the terrace escarpment and within the lower terrace area. The river corridor is densely vegetated with willows. While there could be no requirement that these trees remained, the mature trees contribute significantly to the amenity of the site.
- 12.6** Subdivision at the RL density as provided for in the Right of Reply version of the PDP allows for a minimum lot size of 1ha with an average of 2ha at the time of subdivision. This would mean that the western block could not be subdivided further, and that the eastern block could be subdivided into three lots allowing for two more dwellings. It is my opinion that the landscape of the site and its vicinity could absorb this level of development.
- 12.7** I consider that the relief sought by the submitter could be granted.

### **Submission 361**

- 12.8** Submission 361 seeks the rezoning of a site in the Kingston Road (State Highway 6) from Rural to Industrial B. The submitter also requests a number of site specific rules to be included in the Industrial B zone objectives, policies and rules. The site encompasses five separate titles owned by three different owners and it comprises approximately 63.25ha in area. The submission is accompanied by a Landscape Assessment Report provided by Michelle Snodgrass Landscape Architecture.
- 12.9** In addition to requesting the rezoning of the land from Rural to Business and Industrial, the submission requests modifications to the Business and Industrial Areas Objectives, Policies and the Business & Industrial Area B Rules.<sup>24</sup> They propose a specific structure plan for the area, which reflects the Landscape Assessment undertaken by Ms Snodgrass, and request rule changes which reflect this. These include:

ODP Provision	Activity Status (or compliance status)	Proposed amendment or inclusion	Proposed Activity Status (or non-compliance status)
11.5.5			
(16) Offices other than those ancillary to a permitted use.	Prohibited	(16a) Any offices in AA1A	Restricted Discretionary
(20) Residential activities	Prohibited	(20a) Custodial units	Non-complying
(23) Retail activities	Non-complying	(23a) Retail activities	Permitted
11.5.6			
(6) Earthworks >100m <sup>3</sup> , 200m <sup>2</sup> , <7m from a water body, etc	Restricted discretionary	(6) This rule does not apply to Industrial B – Coneburn.	
(10) Building height 7m	Non-complying	(10a) Height limits to vary according to location within the area: Height A – 6.5m Height B – 7m Height C – 7.5m Height D – 9m Height E – 12m	Non-complying
(18) Building Coverage	Non-complying	(18a) Building Coverage AA1 (Large Lot) 40% AA2 60%	Non-Complying
(20) Landscaping		Propose specific landscaping requirements.	

**12.10** The submission also requests a number of alterations to Chapter 27 Subdivision but I shall not comment on these here.

**12.11** The site is located on the lower slopes of the Remarkables range. Ms Snodgrass has accurately described the site and its context in some detail and I shall not repeat that here. Suffice it to say that the site of the proposed rezoning has been and continues to be significantly modified by the quarrying of gravel; the deposition of cleanfill; and the spread of exotic vegetation.

**12.12** There are two aspects of the context of the site which Ms Snodgrass has not considered. These are its proximity to Jacks Point, in

particular to the Hanley Downs portion of that development, and its proximity to the ONL of the Remarkables.

- 12.13** Approximately 50% of the subject site is due east of the northern, Hanley Downs portion of the Jacks Point Zone, which is located on the opposite side of State Highway 6 (SH6). While the portion of that zone directly opposite the subject site is zoned Open Space Landscape,<sup>25</sup> which limits activities to farming and indigenous revegetation, it nonetheless forms the northern end of a relatively dense urban development area.
- 12.14** Woolshed Road, which exits from the Jacks Point zone adjacent to the proposed Industrial Zone is anticipated to become a key access to the Jacks Point zone as it develops. As Jacks Point, and particularly the Hanley Downs portion of the zone is developed, the character of the area will change regardless of the degree of visibility of actual dwellings from the Highway. There will be more traffic; there will be more signage, even if only directional signage; there will be a bus service, there will be development visible from the highway; there will be an increase in the 'manicured' areas adjacent to the State Highway and to development areas. All of these activities will result in the rural character of the vicinity being diminished and a more peri-urban character evolving.
- 12.15** Ms Snodgrass notes that the subject site is located within the Rural Landscape Classification of the Coneburn Valley and she identifies when this was determined. She does not identify that the boundary between that classification and the ONL of the Remarkables runs close to the eastern boundary of the subject site along its more northern reaches and coincides with the boundary of the site around its south eastern corner. It actually includes a small area of the subject site at its southern end within the ONL.
- 12.16** Consequently, the subject site is located in an area that is both likely to become more domesticated and urbanised as development at Jacks Point expands, and which is also adjacent to the ONL of the Remarkables.

**12.17** The current uses of the site are industrial, but a form of industrial which does not require extensive buildings, and which does not involve a lot of people. I am unable to assess the full visual effects of the proposed rezoning, because no height poles were located on the site at the time of my site visit to indicate the extent of the various development areas, and the permissible built heights within them. I note that the proposed changes to Chapter 11 of the ODP would make retail a permitted activity and offices in part of the site a restricted discretionary activity. These are activities which potentially would bring many more people onto the site with effects on the landscape character of the vicinity. I note that Ms Snodgrass describes this as urban character, and I agree with this characterisation.

**12.18** I agree with Ms Snodgrass that the site is capable of absorbing some development. This is largely because of the naturally hummocky topography which has been exaggerated by the effects of quarrying, and by its existing industrial use. I also agree that the protection of open space, particularly along the state highway, is a positive aspect of the proposal. I am concerned, however, that the proposal would allow for a considerable amount of built form, the effects of which have not been adequately determined.

**12.19** Consequently I consider that the relief requested should not be granted unless additional satisfactory information can be provided by the submitter as to the effects of the built form permitted by the proposed industrial zoning.

#### **Submission 715: Jacks Point Homestead Bay**

**12.20** Submission **715** applies to an area of land within the Jacks Point zone and to land adjacent and to the east of it. The subject site, which the submission describes as Lots 1 – 7 DP 452315 and Lot 8 DP 443832, encompasses the area of land between the Jacks Point portion of the Jacks Point Zone and Lakeside Estates to the south, and the incorporates the southern side of Jacks Point hill. In total it is approximately 300ha in area.

- 12.21** The subject site, in the main, is comprised of outwash materials and it has the form of an outwash plain located between the Remarkables range to the east and Jacks Point hill and the lake to the west. Jacks Point hill, a roche moutonnée, encloses the western side of the northern part of the site. In the main the site slopes fairly gently from the State Highway towards the lake. An elevated knob is present roughly central to the site, and approximately 850m from the State Highway. To the west of this knob a steep but shallow escarpment drops towards the lake. From its foot the land slopes somewhat more steeply towards the lake beach. Three gullies cut through the site. The more southern of these extends from the boundary of the State Highway and extends along the boundary with Lakeside Estates. The second is located to the west of this and does not extend right across the site. The third is located in the north western corner of the site and it drains north to south into the lake close to the foot of Jacks Point hill.
- 12.22** A node of development exists along the foot of Jacks Point Hill in the north west of the site including a historic woolshed, several houses and farm buildings. A second node of development, the NZone base and facilities, is located in the north eastern portion of the site, approximately 500m from the State Highway.
- 12.23** The character of the wider site is typical of open pastoral farming. Paddocks are large. Conifer shelter belts running east to west bisect the landscape. The steeper slopes within the site, limited to the walls of the gullies and the steep escarpment facing the lake, have some scattered indigenous vegetation present but also briar and elder. Exotic amenity trees have been planted in the north western portion of the site, marking the entrance to the homestead, and scattered along the lower reaches of the Homestead Bay itself. Jacks Point hill, in contrast to the balance of the site, is steep and rocky with extensive areas of regenerating indigenous vegetation.
- 12.24** Expansive views are possible across the site from some portions of the adjacent State Highway where they are not blocked by the conifer shelter belts or by road side planting. (The eastern boundary of the site is 1.4km long and approximately 1km is open to the road.) These views are over sweeping pasture to Cecil Peak and the Bayonet

Peaks with the surface of the lake visible. In my opinion these views have high scenic value.

**12.25** Approximately 25% of the total area is subject, under the PDP to the Jacks Point Zone, the balance being zoned Rural. The submitter requests changes to the structure plan, both spatially and in terms of the rules and activity areas within the Structure Plan area. I restrict my comments here to the submission as lodged, but understand that amended plans which I have been provided with by the submitter, are to be submitted in evidence.

**12.26** I note that Jacks Point hill is identified as ONL in the PDP. I agree with this classification but consider that the boundary of the ONL within the Homestead Bay area is incorrectly located within the PDP. I include the following map to illustrate where I consider the ONL boundary to be more appropriately located, but note that this has not been checked on the ground at this point and so should be considered to be indicative only. The red line is the ONL boundary as notified, the blue line is my indicative line.

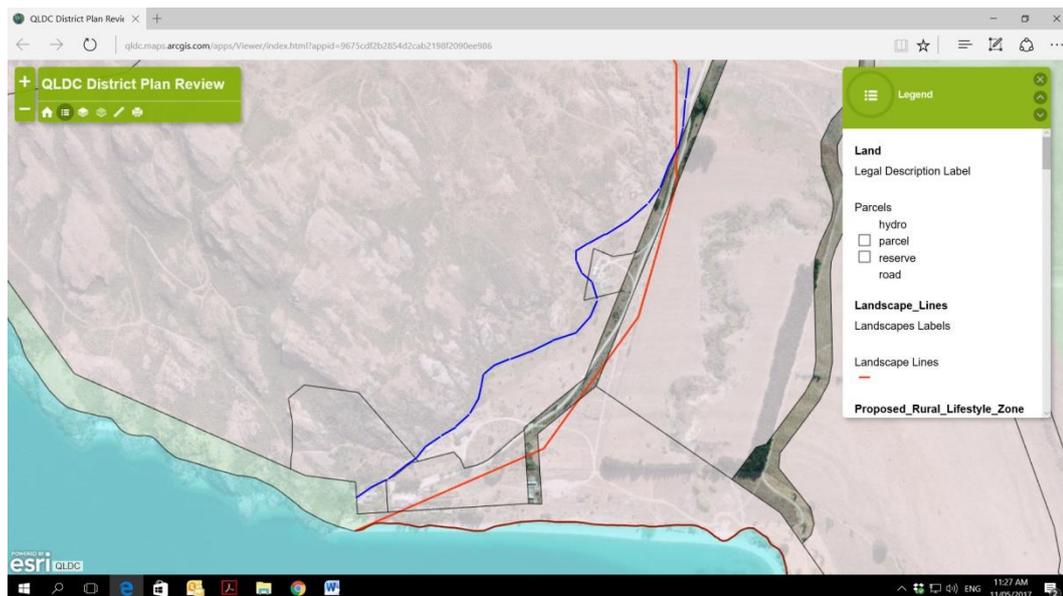


Figure 18. Screen shot of Council's ArcGIS map showing the notified ONL boundary in red, and my proposed ONL line in blue.

**12.27** Two activity areas are proposed to remain as currently defined. These are the Village Activity Area and the Boating Facilities Activity Area. All other activity areas are proposed to change spatially as follows:

- (a) **Farm Buildings and Craft Activity Area (FBA).** This area is located adjacent to the foot of Jacks Point hill and encompasses the node of residential and farm buildings. Under the PDP (Right of Reply version), 'the use of this area is limited to the existing residence, farm buildings and buildings and activities associated with craft and farming related activities, retail sales of goods produced or reared on site, a farm stay and a bed and breakfast operation'<sup>26</sup>. It is proposed to delete this area from the structure plan and for the land to be rezoned a mix of Open Space Residential (OSR) with the potential for the construction of 12 dwellings, and an area of Open Space Foreshore (OSF).
- (b) **Open Space Foreshore.** The OSF is for 'The regeneration of native endemic species over 80% of the land area, and retention of open space'<sup>27</sup>. A large area of OSF to the east of the FBA has been split into three new activity areas. The most southerly portion it to remain OSF. A central portion is proposed to become Residential (Homestead Bay) E. The more northerly portion is to become Open Space Landscape (OSL). The nature of development within these areas is to be the same as for Jacks Point, and I understand this would facilitate the development of 37 dwellings within the R(HB) E area.
- (c) **Open Space Horticulture.** This area is located further to the east again. Under the PDP this activity area is for 'Horticultural activities and accessory buildings and activities, and residential activities'. It is located on the gently sloping area to the west of the escarpment described above. It is proposed to delete this activity area, and that land within it should become 'Residential (HB) D'. It is also proposed that this area should be extended further to the east above the escarpment and south so that its eastern boundary would be located approximately along the summit of the knob described above. This expanded area would allow for the development of 343 dwellings.
- (d) **Open Space Residential.** This area currently continues to the south along the lower level adjacent to the lake with its

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26 [SSB92] , 41.5.1.15  
27 Ibid 41.5.1.13

eastern boundary following the escarpment. It is proposed to extend this area to the south and east remaining to the west of the large gully which transects the site. This would encompass an area of 35ha in total, and would allow for the construction of 29 dwellings.

- (e) Three further R(HB-SH) activity areas are proposed. These are all to the east of the R(HB) D area described above. Proposed R(HB-SH) A is approximately 350m from the State Highway. Proposed R(HB-SH) C is to its south west and approximately 400m from the State Highway. Proposed (R(HB-SH) B is located to the west of both of these activity areas, to the east of the R(HB) D area discussed above. All three are located in relatively shallow depressions.
- (f) The land along the northern portion of the site, encompassing the NZone facilities and runway, is proposed to be rezoned Open Space Landscape. This activity area restricts activities to pastoral and arable farming, endemic revegetation, and pedestrian and cycle trails. The submission proposes amending this provision to allow for the NZone activities. In the north eastern corner of the site an Education Innovation Campus was proposed. This activity area has been removed from the Jacks Point Zone in the Right of Reply Version. I understand that this has been removed from consideration by the submitter.
- (g) The eastern boundary of the site, plus the margin adjacent to Lakeside Estates to the south, is to be OSL. It is also proposed to amend the OSL provisions to allow for one dwelling so that this area can be operated as a small farm.
- (h) The open space between the proposed pods of residential development is proposed to be OSA, providing for public open space but also for the location of services.

**12.28** The proposed alterations to the structure plan within the existing zone would allow for a much greater density of development than the current structure plan. The current structure plan activity areas are prescriptive, bespoke, and very low density. The proposed changes would result in development of a more similar character to that within Jacks Point. It is my opinion that the effects of such intensification would be localised. While it would produce a slightly more urban

character to the residential development in the existing zone, the existence of the Village AA and the BFAA would provide an urban style heart to the area anyway. Development under the existing structure plan would be visible from the surface of the lake. The proposed intensification would increase the density of visible development but not alter its character appreciably.

**12.29** Currently it would appear that the proposed OSR activity area at the base of Jacks Point hill is bisected by the notified ONL boundary. As noted above, I consider that the ONL boundary is incorrectly located on the PDP maps. Once corrected the western boundary of this activity area could be appropriately located on or just to the east of the ONL boundary.

**12.30** Under the existing rules 80% of the freehold land in the OSF activity area must be planted with native endemic species before any residential units can be constructed within the OSH, OSR, FBA and V(HD) activity areas.<sup>28</sup> The submitter seeks the deletion of this rule. In my opinion this rule was always extremely onerous. Its deletion, however, would mean that no method remained to ensure that the purpose of the activity area was fulfilled. Consequently, it remains my opinion that in order to maintain the character of the development as it was intended, and so as to blend it with the balance of Jacks Point, some revegetation should be required. I consider that this could be restricted to the gully which bisects the OSF area and which forms a notable feature of this vicinity. This area is illustrated in the image below. I consider an appropriate alternative rule would be:

- (a) In the OSH, OSR, FBA and V(HD) Activity Areas, no residential units may be constructed until a revegetation plan, including species lists, planting density, and weed and pest control strategies is approved by Council for the gully area identified on the Structure Plan. This plan shall detail a five year planting programme, and a further five year maintenance plan. The goal of the programme shall be to achieve a self-sustaining colony of appropriate indigenous vegetation within ten years. There may be a walking/cycling track constructed within the gully. The plan shall commence

execution within the first available planting season following its approval.

**12.31** The submission also seeks the deletion of Rule 41.5.2.7 (as notified, 41.5.3.7 RoR version) which requires that at least 50% of any site within the OSR to be planted in native vegetation, prior to building. This is both onerous and could result in a haphazard planting pattern. Further, there is no requirement for the ongoing maintenance of this planting. Consequently I consider that this rule could be deleted.

**12.32** It appears from Rules 41.5.12 and 41.5.3.7 that an intention for this part of the Jacks Point zone is to enhance its natural character. While this is a laudable intention, the fact remains that most of the proposed development areas are highly modified and lack any remnant indigenous vegetation to provide a framework for future planting. The gullies running through the site are the exception to this. Further, the development areas closest to the lake are quite discrete and development within them would only be experienced from within the zone, or from on the lakes surface. Consequently there is limited need for vegetation for visual mitigation. I would support a direction within the plan that indicated that indigenous vegetation was to be preferred over exotic (possibly by requiring that at least 80% of all planting undertaken was indigenous) but do not consider it necessary that there should be minimum areas of planting required. I consider that retaining landscaping as a matter of control in regard to the construction of dwellings is adequate in the OSR area to ensure that future dwellings are appropriately absorbed into their landscape contexts. The extension of the R(HB)D area to the east is also problematic in my opinion. It appears that the eastern boundary of the activity area is proposed to run along the elevated ridgeline (through the knob) which runs more or less parallel to the lake edge. Development kept below this ridge would not be visible from the State Highway. In my opinion the boundary of this area should be located further to the west so as to ensure that dwellings and other aspects of development (amenity trees for example) would not be readily visible from the State Highway.

**12.33** The extension of the OSR to the south and east also raises the potential for residential development to become visible from the State

Highway, although in this case it would be very low density at approximately one dwelling per hectare. While most of this area would be screened from view from the road by the topography, the more elevated and easterly areas could be exposed. The gully which bisects the site offers some opportunity to provide screening through the indigenous revegetation of its margins. This would enhance the natural character of the gully and wider landscape while providing some visual mitigation of built form.

**12.34** The proposed R(HB-SH)A, B and C are problematic, in my opinion. All three are proposed to be located in shallow hollows in the land with public open space on the elevated land. This is the direct opposite of the development pattern within Jacks Point, where dwellings are located on the ridges, and the gullies are the public open space. The hollows are shallow and residential development within them would be prominent without extensive earthworks to lower ground levels and create mounding along the eastern side of each area. While a combination of such mounding along with planting might succeed in limiting the visibility of residential development from the State Highway, it would, in and of itself, have an adverse effect on the quality and character of the landscape, and on the visual amenity which can currently be enjoyed from the road in this vicinity. It is also the case that much of the development in these proposed areas would be readily visible from the residential areas already present in Jacks Point, in particular R(JP-SH) 1 and R(JP) 1. This would have an adverse effect on the visual amenity which these residents currently enjoy. I consider that these areas should be subsumed within the OSL, however, a margin of OSA to the east of R(HB) D would be a positive inclusion providing a buffer between agricultural activities and the residential area.

**12.35** A modified structure plan relating to activity areas R(HB-SH)A, B and C has recently been submitted. These activity areas have been altered spatially, and further information as to intended mitigation has been provided. The mitigation is to take the form of a combination of earthworks and planting. At this stage a full assessment of this mitigation has not been undertaken. It is intended that this will be completed prior to the hearing for this stream, and will be reported on in rebuttal evidence.

- 12.36** The OSL area adjacent to the highway is intended to allow for one dwelling in order that it could be managed as a small farm. I consider that this use of this area would be entirely appropriate but consider that the location of a building platform and accessory buildings should be identified as a part of the rezoning proposal. Alternatively, a requirement for the identification of a homesite similar to those of the Tablelands, would be an appropriate method of managing this, noting that the requirement for revegetation which exists for the Tablelands would not be necessary or appropriate in this location.
- 12.37** It appears to me that the application of OSL over the NZone site would be problematic as this overlay facilitates farming but not commercial recreation. The OSG overlay could remedy this.
- 12.38** In conclusion, in terms of the alterations to the zone which are proposed by the submitter, I consider that the intensification of the existing zone and its minor extensions could be adequately absorbed by the landscape. I do not consider that the R(HB-SH) A, B and C areas could be appropriately absorbed, proposed mitigation having its own significant adverse effects. Consequently I consider that the relief sought by the submitter can be partially granted.

#### **Submission 431**

- 12.39** Submission 431 requests that their property located at Wye Creek adjacent to the Queenstown Kingston Highway be rezoned RL. The site is legally described as Lot 1 DP 474749 and it comprises an area of 5.8ha. It is identified in the aerial in **Figure 19** below. The submission also requests amendments to the RL Zone provisions and to the subdivision rules (Chapter 27) which are issues which have already been heard in earlier hearing streams. This evidence relies on the Right of Reply version of these chapters in making this assessment.



Figure 19: Aerial of the vicinity of Wye Creek showing the site subject to submission 431.

- 12.40** The Wye Creek outwash fan comprises a mix of outwash and glacial materials which form an elevated fan at the point where Wye Creek drops from the Remarkables range and enters Lake Wakatipu. The fan is a reasonably gently sloping area in its more eastern and central areas, dropping fairly steeply to the lake along its more western edge.
- 12.41** The subject site is located on the northern side of the creek and comprises a slightly hummocky area declining, generally, towards the lake. Extensive indigenous planting has been undertaken on the site, particularly around the margins of the site, but also within it interspersed between open grassed areas.
- 12.42** The Wye Creek outwash fan is zoned Rural under the PDP, and is a part of the ONL of the Remarkables and Lake Wakatipu. The northern part of the fan is the location of a row of sixteen rural residential lots, each of approximately 3000m<sup>2</sup> in area. They are located, in the main, on the more steeply sloping part of the outwash fan. There is no proposal to rezone these lots. Development on these lots has been sensitively done, overall, and extensive

indigenous planting amongst these dwellings has successfully integrated them into the landscape. The location of most of the lots on the steeper slope towards the lake, plus planting and spontaneous vegetation close to the Highway, means that the presence of residential development is not obvious for passers-by. This means that residential development does not detract from views of the lake and surrounding mountains.

**12.43** In my opinion, without the indigenous vegetation which has been planted over recent years, the site would be unlikely to absorb residential development at the RL density. As vegetation is vulnerable to intentional removal and to loss by fire and disease, reliance on it to enable residential development with little natural topographical containment would be undesirable.

**12.44** Consequently, it is my opinion that the relief sought by the submitter should not be granted.

#### **Submission 447**

**12.45** Submission 447 seeks the rezoning of two areas of land Rural Residential. I will deal with these areas separately.

#### **Area 1**

**12.46** Area 1 is located just to the south of the Wye Creek outwash fan, between State Highway 6 and the Lake. It is illustrated below on an aerial taken from the submission.



Figure 20: Aerial of the vicinity just south of Wye Creek showing the location and extent of Area 1 of submission 447 (taken and adapted from the submission).

- 12.47** The submission does not identify the area entailed, but it is approximately 2ha in area as measured off Council's GIS maps.
- 12.48** The submission states that the purpose of this proposed rezoning is not to enable rural residential development but to facilitate the establishment of a new homestead and farm building complex. It continues to discuss a proposal to establish, within the QLDC District Plan, an equivalent to the Farm Base Area (**FBA**) concept which has been established within the Mackenzie District Plan. I understand that these are identified areas on large (1000ha+) properties within which the development of farm dwellings, staff accommodation, and farm buildings would be facilitated as either permitted or controlled activities. I consider that the idea of the inclusion of such areas on large properties within QLDC has merit, but consider that the identification of these areas would require landscape assessment input. The submission states that in the Mackenzie District these FBAs can range in size from 10 to 200ha in area. I consider that 1 to 10 hectares with a controlled activity regime for development would

be more appropriate in this District. I recognise that this is probably out of scope for this hearing stream, however.

**12.49** While I consider that the area of land identified above could absorb some development, under the Rural Residential zoning proposed this could entail the establishment of approximately four dwellings. While control would still be imposed on the construction of these dwellings there is no control over landscaping and this could result in a node of domestication within an ONL.

**12.50** For these reasons I consider that the relief requested should not be granted.

## **Area 2**

**12.51** Area 2 is located approximately 14km south of Area 1 and 2km south of Staircase Creek to the east of State Highway. It encompasses the existing farm curtilage including two dwellings, a shearing shed and various other farm buildings and areas of pasture. It is illustrated on the aerial below, taken from the submission.

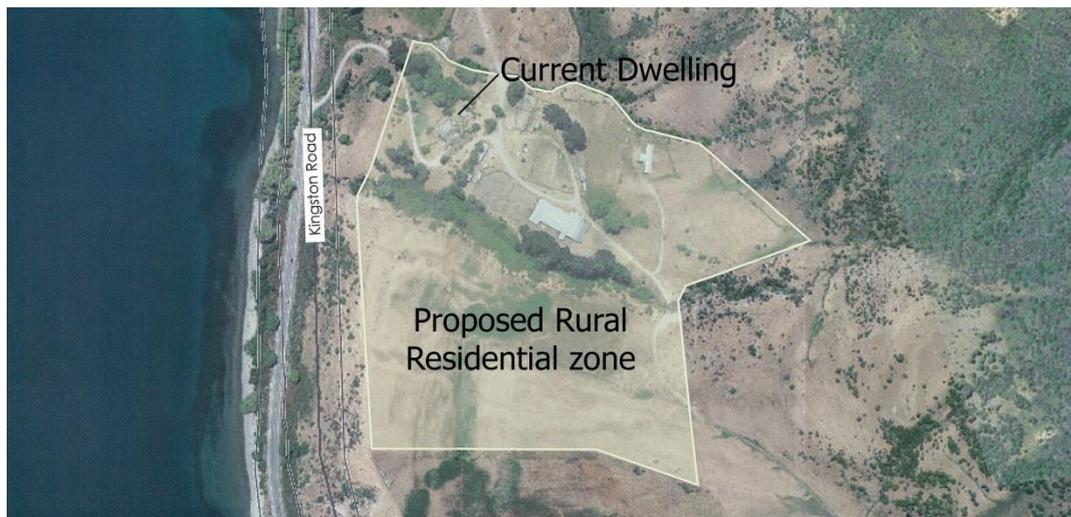


Figure 21: Aerial showing the location and extent of Area 2 of submission 447 (taken and adapted from the submission).

**12.52** While not identified in the submission the area proposed for rezoning encompasses approximately 11ha. It is located predominantly on lake beach deposits elevated above the State Highway and the

existing lake level, although the more easterly portion of the site begins to rise up the mountainside. The more southern portion of the site is relatively flat, the more northern more hilly and broken in terrain. The farm homestead is located on a lower terrace, the farm buildings on a higher terrace and a second dwelling, visible to the right in this panorama, is located on a steeper part of the site. The area in which the existing development is located slopes, overall, to the north west.

**12.53** While I recognise that the submission states that this is not the intention, under the proposed Rural Residential zoning the proposed area could produce approximately 18 dwellings. This would alter the character of the landscape in this vicinity significantly, creating a node of near urban character.

**12.54** As with Area 1 I consider that the area could absorb some development but that the proposed Rural Residential zoning is not appropriate. Consequently I consider that the relief requested should not be granted.

**13. KINGSTON: SUBMISSIONS 689, 826 AND 848<sup>29</sup>**

**Landscape Context**

**13.1** Kingston is located at the southern end of Lake Wakatipu. The landscape of the township and its vicinity is that of the end of a glacial valley. The lake sides are steep and on the western side in particular, they drop precipitously to the water. On the eastern side of the lake outwash fans and lake beach terraces follow the margin of the lake creating a hummocky shelf. The township is located in an area that would once have been lake bed, and the township and its southern environs are contained by the moraine which extends across the valley.

**13.2** The township is split into two areas, the existing township on the edge of the lake, and the Kingston Special Zone which is located to its south. This anticipates a significant extension to the urban development within the town. It is contained by the moraine and lake

terrace landforms, and by the railway line which loops across the valley floor and back behind the existing township.

- 13.3** Outside of the township zones on the beach terraces and outwash fans, the landscape is largely open and pastoral in character. To the north and to the east this rapidly becomes more enclosed, and as the land becomes steeper more indigenous vegetation is present. To the west of the lake the mountainsides are clearly clad in regenerating indigenous forest.
- 13.4** The PDP classifies the entire area outside of the Township Zone and Special Zone as ONL. While the vegetation cover of much of the lake terrace and the moraine landscape is modified by farming, its formative processes remain readily legible. Remnant indigenous vegetation is present in patches on steeper or rocky parts of the landscape. The mountains to the east and west, and the lake dominate the landscape. In addition the area encompassed by the lake terrace shelf and the moraine are not sufficiently large or distinct enough for either or both to be a landscape in its own right.
- 13.5** Consequently I consider that the assessment of the entire landscape outside of the township and special zones as ONL is appropriate.

#### **Submission 689**

- 13.6** Submitter 689 seeks the rezoning of 3.9ha of land notified Rural in the PDP to Township, Kingston Village or Low Density Residential. The land is located in the Kingston Garston Road. It is a single lot which is approximately square being edged by the State Highway on one side; the Kingston Camping Ground (zoned Township) to its north; an area zoned Township to its west; and the railway line to its south west. The land immediately to the south west of the railway line is zoned Kingston Special Zone. In other words, this site is an isolated plot of Rural land surrounded on three sides by either existing or anticipated urban development. It is illustrated in the image below.



Figure 23: Extract from PDP planning map 39b showing site subject to submission 689 highlighted in green.

**13.7** While the subject site is currently part of the rural fringe of Kingston, as land in the Special Zone is developed it will appear more and more anachronistic. On its own it contributes little to the quality or character of the wider landscape. As a consequence I consider that the relief requested could be granted.

### Submission 826

**13.8** Submitter **826** seeks the rezoning of 39.3304ha of land notified Rural in the PDP. The land is located in the Kingston Garston Road on its eastern side. It is an approximately 'L' shaped block with a small lot excised from its north western side, which is the location of a small cottage surrounded by large trees. It is an open, largely flat pastoral block located between the road and the hummocky lower slopes of the mountains behind. It is separated from the rest of Kingston by the

State Highway. While it does not contribute any particularly notable qualities to the landscape, it does provide visual access to the mountains to its east. The submitter seeks a mix of residential and commercial land uses, but does not nominate a particular zoning.

- 13.9** The subject site is outside of both the apparent boundary of the town and the landforms which contain it. Rezoning this land would appear as sprawl out of the containing landforms, and over the containing highway into a different character area. For these reasons I do not support the relief requested by the submitter.

### **Submission 848**

- 13.10** Submitter **848** seeks the rezoning of 20ha (Section 7 Block 1 Kingston SD) of land zoned Rural in the PDP. The land is located in the Glen Nevis Station Road which turns to the north east off the Kingston Queenstown Road approximately 1km from the Kingston turn off. It is located on a gently sloping area of lake beach deposits, with its south eastern boundary close to the steeper mountainside. This block also does not contribute any particularly notable qualities to the landscape, but is an important part of the foreground to the mountain chain behind. The applicant proposes that the zoning of this lot should be Large Lot Residential.

- 13.11** Large Lot Residential is a new zone which is proposed in the PDP. Chapter 11 gives the purpose of the LLR zone as providing low density living opportunities within defined Urban Growth Boundaries. The zone also serves as a buffer between higher density residential areas and rural areas that are located outside of Urban Growth Boundaries.

- 13.12** The subject site is not within a UGB, noting that none has been included in the Kingston area. Further, it is an isolated site contained within a rural landscape, and not associated in any way with the urban area of Kingston. Consequently development of this site under this zone would not provide any buffering effect, rather creating an isolated node of relatively dense residential development within a rural landscape.

**13.13** I consider that the effect of this potential development on the character of the landscape would be adverse and significant. Development on the site would not be visible from either the State Highway or from Kingston Township, at least while the existing mature trees on the larger site remain. Effects of the development outside of the site – the sealing of the access road; the probable array of letterboxes adjacent to the State Highway; smoke from chimneys; increased vehicle movements – would all affect rural and visual amenity to a degree. I consider that the adverse effects of the proposed development would be significant and adverse. Consequently I am opposed to the relief requested by the submitter.

**14. GLENORCHY ROAD: SUBMISSIONS 168, 243, 298, 694, 712, AND 811<sup>30</sup>**

**Submissions 243, 595 and 811 – Matakauri Lodge**

**14.1** Submitters **243** and **811** object to the establishment of a Visitor Accommodation Sub Zone over the Rural Lifestyle zone for the Matakauri Lodge site in Farrycroft Row, legally described as Lot 2 DP 27037. Submitter **595** supports the establishment of the VA sub zone on the Matakauri Lodge site.

**14.2** The site is, and has been, zoned Rural Lifestyle. It is located in Farrycroft Row which wraps around the base of an unnamed roche moutonnée located to the east of Wilsons Bay. The site has been progressively cleared of wilding conifers, which infest the majority of the hill, and very dense indigenous planting has been undertaken. The site is roughly rectangular and wraps around the hill below the private access road. It descends reasonably steeply towards the lake, more so at its southern end. A marginal strip approximately 45m wide separates the property from the Lake below.

**14.3** The Lodge has been developed on the site via a series of resource consents which date back to the 1990s. It comprises a number of buildings (six) arrayed across the site which are becoming well absorbed into the indigenous planting on the site.

- 14.4** Under the Rural Lifestyle Zone rules it is required that a building platform be identified at the time of subdivision. The construction of a dwelling on that platform is permitted provided performance standards are met. No building may have a footprint of greater than 500m<sup>2</sup>, otherwise a restricted discretionary consent is required. On sites greater than 2ha (the subject site is 3.6ha) there shall be no more than one residential unit per 2ha.
- 14.5** The subject site does not, to my knowledge, include a building platform. It is occupied by six buildings. At least one of these exceeds 500m<sup>2</sup> in floor area.
- 14.6** The notified Visitor Accommodation Sub Zone would enable the construction of further buildings on the site. I am unclear as to the precise floor area of the existing buildings, but Submitter 811 claims it is in excess of 2000m<sup>2</sup>. The proposed zoning would allow for a total site coverage of 2500m<sup>2</sup> which, at the scale of the existing buildings, would mean one more building as a permitted activity. It is my opinion that, given the locations of the existing buildings, the site could absorb this level of development from a landscape perspective.
- 14.7** Should further development be desired, the PDP would require a restricted discretionary consent with the matters of discretion set out at 22.5.13. In my opinion these matters are adequate to ensure that the impact of further buildings on neighbours and on the character and amenity of the vicinity would be appropriately considered.
- 14.8** Consequently in my opinion the removal of the VA sub zone as sought by submissions **243** and **811** should not be granted. Conversely, I consider submission **595** should be accepted.

#### **Submissions 168 and 298: Wilsons Bay**

- 14.1** Submission **168** requests the removal of the ONL from Wilsons Bay, but does not specify where the ONL boundary should be. The PDP identifies all of the Rural zoned land in the vicinity as ONL. This is mainly elevated land with high natural character and which is a part of the mountains which enclose Lake Wakatipu. It is my opinion that the ONL classification is appropriate and that the relief requested by the

submitter should not be granted. Submission **168** also requests that the four zones in Wilsons Bay be addressed, but gives no detail as to what they specifically request in terms of zoning. For these reasons it is my opinion that the relief requested by submission 168 should not be granted.

- 14.2** Submission **298** relates to an area of land to the north of the roche moutonnée on which Matakauri Lodge is located, between Close Burn and Seven Mile Creek. It comprises land on a steep hillside which rises from the Queenstown Glenorchy Road to the top boundary at a maximum height of approximately 740masl. It is clad almost entirely with wilding conifers which have infested most of the Close Burn catchment. I include an aerial photograph identifying the area in question.

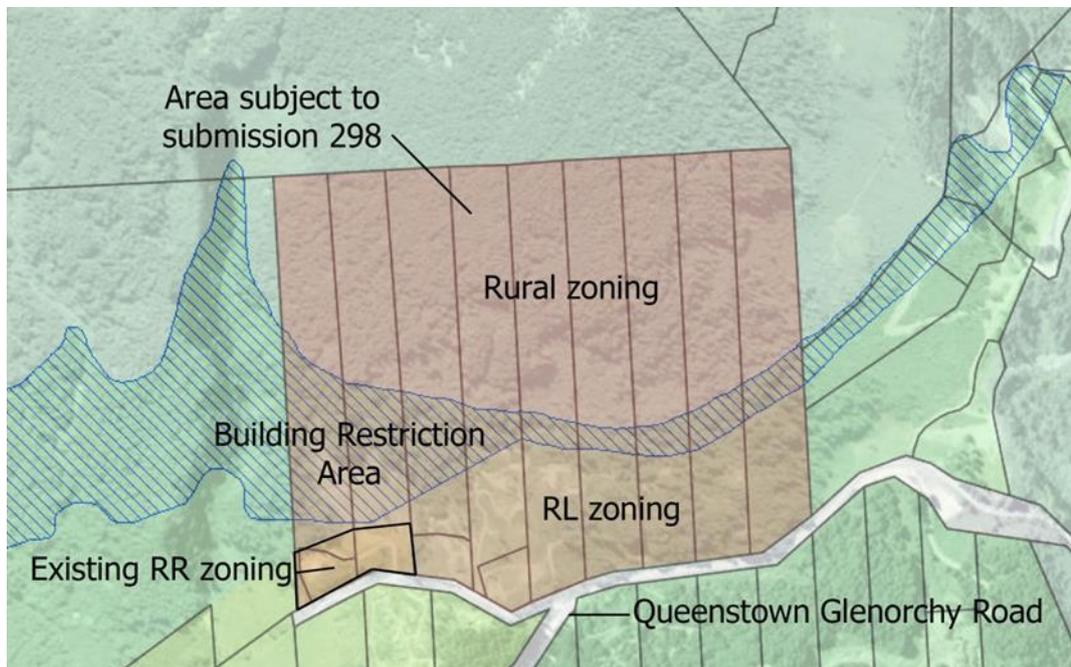


Figure 24: Aerial of the Closeburn area showing the extent of the land subject to submission 298

- 14.3** The area of land has been notified with three zones as well as Building Restriction Areas. Above the Building Restriction Area the land is zoned Rural. The Building Restriction Area is located below this, extending approximately 20 vertical metres across most of the face, but descending at its western end to encompass much of the lower Close Burn catchment. Its underlying zoning is Rural Lifestyle. The land downslope of the Building Restriction Area is zoned Rural

Lifestyle. The land is divided into a series of long, narrow lots each of approximately 5ha in area, although small lots of around 0.5ha have been created towards the western end of the area. The south western corner of the area is zoned Rural Residential.

- 14.4** The land presents as a very steep hillside clad with wilding conifers. While aerial photographs show there to be a number of buildings located within the trees, these are not evident from the Queenstown Glenorchy Road when travelling west. Glimpses of development within the area are evident from that road when travelling east. The areas of the lots downslope of the Building Restriction Area (zoned Rural Lifestyle) range from approximately 4300m<sup>2</sup> (on a lot which has been subdivided) to 1.8ha. Upslope of the building restriction area the land is zoned Rural and is identified as a part of the ONL of Bowen Peak and Ben Lomond.
- 14.5** Submission **298** requests that the Building Restriction Area be removed from the vicinity and that the RL zoned land be rezoned Rural Residential.
- 14.6** Rezoning the land Rural Residential and uplifting the Building Restriction Area would allow for significantly more development than is currently possible under the Rural Lifestyle zoning. It would result in 19ha of RR zoning which could result in approximately 32 dwellings at RR density (7 existing and 25 additional). Rezoning all of the Rural Lifestyle zoned land but retaining the Building Restriction Area would result in an additional 11ha of RR zoning with the potential for 19 dwellings. Under the existing zoning, including allowing for residences on the two undersized RL lots, 11 dwellings would be anticipated in total.
- 14.7** Having more residential development in this vicinity would have the positive effect of resulting in the felling of wilding conifers. There would be no requirement for any replacement planting, however, and the result would likely be a large number of readily visible dwellings with a consequent reduction in the natural character and rural qualities of the vicinity. Further, the steepness of the slope would mean extensive earthworks would be necessary to create access

ways and to establish building platforms. I consider that, in balance, the adverse effects of this level of development would outweigh these positive effects.

**14.8** I am not aware of the history of the establishment of the Building Restriction Area. It is clearly intended, however, to restrict residential development to the lower slopes. A similar effect would be achieved by locating the boundary of the RL zone on the down slope margin of it.

**14.9** It is my opinion that the relief requested by submission **298** should not be granted.

#### **Submissions 694 and 712: Bobs Cove**

**14.10** Bobs Cove is a bay located between a roche moutonnée adjacent to the lake and the southern end of the Richardson Mountains. This hill is interesting for the presence of limestone and the outcrop is listed in the New Zealand Geopreservation Inventory as a feature of national importance and one which is moderately vulnerable to modification by humans. Historic lime kilns are present in the bay, as are wilding eucalyptus, which are the offspring of trees planted to provide the kilns with fuel in the nineteenth century. These eucalyptus grow within indigenous forest which is present on the hill, around the margin of the bay, and on the mountainside to its north. The Rural zoned land in the vicinity, which incorporates the hill and the mountainside to the north, are assessed as being part of the ONL of the Lake and of the Richardson Mountains.

**14.11** Within this highly natural and highly scenic landscape is located an area of Rural Residential zoned land. The more northerly and easterly portions of this zoning have been developed. The southern and western portions are currently under development.

**14.12** Submission **694** requests that the objectives, policies and rules that pertain to the Bobs Cove Rural Residential Sub Zone be deleted from the PDP and the zone revert to Rural Residential. I have already provided evidence to the Rural Hearing Stream **[CB47]**. My conclusions in that instance were that the relief requested by the

submitter should not be granted, and I have not been made cognisant of any new information to make me change my mind.

**14.13** Submitter **712** requests that the Bobs Cove Rural Residential Sub Zone be deleted from the plan and replaced with the general Rural Residential zoning. They request that the objectives and policies pertaining to the Bobs Cover RRSZ be retained, however. In addition they request that an area of land currently zoned Rural should be rezoned Rural Residential.

**14.14** I have noted my opposition to the deletion of the Sub Zone above and will not repeat that here.

**14.15** With regard to the rezoning of the Rural zoned land, it comprises an area of 0.34ha. It is accessed down a private driveway which extends from an existing road within the south western corner of the development area. This land comprises lake terraces which step down towards the lake to the west. It is currently vegetated with indigenous forest containing some eucalyptus and hawthorn. It is approximately rectangular and its long axis is contiguous with the existing zone boundary.

**14.16** The rezoning of the lot would add one further dwelling to the development nearest the lake, and would extend the built development slightly to the south. In my opinion any effects which this would have on landscape character and quality or on visual amenity would be insignificant in extent. Consequently I consider that this part of the relief requested by the submitter could be granted.

## **15. GLENORCHY: SUBMISSIONS 519, 677, AND 764<sup>31</sup>**

### **Landscape context**

**15.1** The wider Glenorchy area comprises the northern extent of Lake Wakatipu, the Dart and Rees Valleys, Mount Alfred, Diamond Lake and Paradise. The low lying lands comprise glacial till in the vicinity of Paradise to the north, with the majority of the rest being post glacial flood plains. The Dart River delta is included in the New Zealand

Geopreservation Inventory as an 'Excellent example of a braided river delta entering the head of a lake'.<sup>32</sup> It is assessed as regionally important and unlikely to be adversely affected by humans. The hillocks located adjacent to the Dart River and Mount Alfred are also listed in the Inventory as, 'An excellent example of a kame field'.<sup>33</sup> It is considered to be nationally significant and moderately vulnerable to modification by humans. Schistose mountain ranges edge the area, the Humboldt Mountains to the west, the Richardson Mountains to the east and the Forbes Mountains, particularly Mount Earnslaw, to the north. Mount Alfred, a large roche moutonnée separates the Dart and Rees catchments. Mount Aspiring National Park frames the area to the north.

- 15.2** The area has been assessed as being an ONL in its entirety. This has not been challenged by any submitters, although one requests the moving of the boundary defining the ONF of Mount Alfred. The protection of ONLs from inappropriate use, subdivision and development is a matter of national importance under section 6(b) of the RMA.

#### **Submission 519 - ONF Boundary**

- 15.3** Submitter **519** requests that the boundary of the ONF of Mount Alfred be moved east, along its western side, to the foot of the slope, rather than its current location which is along the edge of the Dart River corridor.
- 15.4** The location of the ONF boundary would make farm buildings on the flats between the river and Mount Alfred a restricted discretionary activity, rather than permitted (subject to performance standards). It would make mining a discretionary activity. I consider that the area which the submitter wishes to have excluded from the feature could absorb activities such as these. I consider that the location proposed by the submitter is logical and appropriate and this is identified on the following illustration.

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32 Hayward, B W & Kenny, J A. Inventory and Maps of Important Geological Sites and Landforms in the Otago Region. Geological Society of New Zealand Miscellaneous Publication 99. P22  
33 Ibid P27

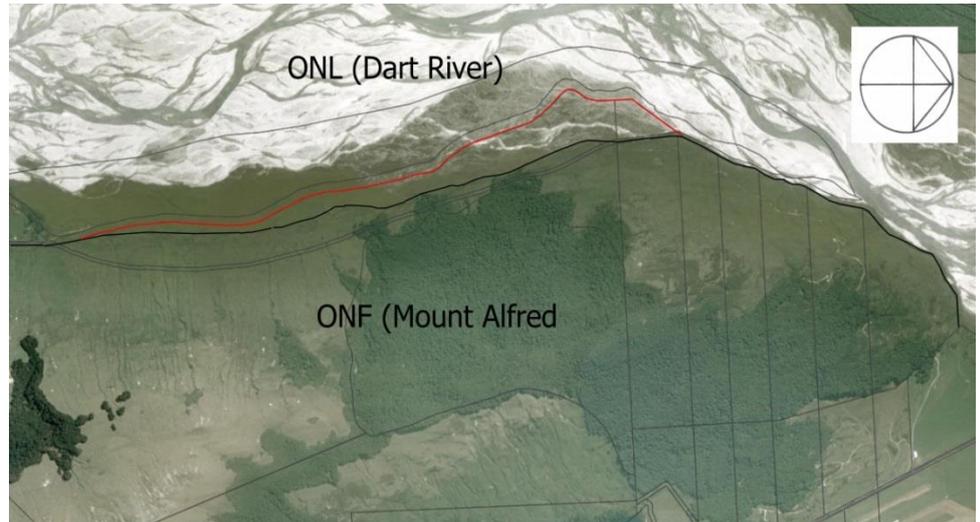


Figure 25: Amended ONF/ONL boundary along the north western edge of Mount Alfred. The red line is the notified boundary, the black line is the boundary amended in accordance with submission 519.

**15.5** I consider that the relief requested can be granted.

**Submission 677 - Rural Visitor Zone / Rural Lifestyle Zone with Rural Visitor Overlay**

**15.6** Submitter 677 owns Woodbine Station which is located on the lower slopes of the Humboldt Mountains extending onto the flats adjacent to the Dart River and into its delta. The property is approximately 8km long and it extends from 2.7km south of Kinloch to approximately 1km south of the Dart River bridge. At its more northern extreme it is mostly located on the river flats but in its more southern extreme it extends to above 900masl. This makes it prominent in views from the Queenstown Glenorchy Road, Glenorchy township, and from many public and private locations in the Glenorchy vicinity and along the eastern side of the Lake.

**15.7** It is my opinion that while there may be some potential to apply the zoning sought to small, discrete areas of the property, adjacent to Kinloch for example, the risks to the wider landscape of rezoning the entire station, effectively removing it from the ONL protections provided by the PDP, are far too great. Consequently it is my opinion that the relief requested should be denied.

## **Submission 764 – Rural Residential zoning**

- 15.1** Submission **764** relates to a block of land in the Glenorchy Paradise Road adjacent to and west of Camp Hill. This site, Lots 1 and 2 DP 395145 Sec 2 SO 404413, encompasses an area of 28.8648ha. It is roughly triangular in shape and is bisected close to its north western side by an unformed paper road. Its south western side is located on or adjacent to a terrace escarpment, and another terrace escarpment runs part way up the north western side of the site. Its eastern side sits approximately at the junction between the flatter alluvial terraces and the roche moutonnée of Camp Hill. The PDP identifies an area of Rural Residential zoning within this site and that immediately to its south west. The submission requests that the entire site be zoned Rural Residential.
- 15.2** The area notified as Rural Residential zoning in the PDP encompasses approximately 15ha of the site (as measured from Council's GIS maps) and is the same as the existing zoning under the ODP. The RR zoning forms a crescent shape which extends over the western half of the site and which drapes over the south western terrace escarpment into the adjacent property, and over the north western terrace escarpment.
- 15.3** Resource consents for two subdivisions have been granted on the subject site, both of which have expired without any development occurring. The first, RM040455 granted consent for the establishment of 36 lots within the RR zoned land and utilising all of the zoned land. The second, RM050144, granted consent for 26 residential lots partially within the zoned land and partially within the Rural General portion of the site. For comparison, the proposed extension to the zone would facilitate the development of approximately 48 lots.
- 15.4** This pocket of Rural Residential zoning is very unusual. Most Rural Residential zones in the District are located either adjacent to more dense residential development (such as around Wanaka township), or adjacent to some sort of landscape feature (such as Lake Hayes). This zone is isolated from both other residential zonings and from any notable landscape feature (although Camp Hill provides it with an

elevated back drop to the east). It is also located in an area which is strongly rural in character, in the sense that the landscape is one dominated by relatively extensive farming. It is my opinion that the development of the zone will have an adverse effect on the character and the quality of the landscape in the vicinity. This is, however, an anticipated effect.

**15.5** The configuration of the existing zoning is not particularly coherent on the ground. That is, it does not relate to the land forms or features. From a landscape perspective it would be desirable to locate development along the eastern boundary of the site where it would be backed by the landform of Camp Hill. It would also be desirable to avoid development occurring on or close to the terrace escarpments.

**15.6** It is my opinion that the zoning should be reconfigured so as to avoid any future development on or adjacent to the terrace escarpments, and to locate any future development close to the eastern boundary so that it would be backed by Camp Hill. My recommended reconfiguration of the zoning is illustrated in the following image. These alterations would reduce the extent of the adverse effects on the character and quality of the landscape of future development in accordance with the zoning and is of a comparable area allowing for a similar level of development. I do not consider that there can be any justification for increasing the area of the RR zoning in this location as the adverse effects on the landscape character and quality would be exacerbated by additional residential use. Consequently I consider that the relief requested by the submitter should be granted in part.

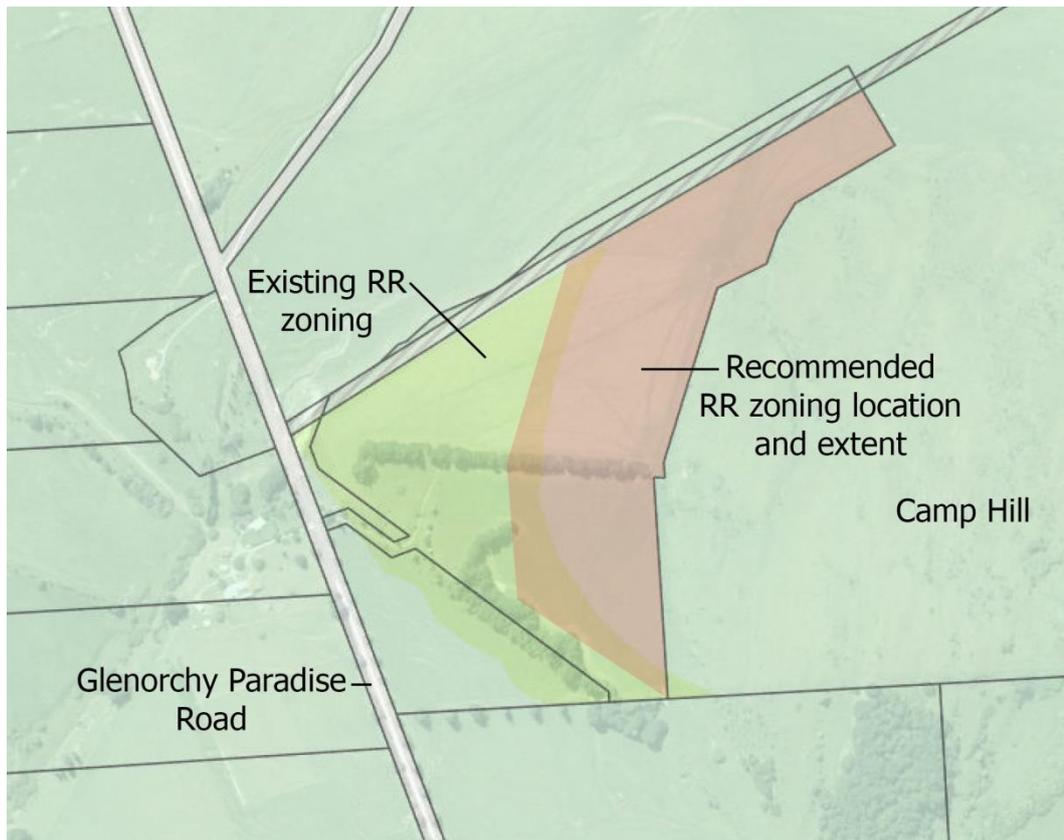


Figure 26: Aerial showing the site subject to submission 764 showing the extend of the notified RR zoning (lime green) and my proposed alternative RR zoning (pink)..

**16. ISOLATED RURAL SITES: SUBMISSIONS 393, 478 AND 607<sup>34</sup>**

**Submission 393: Queenstown Hill**

**16.1** Submission 393 requests the rezoning of an area of 114ha of land on the top of Queenstown Hill as Airport Mixed Use Zone. As the relevant chapter of the PDP is the Queenstown Airport Mixed Use Zone I assume that some modifications might need to be proposed to that chapter of the PDP, but none are included in the submission. The zone as proposed allows for any airport or airport related activity or farming activity that complies with the Plan's performance standards as a permitted activity. Other activities that are not prohibited are restricted discretionary. The performance standards include a zone setback of 5m; maximum site coverage of 75%; and a maximum building height of 15m.

- 16.2** The subject site is located on the knobbly summit of the Queenstown Hill/Sugarloaf massif. These hills comprise a schist knob with areas of alluvium and outwash gravels. The landform has very steep sides, particularly along the western side, but the top, an area of approximately 300ha, is cut with a number of creeks. A number of roads exist that provide access to the top. The main access is from a road which extends from Tuckers Beach to the township of Queenstown at the top of Queenstown Hill. A further access climbs from Goldfield Heights to the top of the landform and it is proposed that this provide access to the zone. A further access is proposed, climbing from Gorge Road in a series of switchbacks. A cable car also from Gorge Road is proposed as an alternative means of access.
- 16.3** The subject site is entirely within the ONL as notified in the PDP. No submissions have been made challenging this categorisation. The landscape of the top of the massif is one of high tussock grassland. The land is hummocky with tarns and wetlands in depressions across the landscape. The vegetation is mainly indigenous grasses and shrubs, but some improved pasture species may be present. Wilding conifers have been problematic in places.
- 16.4** The insertion of an Airport Mixed Use Zone in this location would utterly change the character of the landscape. The inclusion of large buildings with semi industrial activities, potentially a fixed wing aircraft runway, and other modifications would transform this highly natural landscape. It would be a very surprising insertion into this landscape as it is widely separated, vertically as well as horizontally, from the usual infrastructure (roads, businesses, etc) which are associated with airports. I consider that this effect on the character of the landscape would consequently be adverse and very significant in extent.
- 16.5** The visual amenity provided by the Queenstown Hill landscape is generally limited to the steep slopes around its perimeter which are visible to a very wide visual catchment. The top of the massif is only visible from very elevated locations such as the top of Ben Lomond, although oblique views are possible from locations up the Skippers

Road and Coronet Peak Road. From these elevated locations it is likely that large buildings would be visible, and possible that earthworks to level ground could be visible also. I consider that this would have a significant adverse effect on the visual amenity available from these locations, but recognising that these locations are not widely frequented, the overall threat to the visual amenity of the public would be reduced to moderately significant. The threat to the visual amenity of private views would be low. This is not the case for a possible access road or cable car in the Gorge which would have a significant adverse effect on the visual amenity of both public and private views within the landscape of the Gorge.

- 16.6** It is my opinion that the relief sought by the submitter should not be granted.

**Submission 478: Lake Wakatipu Station, Half Way Bay**

- 16.7** Submitter 478 requests that an area of land within Wakatipu Station at Half Way Bay be rezoned Rural Visitor Zone. The land is located adjacent to Lake Wakatipu on the Lochy River flats at the most easterly extent of the Station. The area it is requested to rezone comprises approximately 32ha and incorporates the Station's residences and main farming infrastructure.
- 16.8** The submission notes that Walter Peak and Cecil Peak Stations have areas zoned Rural Visitor Zone (I note that at both Walter Peak and Cecil Peak, the Rural Visitor Zone is a Special Zone (Operative)). The area so zoned at Walter Peak is approximately 156ha and at Cecil Peak Station it comprises two areas of 2ha and 1.75ha each. In the case of Walter Peak the area zoned Rural Visitor is no longer a part of the wider Station. Consequently I consider that the areas so zoned at Cecil Peak give a more reasonable comparison.
- 16.9** While located in a relatively isolated location, the Wakatipu Station flats contribute significantly to the scenic value of the southern arm of Lake Wakatipu. There is even a pull-off constructed along the State Highway to enable passers-by to stop and enjoy its contribution to the scenery. This contribution is probably highest in autumn when the colours of the exotic trees located on the valley floor create a striking

contrast with the indigenous vegetation on the surrounding mountainsides. In these views the shearing shed, which along with the yards is close to the lake for transport, is the only building visible.

**16.10** The area which is proposed to be rezoned is restricted to the river flats. The character of this small area of the station is characteristic of the intensively farmed landscapes of the District with improved pasture being the dominant vegetation and with conifer and eucalyptus shelter belts, along with poplars, willows and exotic amenity trees around the homestead area. The proposed rezoning would allow for potentially extensive development which could significantly alter the character of this area. In terms of visual amenity, the extensive development which could be possible under the proposed rezoning could have an adverse effect on the visual amenity of members of the public, increasing the built form visible within the bay. The effect on the overall view of the western shore of the lake would be small however.

**16.11** In my opinion the proposed zoning should be reduced in area and kept to the western portion of the site. This is illustrated in the following aerial, adapted from that provided in the submission. As a consequence I consider that the submission could be accepted in part.



Figure 27: Aerial adapted from submission 478 indicating area in which rezoning would be acceptable from a landscape perspective.

### **Submission 607: Walter Peak Station**

**16.12** Submission 607 requests that two areas of land at Beach Bay be rezoned Rural Visitor Zone. The existing Rural Visitor Zone (Operative) in this vicinity encompasses an area of approximately 156ha and is the location of the Real Journeys Walter Peak Tourism venture. The two areas of land for which the submission requests rezoning are an area of approximately 11ha of Crown Land in the south eastern corner of the Bay, and the second is the marginal strip adjacent to this area extending right around Beach Bay and the adjacent landform to a point approximately 2km south west of the northern point of the site. This is illustrated in the aerial below.

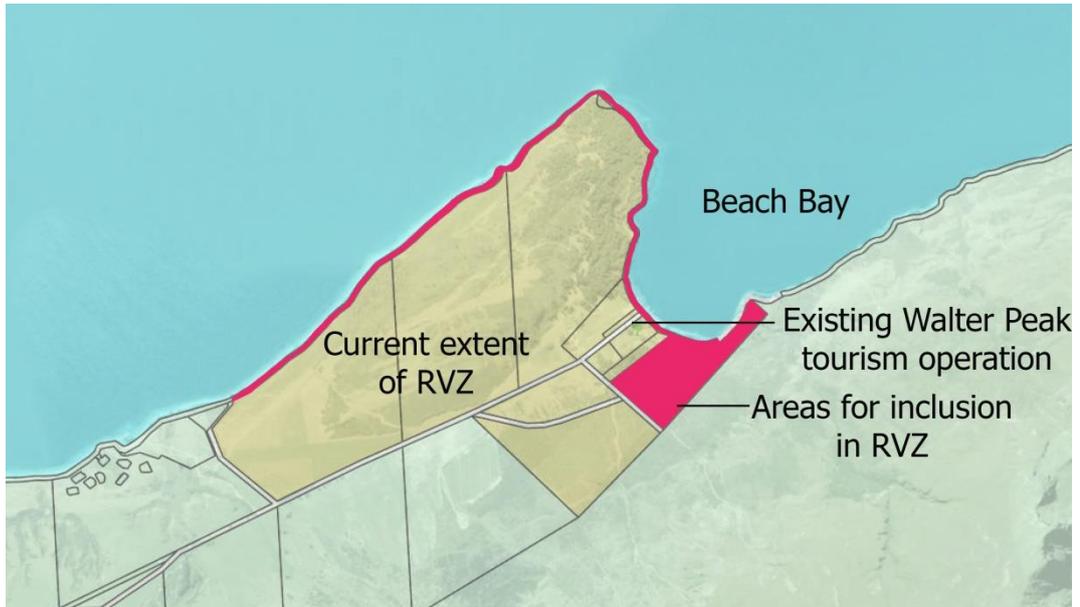


Figure 28: Aerial of Beach Bay showing extent of the current RVZ and the areas the submission requests be added to the RVZ

**16.13** The subject site comprises a roche moutonnée, in its north western portion, which has been connected with the mountainside by lake beach and alluvial deposits. This valley floor slopes gently to the north east and is the location of the Walter Peak Station homestead, and associated farm and accommodation buildings which are operated as a tourism venture. These buildings and areas of development are located in a reasonably tight cluster close to the beach and on the valley floor. In recent years there has been extensive wilding conifer clearance undertaken over the roche moutonnée. A small area of conifers remains within the southern portion of the bay.

**16.14** The area in the south eastern corner of the bay, which the submission wishes to have rezoned Rural Visitor Zone, is Crown Land administered by the Department of Conservation. It is bisected by an unformed legal road which approximately follows the foot of the mountainside. The more southerly block of land is located on the mountainside, the more northerly on the floor of the bay. It is my understanding that the Department of Conservation has not made any further submission with regard to this proposed rezoning, and I understand any development in this area would require its consent.

- 16.15** The second area which the submission requests to be included within the RVZ is the marginal strip lining the bay and edging the roche moutonnée landform. I understand that this is Crown land.
- 16.16** The entire site is considered to be within the ONL.
- 16.17** It is my opinion that the type of development that could be facilitated by the proposed zone change would, if located on the elevated slopes at the south eastern side of the bay, have an adverse effect on the landscape of the Bay and the mountainside behind. It would have an adverse effect on the visual amenity of visitors to the Bay, extending development out of the discrete cluster on the valley floor. Consequently I consider that the zone should not be extended up the mountainside. This would still allow for its extension over the more northerly of the two lots which is located adjacent to the existing development and on the floor of the valley. This is illustrated in the following image adapted from Council's GIS maps.



Figure 29: Aerial of Beach Bay showing area which could be rezoned RVZ and area which should not be rezoned.

- 16.18** The submission requests the rezoning of the marginal strip. The marginal strip is, in my opinion, a part of the ONL of the lake. While it remains zoned Rural Council is enabled to manage it so as to ensure

that any activities within it respect the integrity of that ONL. It is likely that, at least in some areas, the lake margin may enter the marginal strip. This would mean that Council is obliged to apply the strictures of s6(a) as well as s6(b) to its management. The extension of the RVZ into the marginal strip would not absolve Council of these responsibilities (and the Objectives and Policies of Chapter 6 of the PDP would still apply), but I consider it would complicate this by heightening the expectations of possible development.

**16.19** Consequently, I consider that the relief sought by the submitter could be accepted in part.

**17. GIBBSTON VALLEY: SUBMISSIONS 331 AND 827<sup>35</sup>**

**Submission 827 – Gibbston Valley Station**

**17.1** Submitter 827 requests the rezoning of a portion of the land known as Gibbston Valley Station within the Gibbston Valley. The land concerned is predominantly zoned Gibbston Character Zone with a small area zoned Rural in the PDP. The zoning requested is not specified at this stage, but appears intended to be an overlay to the Gibbston Character Zone.

**17.2** The subject site occupies the valley floor on the southern side of the Kawarau River. Geologically speaking the land forms are made up of outwash gravels that slope towards the river and which have been cut by a number of creeks and by the Nevis Cardrona fault line. The site is divided by a rocky promontory which extends north from the hills to the road margins. The existing winery is located in the most western portion of the site and is located within an area of grape vines. Two further areas of grapes are planted at the eastern most end of the site approximately 2km down the valley. The rest of the site is in pasture. Some fruit trees have been planted close to the road as a part of the mitigation planting required by the golf resort consent discussed below. A complex of bicycle and walking tracks has been completed which criss-crosses parts of the site to the north of the road, providing access to the main trail which runs above the river.

**17.3** The land in question, or at least the majority of it, is the location of a consented golf resort development (RM080864). The following development was consented on the southern side of the State Highway:

- (a) a 'Vintner's Village' with 13 buildings totalling ~ 3000m<sup>2</sup> of floor area;
- (b) 42 visitor accommodation units of up to 7m in height located to the south of the Vintner's Village;
- (c) 14 visitor accommodation units accessed from Resta Road;
- (d) a service and maintenance area including staff accommodation with 13 buildings totalling ~ 2500m<sup>2</sup> of floor area; and
- (e) a Spa complex adjacent to Toms Creek with 6 single story buildings.

**17.4** On the northern side of the highway the following development was consented:

- (a) a golf course;
- (b) 30 visitor accommodation units between the highway and the golf course;
- (c) a community building including a swimming pool and lounge; and
- (d) 13 residential units in 10 buildings.

**17.5** The requirement for extensive landscaping and environmental compensation was included in the consent. The consent has a lapse date of 17 July 2024.

**17.6** At this stage only an informal structure plan has been provided with the submission. It allows for an expansion of the tourism activities, including accommodation around the existing winery; an expansion of residential development consented to the east of the winery and south of the State Highway to approximately twice the number of dwellings consented; a new pod of worker accommodation and workshops near the eastern boundary; a new pod of worker accommodation at the western end of the property on the northern

side of the State Highway; and a new pod of tourist accommodation to the north of the existing development. The Vintner's Village of the consented development becomes a 'slightly larger town centre' in the proposed zone. A number of new areas of grape vine planting are proposed, which could provide significant visual mitigation of the proposed development areas from the State Highway.

- 17.7** The eastern area proposed for worker accommodation is located in a somewhat hidden depression located adjacent to Resta Road. It is my opinion that the inclusion of such development within this location would have insignificant visual effects. I note that Policy 23.2.1.4 of Chapter 23 Gibbston Character Zone (**GCZ**)<sup>36</sup> provides for the provision of worker accommodation. I am unable, however, to find any other supporting provisions. I consider that such development would be in keeping with the existing and anticipated viticultural character of the landscape of the valley.
- 17.8** The new pods for worker accommodation and for tourist accommodation at the western end of the site would be visually prominent from the State Highway in the absence of the vines and their support structures, which are proposed to be placed between the road and the development. I consider that relying on vegetation to screen development from view is inappropriate as it is potentially unreliable. The density of the proposed development would be critical to the extent to which this proposed zoning had an effect on the character of the landscape. I note that the PDP objectives and policies strongly emphasise the maintenance of the productive activities of the vicinity and the landscape character that has produced. Pockets of dense residential development would, in my opinion, adversely affect this wider character.
- 17.9** The new tourism activity area located around the existing winery could probably be absorbed into the vicinity, being of similar character to the existing development, and likely visually mitigated by the backdrop of the mountainside and the existing vineyard. This would be dependent on the proposed activity area not being allowed to

creep up the slope to the south of the existing development which would mean not allowing it to extend above the 380m contour.

- 17.10** An extensive pod of residential development is proposed extending for approximately 1.2km along the foot of the hillside to the south of the State Highway terminating at Resta Road. The eastern portion of this pod would be located to the south of existing vines, and it is proposed to plant further vines to the north of the western portion of this pod. The central portion of the pod is located to the south of the Vintner's Village, and new vines are also proposed to the north of that development area. The reservations expressed above, regarding relying on planting alone to mitigate visual effects, applies in the case of this proposed development pod. A greater concern is the proposed density and extent of the development. Policy 23.2.1.3 requires Council to ensure that activities not based on the rural resource of the valley occur only where the character and productivity of the valley would not be adversely affected. I consider that this pod would be of near urban character and that this would have an adverse effect on the valued character of the wider valley. This also applies to the proposal to expand the Vintner's Village.
- 17.11** Two further pods of residential development are proposed to the north of the State Highway. It is understood that these are to be very similar to the consented development and so no additional effects that have not already been considered are likely to arise.
- 17.12** Overall, in my opinion, the proposed development in combination significantly exceeds the ability of the valley landscape to absorb it. It is reliant for visual mitigation on large areas of grape vines that have not yet been planted, as I understand it, because the open pastoral areas of the site are marginal for grapes.
- 17.13** Consequently, it is my opinion that the relief sought by the submitter should not be granted.

#### **Submission 331: Waitiri Station**

- 17.14** This section relates to an area of land within Waitiri Station and located at the eastern end of the Gibbston Valley. At this point in the

valley a steeply sided peninsula extends from the lower slopes of the Pisa Range forcing the Kawarau River into a narrow gorge. On the eastern side of the peninsula this river gorge descends to Roaring Meg. A knob (A371) is located at the south western end of this peninsula and it rises to 475masl. To its east the top of the peninsula forms a relatively flat shelf at approximately 500m wide at approximately 340masl. This shelf extends northwards past the knob for almost 2km and encompasses the balance of the top of the peninsula. While relatively flat overall, the land slopes slightly upwards to the north and is slightly scooped in cross section, the western side being slightly higher than the eastern side. While the steep slopes of the peninsula are zoned Rural, a portion of the top, approximately 90ha in area is zoned GCZ.

- 17.15** The steep slopes of the peninsula and the mountains to the north are clad with rough grasses and a mix of indigenous and exotic scrub. The land on the top of the peninsula, in contrast, comprises cultivated and irrigated pasture. A shearing shed is present, which is visible from the State Highway to the north, and a dwelling and sheds which are not visible. In addition there are conifer shelter belts. In all, the upper surface of the peninsula is much more domesticated, in the sense of being tamed, than the surrounding ONL.
- 17.16** Submission **331** requests that an area of the upper surface of the peninsula be rezoned Rural Lifestyle. The area concerned does not quite coincide with the area of GCZ. The eastern boundary of the proposed RL zone is further east than the boundary of the GCZ and the northern boundary of the proposed RL zone is further north. While I have undertaken a site visit to the property, there were no pegs or identifiable features to enable me to identify the extent of the proposed zone on the ground.
- 17.17** A resource consent (RM010169) exists for a residential subdivision of the property to create twenty 2ha lots and which is due to expire, following an extension, on 10<sup>th</sup> September 2017. Lots 1 to 10 are arrayed along the eastern ridgeline and would likely be visible from State Highway 6, at least when travelling south from Roaring Meg. Lots 11 to 20 are arrayed to the east of the knob and are unlikely to

give rise to development which would be visible from outside of the site. The proposal incorporates a vineyard occupying a part of what is currently open pasture.

**17.18** I consider that there is potential for the landscape of this feature (the peninsula) to absorb some residential development. Subdivision at the RL density could mean in the region of thirty four lots and dwellings however. While some dwellings could, be located as to not be at all visible from the State Highway 6 thus to avoid any adverse effects on the surrounding ONL, it is doubtful that the other sorts of infrastructure such extensive development would require could be so located. This would include a sealed access road, probable slip lanes in the highway, and rows of letterboxes. Within the subject site the level of domestication would be high, in the sense of becoming homely, and while some such change could be absorbed into this discrete area overall the effects would spread outside of the area.

**17.19** Consequently, I consider that the relief requested should be declined.



**Marion Read**  
**24 May 2017**

## Appendix 1

## OFFICE MEMO

**FILE REF:** RM120123 – FII Holdings Ltd

**TO:** Aaron Burt - Planner

**FROM:** Marion Read, Principal Landscape Architect

**DATE:** 14<sup>th</sup> June, 2012

**SUBJECT:** Location of the boundary of the ONL of Ferry Hill

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1. I have been asked by the applicant's agent to review the location of the line delineating the ONL of Ferry Hill as determined by Sarah Rose in her report on their application dated 27 March 2012.
2. I have re-read Ms Rose's analysis of the landscape of the site and vicinity. This analysis was undertaken in accordance with S5.4.2.1 of the District Plan. In addition I have checked a number of reports which have been undertaken by Landscape Architects within Lakes Environmental on sites in the vicinity over past years.
3. It is my opinion that the flat land to the north of State Highway 6 is correctly classified as 'Other Rural Landscape'. This is because it is, or soon will be, a remnant area of what was the Visual Amenity Landscape of the Frankton Flats. It is my understanding that as there has been no challenge to Plan Change 19 in its entirety, it can be assumed that at some point the land to the south of the state highway will be rezoned and will no longer be Rural General land. While this remnant retains the characteristics of a Visual Amenity Landscape it is too small to be considered a landscape in its own right and is really a remaining sliver of the Flats landscape. This conclusion is different to that of Ms Rose.
4. While the Plan certainly presumes that Visual Amenity Landscapes and Outstanding Natural Landscapes are always adjacent there is no impediment in the Plan to the finding that an Outstanding Natural Landscape and an Other Rural Landscape may be adjacent. This is the case with the Hawthorn Triangle, for example, where the area classified as ORL is immediately adjacent to the Outstanding Natural Feature of the Shotover River.
5. Ms Dixon from Clark Fortune McDonald has quoted Mr Rewcastle from his report on the proposed Plan Change 37. I believe this quote was taken out of context. At paragraph 24 of his report he stated:

*Following assessment of the site I ...consider that the line between the Outstanding Natural Feature (sic) and the Visual Amenity Landscape to the south, in the vicinity of the site, is at the base of Ferry Hill west of the formed section of Ferry Hill Drive.*

6. In her report on a proposed development application within the Quail Rise Zone Ms Mellsop stated:

*...in the vicinity of the application site [Lot 50 DP 403880] I consider the boundary [of the ONL] would be located at the change of gradient between the moderate upper slopes of*

*the terrace and the steep face of Ferry Hill...This line is supported by the underlying zoning...*

While this site is further north and more elevated than the subject site the principle of locating a boundary at a change of gradient is consistently applied. This is clearly not being applied without reference to other aspects of the landscape, but is a key consideration.

7. It is my opinion that Ms Rose correctly applied the criteria within the District Plan for assessing landscape classifications and I concur with her conclusion that the boundary of the ONL should be located at the transition between the surface of the Frankton Flats and the slopes of Ferry Hill. I do not entirely concur with the diagram on which she located the boundary. I consider that the location is correct in the more south western portions of the site but that the line should curve to the west from just north of the midpoint of the site so as to follow the edge of the slope.

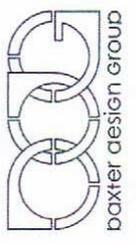
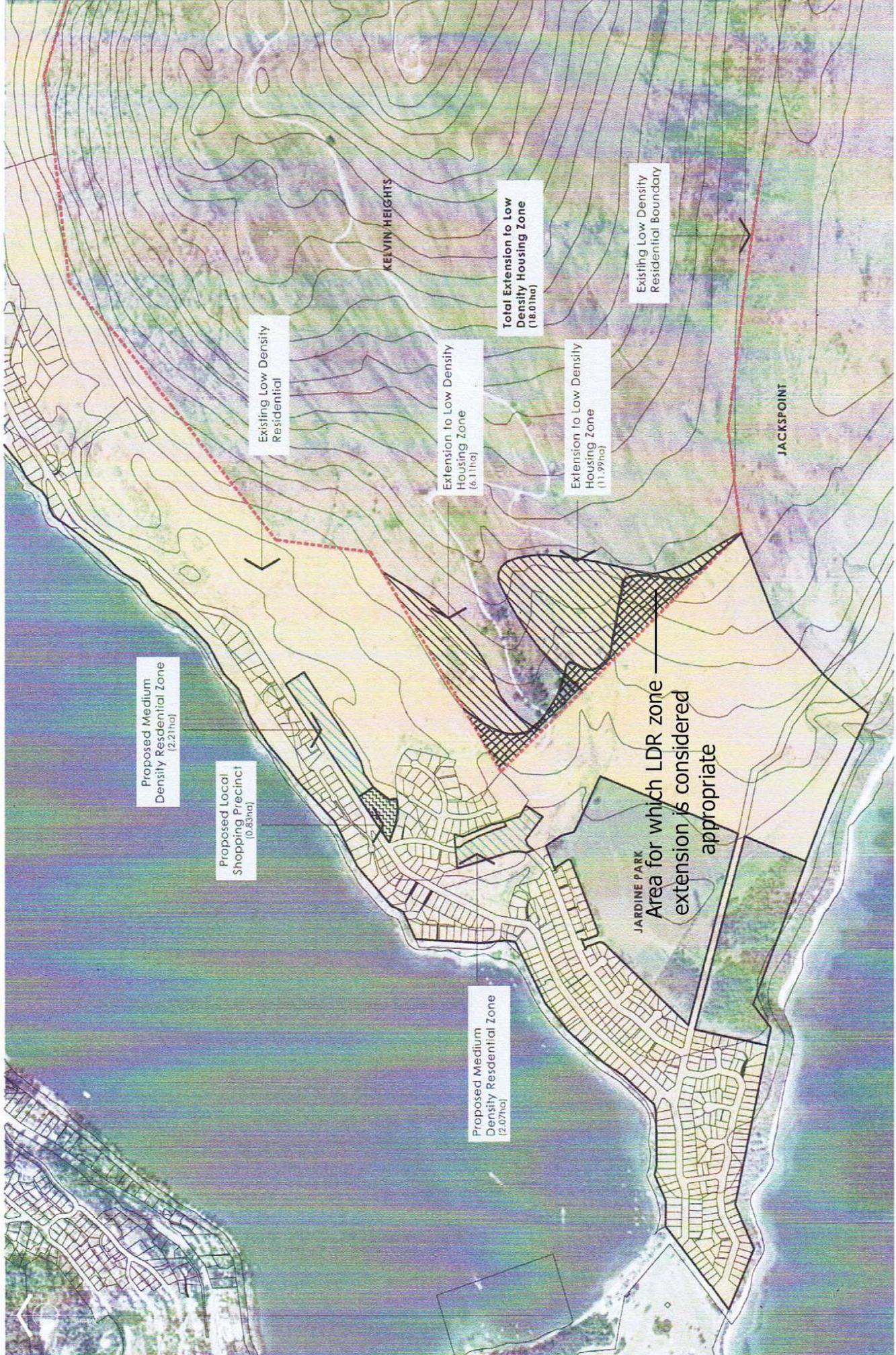
Memo prepared by  
**LAKES ENVIRONMENTAL LIMITED**



Marion Read  
**PRINCIPAL LANDSCAPE ARCHITECT**



## Appendix 2



**MEES - KELVIN HEIGHTS - EXTENSION TO LOW DENSITY RESIDENTIAL ZONE**

REFERENCE : 2593 - SK-05 - SCALE = 1:10000AT A3 - 23 OCT 2015